STATE OF NORTH CAROLINA

PUBLIC-LOCAL LAWS

ENACTED BY THE

GENERAL ASSEMBLY

AT ITS

SESSION OF 1923

BEGUN AND HELD IN THE CITY OF RALEIGH
ON
WEDNESDAY, THE THIRD DAY OF JANUARY, A.D. 1923

PUBLISHED BY AUTHORITY

RALEIGH
MITCHELL PRINTING COMPANY
STATE PRINTERS
1923
<table>
<thead>
<tr>
<th>CHAP</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. An act to amend chapter 56, Public-Local Laws, extra session of 1921, relating to compensation of officers of Harnett County</td>
<td>1</td>
</tr>
<tr>
<td>2. An act to provide for the collection of taxes for Surry County and for other purposes</td>
<td>2</td>
</tr>
<tr>
<td>3. An act to regulate sales on Sunday near Old Ford Christian Church in Beaufort County</td>
<td>3</td>
</tr>
<tr>
<td>4. An act to increase the number of the board of education of Transylvania County</td>
<td>3</td>
</tr>
<tr>
<td>5. An act to authorize Cleveland County to issue bonds and provide for the payment thereof</td>
<td>5</td>
</tr>
<tr>
<td>6. An act to repeal chapter 265, Public-Local Laws, session 1921, relating to the employment of an auditor by the commissioners of Stokes County</td>
<td>7</td>
</tr>
<tr>
<td>7. An act to abolish the office of county treasurer of Randolph County and to permit the board of county commissioners to employ banking and trust companies in lieu thereof</td>
<td>7</td>
</tr>
<tr>
<td>8. An act to amend section 4352 of the Consolidated Statutes, relating to the use of profane and indecent language on public highways in Cleveland County</td>
<td>8</td>
</tr>
<tr>
<td>9. An act to repeal chapter 63 of the Public-Local Laws of North Carolina, session 1919, entitled “An act to promote cattle-raising in Wilkes County”</td>
<td>8</td>
</tr>
<tr>
<td>10. An act to authorize and direct the commissioners of Yancey and Madison counties to repair and construct a public road across Paint Gap</td>
<td>9</td>
</tr>
<tr>
<td>11. An act to amend section 8073, chapter 133, of the Consolidated Statutes and to provide for a standard-keeper for Currituck County</td>
<td>9</td>
</tr>
<tr>
<td>12. An act prohibiting the sale of fireworks in Camden County</td>
<td>10</td>
</tr>
<tr>
<td>13. An act to extend the time of the sheriff or tax collector of Hyde County for the sale of lands in Mattamuskeet Drainage District, Hyde County, from the first Monday in February to the first Monday in May of each year</td>
<td>10</td>
</tr>
<tr>
<td>14. An act to provide for the erection of a new county home in Alamance County and to authorize the county commissioners to select and purchase a site for said new county home</td>
<td>11</td>
</tr>
<tr>
<td>15. An act to prohibit the sale or use of fireworks in Currituck and Cherokee counties</td>
<td>12</td>
</tr>
<tr>
<td>16. An act to facilitate the handling of the public funds of Anson County</td>
<td>12</td>
</tr>
<tr>
<td>17. An act to amend chapter 169, Public-Local Laws, extra session 1921, known as the planning board bill</td>
<td>17</td>
</tr>
<tr>
<td>Chap.</td>
<td>Captions</td>
</tr>
<tr>
<td>-------</td>
<td>----------</td>
</tr>
<tr>
<td>18.</td>
<td>An act to validate certain bonds of Cherokee County.</td>
</tr>
<tr>
<td>19.</td>
<td>An act to authorize the commissioners of Cleveland County to borrow money for road equipment and maintenance of the roads of Number Two Township, and for levying the necessary taxes for the payment of same.</td>
</tr>
<tr>
<td>20.</td>
<td>An act to authorize the county commissioners of Macon County to pay a bonus for wildcat scalps.</td>
</tr>
<tr>
<td>21.</td>
<td>An act to eliminate the restrictions as to grades upon the public roads of Mitchell County and for other purposes.</td>
</tr>
<tr>
<td>22.</td>
<td>An act to authorize the commissioners of Lee County to call an election and issue road bonds.</td>
</tr>
<tr>
<td>23.</td>
<td>An act authorizing the construction of a bridge connecting the counties of Ashe and Watauga.</td>
</tr>
<tr>
<td>25.</td>
<td>An act to prohibit and punish the unlawful driving of automobiles in Buncombe and Madison counties.</td>
</tr>
<tr>
<td>26.</td>
<td>An act to abolish the auditor's office for Davidson County.</td>
</tr>
<tr>
<td>27.</td>
<td>An act to create the office of tax collector for Madison County and relating to the other officers of said county.</td>
</tr>
<tr>
<td>28.</td>
<td>An act relative to the roads of Macon County.</td>
</tr>
<tr>
<td>29.</td>
<td>An act to authorize the board of county commissioners of Henderson County to issue bonds to fund floating indebtedness.</td>
</tr>
<tr>
<td>30.</td>
<td>An act to authorize the board of county commissioners of Henderson County to issue bonds to refund outstanding bonded indebtedness.</td>
</tr>
<tr>
<td>31.</td>
<td>An act to amend section 1364, Consolidated Statutes of North Carolina, so as to enable the commissioners of Madison County to provide funds for working prisoners and the construction of roads in said county.</td>
</tr>
<tr>
<td>32.</td>
<td>An act validating certain bonds of Henderson County.</td>
</tr>
<tr>
<td>33.</td>
<td>An act to amend chapter 114, Public-Local Laws of North Carolina, session 1913, relating to the appointment of rural policemen for the county of Scotland.</td>
</tr>
<tr>
<td>34.</td>
<td>An act to fill the vacancy on the county board of education of Franklin County, created by the death of A. W. Perry.</td>
</tr>
<tr>
<td>35.</td>
<td>An act to validate the probate and registration of certain deeds and other conveyances.</td>
</tr>
<tr>
<td>36.</td>
<td>An act for the relief of Edith Miller, public school teacher of Alleghany County.</td>
</tr>
<tr>
<td>37.</td>
<td>An act relating to certain road funds in Burke County.</td>
</tr>
<tr>
<td>38.</td>
<td>An act to repeal chapter 34 of the Public-Local Laws, extra session 1921, relating to the fees of the clerk of the Superior Court of Chowan County.</td>
</tr>
<tr>
<td>39.</td>
<td>An act for the promotion of education and for the relief of taxpayers of Hyde County.</td>
</tr>
<tr>
<td>Chap.</td>
<td>Page</td>
</tr>
<tr>
<td>-------</td>
<td>------</td>
</tr>
<tr>
<td>40. An act to repeal section 3 of chapter 568, Public-Local and Private Laws of 1919, relative to the salary of the clerk of the board of commissioners of New Hanover County</td>
<td>40</td>
</tr>
<tr>
<td>41. An act to aid in the improvement of the public roads of Stanly County</td>
<td>40</td>
</tr>
<tr>
<td>42. An act authorizing the county commissioners of Columbus County to audit all county accounts for the past four years</td>
<td>41</td>
</tr>
<tr>
<td>43. An act to repeal chapter 15 of the Public-Local Laws of the extra session 1921, and to reenact chapter 410, Public-Local Laws of North Carolina, session 1915</td>
<td>42</td>
</tr>
<tr>
<td>44. An act to require the public officers of Currituck County to make annual reports</td>
<td>42</td>
</tr>
<tr>
<td>45. An act to create the office of county solicitor in Rutherford County</td>
<td>43</td>
</tr>
<tr>
<td>46. An act to authorize the board of commissioners of Durham County to employ a purchasing agent for Durham County</td>
<td>44</td>
</tr>
<tr>
<td>47. An act to require the chairman of the board of county commissioners of Alamance County to devote his entire time to the duties of his office, as now prescribed and defined, and to the additional duties placed upon him in this act, and to provide a salary in lieu of all other compensation for such chairman</td>
<td>45</td>
</tr>
<tr>
<td>48. An act to validate certain bonds in Cherokee County</td>
<td>49</td>
</tr>
<tr>
<td>49. An act to repeal chapter 101, Public-Local Laws 1921, relating to the salary of the chairman of the board of commissioners of Sampson County</td>
<td>50</td>
</tr>
<tr>
<td>50. An act to authorize the county commissioners of Surry County to issue $150,000 of county bonds for the purpose of constructing and improving the public roads of Surry County</td>
<td>50</td>
</tr>
<tr>
<td>51. An act validating certain bonds of Clay County</td>
<td>51</td>
</tr>
<tr>
<td>52. An act to appoint a member of the Pamlico-Highway Commission of Pamlico County, as provided in chapter 395, Public-Local Laws 1921</td>
<td>52</td>
</tr>
<tr>
<td>53. An act to amend chapter 39, Public-Local Laws, extra session 1921, providing for the better maintenance of the public roads of Scotland County</td>
<td>52</td>
</tr>
<tr>
<td>54. An act to repeal section 8, chapter 128, Public-Local Laws of 1921, relating to the salary of the road supervisor of Clay County</td>
<td>53</td>
</tr>
<tr>
<td>55. An act to increase the number of the county commissioners for Randolph County to five; to confer upon the board of county commissioners the functions of the board of road trustees, and to abolish the board of road trustees of Randolph County</td>
<td>53</td>
</tr>
<tr>
<td>56. An act prohibiting carnivals in Cleveland County</td>
<td>54</td>
</tr>
<tr>
<td>57. An act to amend section 9, chapter 596 of the Public-Local Laws of 1915, relating to bonds of officers of Davidson County</td>
<td>54</td>
</tr>
<tr>
<td>58. An act to authorize the board of commissioners of Wilson County to appoint a special police at Farmers Mill, Taylor's Township, Wilson County, North Carolina</td>
<td>55</td>
</tr>
<tr>
<td>Chap.</td>
<td>Description</td>
</tr>
<tr>
<td>-------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>59.</td>
<td>An act in reference to the manner of advertisement of real estate in townships numbers 6, 7, 12, 13 and 14 of Edgecombe County.</td>
</tr>
<tr>
<td>60.</td>
<td>An act to amend chapter 578, Public-Local and Private Laws, session 1921, by adding Person County to the list of counties named in said section.</td>
</tr>
<tr>
<td>61.</td>
<td>An act to encourage livestock raising in Moore County.</td>
</tr>
<tr>
<td>62.</td>
<td>An act to amend chapter 262, Public-Local Laws of 1915.</td>
</tr>
<tr>
<td>63.</td>
<td>An act to amend the road law of Jackson County.</td>
</tr>
<tr>
<td>64.</td>
<td>An act to prohibit the issuance of bonds or notes by the commissioners of Avery County without a vote of the people.</td>
</tr>
<tr>
<td>65.</td>
<td>An act to make chapter 606, Public-Local Laws of North Carolina, session 1917, and amendment thereto, applicable to Macon, Clay, Cherokee, Yancey and Transylvania counties, entitled &quot;An act to provide the Australian ballot.&quot;</td>
</tr>
<tr>
<td>66.</td>
<td>An act requiring the commissioners of Madison County or the road authorities for said county to build a road from Redmond through Friezeland Gap to the Gardner &amp; Ebbs store on Spring Creek.</td>
</tr>
<tr>
<td>67.</td>
<td>An act empowering the county commissioners of Onslow County to issue bonds for the erection of a county home.</td>
</tr>
<tr>
<td>68.</td>
<td>An act to amend section 1229 of the Consolidated Statutes, providing that where defendant in criminal cases pleads guilty and no jury is impaneled, no jury tax shall be charged.</td>
</tr>
<tr>
<td>69.</td>
<td>An act to build a road in the Nantahala Township.</td>
</tr>
<tr>
<td>70.</td>
<td>An act to give publicity to the expenditure of all moneys collected by way of taxes by the county of Alamance, and to promote economy in the expenditures of such moneys.</td>
</tr>
<tr>
<td>71.</td>
<td>An act to amend chapter 455 of the Public-Local Laws of 1919, relating to the construction of highways in McDowell County.</td>
</tr>
<tr>
<td>72.</td>
<td>An act to validate Edgecombe County bonds of $25,000 par value, each and all dated April 1, 1920, and issued for the benefit of Battleboro Special School District.</td>
</tr>
<tr>
<td>73.</td>
<td>An act to protect deer in Harnett County.</td>
</tr>
<tr>
<td>74.</td>
<td>An act regulating the salary of the sheriff of Forsyth County.</td>
</tr>
<tr>
<td>75.</td>
<td>An act authorizing the commissioners of Durham County to appropriate funds for the erection of a Confederate monument in said county.</td>
</tr>
<tr>
<td>76.</td>
<td>An act to compel the children of Cherokee Indians in Cherokee and Graham counties to attend school.</td>
</tr>
<tr>
<td>77.</td>
<td>An act to revise the financial system of government for the county of Buncombe.</td>
</tr>
<tr>
<td>78.</td>
<td>An act to define the duties of the board of commissioners of Haywood County, and fix their compensation.</td>
</tr>
<tr>
<td>79.</td>
<td>An act to allow the clerk of court of Rockingham County extra compensation for employment of a deputy clerk.</td>
</tr>
<tr>
<td>80.</td>
<td>An act for the relief of the register of deeds of Forsyth County.</td>
</tr>
<tr>
<td>CHAP.</td>
<td>PAGE</td>
</tr>
<tr>
<td>-------</td>
<td>------</td>
</tr>
<tr>
<td>81. An act to repeal parts of chapter 436 of the Public Laws of North Carolina, session of 1905, and chapter 433 of the Public-Local Laws of North Carolina, session of 1913, and chapter 504 of the Public-Local and Private Laws of North Carolina, session 1921...</td>
<td>79</td>
</tr>
<tr>
<td>82. An act to amend chapter 653 of the Public-Local Laws of North Carolina, 1915</td>
<td>80</td>
</tr>
<tr>
<td>83. An act to authorize the service of process in Westfield High School District by the officers of Surry and Stokes counties</td>
<td>81</td>
</tr>
<tr>
<td>84. An act to amend chapter 437, Public-Local Laws of 1915, relative to roads of Reynoldson Township, Gates County</td>
<td>81</td>
</tr>
<tr>
<td>85. An act to authorize the county commissioners of New Hanover County and the board of commissioners of the city of Wilmington to appropriate funds to the Community Hospital Association, incorporated</td>
<td>82</td>
</tr>
<tr>
<td>86. An act to compensate the sheriff of Avery County for the capture and delivery to the county commissioners of any still</td>
<td>83</td>
</tr>
<tr>
<td>87. An act relating to the better government of Hertford County and reducing the expenses thereof</td>
<td>83</td>
</tr>
<tr>
<td>88. An act to amend chapter 94 of the Consolidated Statutes, entitled &quot;Drainage&quot;</td>
<td>86</td>
</tr>
<tr>
<td>89. An act to authorize the board of commissioners of Pitt County to issue bonds in the sum of $100,000 for the purpose of reimbursing the bridge fund</td>
<td>88</td>
</tr>
<tr>
<td>90. An act to authorize the board of commissioners of Stanly County to issue bonds for a county home</td>
<td>89</td>
</tr>
<tr>
<td>91. An act requiring the county commissioners or road authorities of Madison County to build a road from Big Pine Creek Road into the road leading from Redmon to Ebbs Gardner store, connecting with said road in Freezeland Gap, and to put in repair the road leading up Big Ivy to Jupiter, and the road leading from Benny Gunter's up Big Laurel to C. W. Cody's store; to put rural mail routes in repair, to regulate the disbursement of money paid in lieu of work on public roads, and the working of cartways and private roads, and to require money collected by special tax for maintenance of roads to be spent in township or voting precinct in proportion to the amount of taxes paid in the respective township or precinct</td>
<td>91</td>
</tr>
<tr>
<td>92. An act relating to the fees of the clerk of the Superior Court of Chowan County</td>
<td>93</td>
</tr>
<tr>
<td>93. An act to empower the board of county commissioners of Pamlico County to issue bonds in an amount not to exceed $200,000 for roads and bridges in Pamlico County, and for the general county purposes</td>
<td>93</td>
</tr>
<tr>
<td>94. An act to fix the compensation of the county commissioners of Graham County</td>
<td>94</td>
</tr>
<tr>
<td>95. An act to regulate and make uniform the fees of the clerk of Moore County</td>
<td>94</td>
</tr>
<tr>
<td>Chap.</td>
<td>Act Description</td>
</tr>
<tr>
<td>-------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>96</td>
<td>An act to amend chapter 276 of the Public-Local Laws of 1913, and all subsequent amendments thereto, relating to the recorder's court of Lexington</td>
</tr>
<tr>
<td>97</td>
<td>An act to amend chapter 235 of the Public-Local Laws of the session of the General Assembly of 1919, entitled “An act to create a highway commission for Surry County”</td>
</tr>
<tr>
<td>98</td>
<td>An act to amend chapter 369 of the Public-Local Laws of the session of 1921</td>
</tr>
<tr>
<td>99</td>
<td>An act to amend chapter 184, Public-Local Laws of 1909</td>
</tr>
<tr>
<td>100</td>
<td>An act providing for the building and keeping in repair the bridges in Surry County</td>
</tr>
<tr>
<td>101</td>
<td>An act to regulate the compensation of the sheriff and treasurer of Transylvania County</td>
</tr>
<tr>
<td>102</td>
<td>An act to repeal chapter 234, Public-Local Laws 1911, and chapter 50, Public-Local Laws 1919, and to place public roads of Forneys Creek Township in Swain County under the control of the board of county commissioners of Swain County</td>
</tr>
<tr>
<td>103</td>
<td>An act to authorize and empower the board of commissioners of Greene County to levy a special tax</td>
</tr>
<tr>
<td>104</td>
<td>An act to require the official bonds of county officers of Union County to be executed by a surety company, authorized to do business in North Carolina, and requiring the county commissioners to pay the premium thereon from the general funds of the county</td>
</tr>
<tr>
<td>105</td>
<td>An act relating to the pay of county commissioners, road commissioners and members of the board of education of Chowan County</td>
</tr>
<tr>
<td>106</td>
<td>An act to amend chapter 96, Public-Local Laws of 1921, which is an act to provide for the construction and maintenance of public highways in Alamance County, and to discontinue the highway commission provided for in said act, and vest the duties devolving upon said commission upon the chairman and board of county commissioners of said county</td>
</tr>
<tr>
<td>107</td>
<td>An act to amend chapter 348 of the Public-Local Laws of 1913, entitled “An act to provide for the drainage of certain portions of Muddy Creek and South Muddy Creek in Burke and McDowell counties”</td>
</tr>
<tr>
<td>108</td>
<td>An act to fund the floating indebtedness of Davidson County</td>
</tr>
<tr>
<td>109</td>
<td>An act to provide for protection of plats, maps, or other tracings of land now on file and to be filed in the office of the register of deeds of Durham County</td>
</tr>
<tr>
<td>110</td>
<td>An act to authorize present register of deeds of Catawba County to perform certain duties that should have been performed by her predecessors in office</td>
</tr>
<tr>
<td>111</td>
<td>An act regulating the duties and fees of special deputy sheriffs in the county of Buncombe</td>
</tr>
<tr>
<td>112</td>
<td>An act to create the office of county superintendent of roads for the county of Iredell</td>
</tr>
</tbody>
</table>
### Captions of the Public-Local Laws

<table>
<thead>
<tr>
<th>Page</th>
<th>Caption</th>
</tr>
</thead>
<tbody>
<tr>
<td>111</td>
<td>An act to abridge the method of terminating recorder's court in Jackson County.</td>
</tr>
<tr>
<td>111</td>
<td>An act to amend an act to abolish the office of county treasurer of Randolph County and to permit the board of county commissioners to employ banking and trust companies in lieu thereof.</td>
</tr>
<tr>
<td>112</td>
<td>An act to authorize and permit the use of public school buildings in the county of Buncombe for public purposes.</td>
</tr>
<tr>
<td>113</td>
<td>An act to allow the register of deeds of Davidson County to employ a tax clerk.</td>
</tr>
<tr>
<td>113</td>
<td>An act to amend chapter 129, Public-Local Laws 1917, and to limit amount of tax to be levied for roads in Davidson County.</td>
</tr>
<tr>
<td>114</td>
<td>An act to create a special road district, including Hot Springs and Spring Creek townships in Madison County, and for other purposes.</td>
</tr>
<tr>
<td>123</td>
<td>An act to build and maintain a system of roads in Haywood County.</td>
</tr>
<tr>
<td>127</td>
<td>An act supplemental to an act entitled &quot;An act relative to the roads of Macon County,&quot; ratified on the second day of February, 1923.</td>
</tr>
<tr>
<td>128</td>
<td>An act to authorize and empower the board of commissioners in Swain County to issue bonds for the purpose of paying off certain indebtedness incurred prior to July 1, 1921.</td>
</tr>
<tr>
<td>129</td>
<td>An act to build and maintain a system of roads in Yancey County.</td>
</tr>
<tr>
<td>130</td>
<td>An act to repeal chapter 374, Public-Local Laws 1921, relative to the construction and repair of the public roads from the town of Banner Elk to the corporate limits of the town of Elk Park in Avery County.</td>
</tr>
<tr>
<td>136</td>
<td>An act to amend chapter 158, Public-Local Laws, extra session 1921, relative to automobiles for Buncombe County officials.</td>
</tr>
<tr>
<td>137</td>
<td>An act to allow the commissioners of Columbus County to borrow from one county fund for the use of another county fund.</td>
</tr>
<tr>
<td>138</td>
<td>An act to define the duties of the board of commissioners of Yancey County and fix their compensation.</td>
</tr>
<tr>
<td>139</td>
<td>An act to prohibit the use of public automobiles belonging to the county of Buncombe, or any political subdivision thereof, or the city of Asheville, for private purposes.</td>
</tr>
<tr>
<td>141</td>
<td>An act to repeal chapter 523, Public-Local Laws of 1921; to fix the salaries and bonds of the officers of Cherokee County, including the compensation of county commissioners, and to abolish the office of county treasurer.</td>
</tr>
<tr>
<td>144</td>
<td>An act to prohibit the use of haul seine in the waters of Northeast or the Northeast prong of New River in Onslow County, from the first day of February to the first day of May in each and every year.</td>
</tr>
<tr>
<td>144</td>
<td>An act to validate certain acts of assistants in the office of the register of deeds of Johnston County.</td>
</tr>
<tr>
<td>Chap.</td>
<td>Title</td>
</tr>
<tr>
<td>-------</td>
<td>----------------------------------------------------------------------</td>
</tr>
<tr>
<td>132</td>
<td>An act to authorize the board of county commissioners of Stokes County to issue bonds, and relating to public roads and bridges in Stokes County, and to provide for the construction and maintenance of public roads in said county by a county system in lieu of a township system, and supplemental to chapter 41 of Public-Local Laws of 1913, and acts amendatory thereof, and chapters 196, 356, and 363 of Public-Local Laws of 1919, and acts amendatory thereof, of the General Assembly of North Carolina, and an act to repeal chapter 448. Public Laws of 1893, chapter 181. Public Laws of 1895, and chapter 781, Public Laws of 1907, of the General Assembly of North Carolina, which relate to the application of certain taxes in Sauratown, Meadows, and Danbury townships in Stokes County</td>
</tr>
<tr>
<td>133</td>
<td>An act to authorize the board of commissioners of Moore County to issue bonds for building and repairing bridges in Moore County</td>
</tr>
<tr>
<td>134</td>
<td>An act to amend chapter 191 of the Public-Local Laws, extra session 1920, entitled “An act to fix the salaries of the officers of Nash County”</td>
</tr>
<tr>
<td>135</td>
<td>An act to fix the fees of the constables of Durham County to conform to that of other officers for similar services</td>
</tr>
<tr>
<td>136</td>
<td>An act relating to the compensation of county commissioners of Anson County</td>
</tr>
<tr>
<td>137</td>
<td>An act to place the sheriff of Watauga County on a salary</td>
</tr>
<tr>
<td>138</td>
<td>An act to fix the salaries of the clerk of the Superior Court and of the register of deeds of McDowell County</td>
</tr>
<tr>
<td>139</td>
<td>An act prohibiting the sale of bonds in Columbus County, except by a vote of the people</td>
</tr>
<tr>
<td>140</td>
<td>An act to authorize the board of county commissioners of Chatham County to issue bonds for paying debts incurred in building and equipping a county home and acquiring a site therefor for said county</td>
</tr>
<tr>
<td>141</td>
<td>An act making 2366 of the Consolidated Statutes, making refusal to perform contract by tenant or cropper ground for dispossession, apply to Granville County</td>
</tr>
<tr>
<td>142</td>
<td>An act authorizing the board of county commissioners of Caswell County to levy a special tax</td>
</tr>
<tr>
<td>143</td>
<td>An act to amend chapter 164 of the Public-Local Laws of 1921, relating to the issuance of road bonds by Alleghany County</td>
</tr>
<tr>
<td>144</td>
<td>An act to provide for registering certain chattel mortgages or conditional sale agreements in Guilford County</td>
</tr>
<tr>
<td>145</td>
<td>An act to appoint Craig Ramsey and L. E. Farester special prohibition enforcement officers for Madison County</td>
</tr>
<tr>
<td>146</td>
<td>An act to amend chapter 571 of Public-Local Laws of 1921, as to salaries of sheriff and treasurer of Cabarrus County</td>
</tr>
<tr>
<td>147</td>
<td>An act to allow the board of county commissioners of Pamlico County to establish a chain-gang for the purpose of working the roads of said county</td>
</tr>
<tr>
<td>Chap.</td>
<td>Description</td>
</tr>
<tr>
<td>-------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>148.</td>
<td>An act to abolish the office of county treasurer in Jackson County, establish the office of county auditor, regulate compensation of the tax collector, and for other purposes.</td>
</tr>
<tr>
<td>149.</td>
<td>An act to authorize the town of Robbinsville and the board of county commissioners of Graham County and the trustees for Cheoah School to provide waterworks.</td>
</tr>
<tr>
<td>150.</td>
<td>An act to amend section 2 of chapter 578 of the Public-Local Laws of 1921, relating to sheriff's fees of Wayne County.</td>
</tr>
<tr>
<td>151.</td>
<td>An act to amend chapter 467 of the Public-Local Laws of 1919, relative to the highway commission of Ashe County.</td>
</tr>
<tr>
<td>152.</td>
<td>An act to regulate distribution of milk in Henderson County.</td>
</tr>
<tr>
<td>153.</td>
<td>An act to amend section 278 of Public-Local Laws of 1919, relating to time fees of county officers of Vance County shall be paid to treasurer.</td>
</tr>
<tr>
<td>154.</td>
<td>An act to limit to $3,500 the compensation of the sheriff of Hyde County.</td>
</tr>
<tr>
<td>155.</td>
<td>An act to fix fees and expenses of the sheriff of Robeson County for serving civil and criminal processes.</td>
</tr>
<tr>
<td>156.</td>
<td>An act to amend chapter 350 of the Public-Local Laws of 1921, relating to the salaries of the public officers of Columbus County</td>
</tr>
<tr>
<td>157.</td>
<td>An act to provide for an annual audit of the books of the officials of Stokes County.</td>
</tr>
<tr>
<td>158.</td>
<td>An act to amend section 3405 of the Consolidated Statutes, by providing for payment in Rockingham County to the officer seizing vehicle conveying liquor.</td>
</tr>
<tr>
<td>159.</td>
<td>An act to require the board of education of Pitt County to make and file with the board of county commissioners of Pitt County an annual itemized statement of receipts and expenditures of said board</td>
</tr>
<tr>
<td>160.</td>
<td>An act to repeal chapter 363, Public-Local Laws, regular session 1921, relating to use of courthouse in Caswell County.</td>
</tr>
<tr>
<td>161.</td>
<td>An act to partly compensate E. R. Ferrell for damages sustained by reason of Pasquotank County saving $30,000 to $40,000 in abandoning the &quot;Lowry Road&quot; and &quot;Lowry Drawbridge&quot;</td>
</tr>
<tr>
<td>162.</td>
<td>An act to amend chapter 220, Public-Local Laws of North Carolina, extra session of 1921, relating to the salary of the chairman of the board of county commissioners of Swain County</td>
</tr>
<tr>
<td>163.</td>
<td>An act to amend chapter 442, Public-Local Laws of North Carolina, session 1921, relating to salary of sheriff of Swain County.</td>
</tr>
<tr>
<td>164.</td>
<td>An act to amend chapter 117, Public-Local Laws of Extra Session of 1921, relative to the salary of the treasurer of Swain County..</td>
</tr>
<tr>
<td>165.</td>
<td>An act to ratify and approve the action of the board of commissioners of Rutherford County in the transfer of certain funds to the general county fund.</td>
</tr>
<tr>
<td>166.</td>
<td>An act authorizing the commissioners of Rutherford County to pay off certain township bonds of Rutherford County pertaining to the construction of the Charlotte-Asheville Highway in Rutherford County</td>
</tr>
<tr>
<td>CHAP.</td>
<td>Description</td>
</tr>
<tr>
<td>-------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>167.</td>
<td>An act to prohibit the exhibition of carnivals in Caldwell County</td>
</tr>
<tr>
<td>168.</td>
<td>An act to repeal chapter 274, Public-Local and Private Laws of the session of 1921, relating to the catching of fish in the waters in Montgomery County</td>
</tr>
<tr>
<td>169.</td>
<td>An act to abolish the office of county auditor of Franklin County, and to authorize the board of county commissioners to cause the county accounts to be audited by the State Auditor's office or under contract</td>
</tr>
<tr>
<td>170.</td>
<td>An act to place the officers of Bladen County upon a salary basis</td>
</tr>
<tr>
<td>171.</td>
<td>An act to repeal chapter 553, Private Laws 1919, so far as same relates to Olin Township in Iredell County, North Carolina</td>
</tr>
<tr>
<td>172.</td>
<td>An act to empower the county commissioners of Bertie County to authorize the clerk of the Superior Court, the register of deeds, and the sheriff of said county to employ certain deputies in said offices to be paid for by the county out of the salary fund</td>
</tr>
<tr>
<td>173.</td>
<td>An act to amend chapter 82 of the Consolidated Statutes, relating to using of profane or indecent language on public highways, so as to make it apply to Pitt County</td>
</tr>
<tr>
<td>174.</td>
<td>An act to fix the compensation of the sheriff of Edgecombe County</td>
</tr>
<tr>
<td>175.</td>
<td>An act prohibiting the board of county commissioners of Brunswick County from issuing bonds or notes pledging the credit of said county without first submitting the question to the qualified voters thereof</td>
</tr>
<tr>
<td>176.</td>
<td>An act to fix salaries for public officers in Person County, and to provide for the auditing of their accounts</td>
</tr>
<tr>
<td>177.</td>
<td>An act to amend chapter 215 of the Public-Local Laws 1915, providing for New Hanover County a short form of conditional sale agreement, and to simplify the execution and registration of same</td>
</tr>
<tr>
<td>178.</td>
<td>An act to prohibit the exhibition of carnivals in Rockingham County</td>
</tr>
<tr>
<td>179.</td>
<td>An act relating to the duties and authority of constables and policemen of incorporated towns in the county of Scotland</td>
</tr>
<tr>
<td>180.</td>
<td>An act for the relief of W. E. Shipman, sheriff and tax collector of Transylvania County</td>
</tr>
<tr>
<td>181.</td>
<td>An act to validate certain drainage bonds in Pasquotank County</td>
</tr>
<tr>
<td>182.</td>
<td>An act to prohibit exhibition by carnivals in Granville County</td>
</tr>
<tr>
<td>183.</td>
<td>An act for the protection of maps or plats to be filed in the office of register of deeds of Guilford County</td>
</tr>
<tr>
<td>184.</td>
<td>An act to amend chapter 285, Public-Local Laws 1921, relative to the office of the sheriff of Stokes County</td>
</tr>
<tr>
<td>185.</td>
<td>An act prohibiting the board of education or the board of county commissioners or the road commission of Hyde County from issuing bonds or notes pledging the credit of said county, township, or school or road district, without first submitting the question to the qualified voters thereof</td>
</tr>
<tr>
<td>CHAP.</td>
<td>PAGE</td>
</tr>
<tr>
<td>-------</td>
<td>------</td>
</tr>
<tr>
<td>186.</td>
<td>An act to turn into the general county fund of Stokes County the surplus taxes collected to pay Stokes County home bonds</td>
</tr>
<tr>
<td>187.</td>
<td>An act to authorize the board of commissioners of Person County to levy taxes for building a county home</td>
</tr>
<tr>
<td>188.</td>
<td>An act to appoint R. H. Byrd constable of Burgaw Township, Pender County</td>
</tr>
<tr>
<td>189.</td>
<td>An act to regulate the licensing of automobiles for hire in Iredell County</td>
</tr>
<tr>
<td>190.</td>
<td>An act to authorize the board of county commissioners of Columbus County to elect a whole-time auditor and to abolish the office of county treasurer</td>
</tr>
<tr>
<td>191.</td>
<td>An act relating to the employment of convicts in Columbus County</td>
</tr>
<tr>
<td>192.</td>
<td>An act to amend chapter 234, Public-Local Laws of 1921, and to provide additional compensation for deputy sheriffs in Alamance County</td>
</tr>
<tr>
<td>193.</td>
<td>An act to amend chapter 563, Public-Local Laws of 1921, entitled “An act relative to salaries of county officers in Buncombe County”</td>
</tr>
<tr>
<td>194.</td>
<td>An act in reference to the compensation of the board of commissioners of Wilson County</td>
</tr>
<tr>
<td>195.</td>
<td>An act to create a rural patrol commission for Buncombe County and to authorize the appointment of one or more rural patrolmen</td>
</tr>
<tr>
<td>196.</td>
<td>An act to provide a uniform system for recording plats and maps in Buncombe County</td>
</tr>
<tr>
<td>197.</td>
<td>An act to protect game, fish, and fur-bearing animals in Jackson County</td>
</tr>
<tr>
<td>198.</td>
<td>An act to repeal chapter 221 of the Public-Local Laws of 1921, relating to the hunting of foxes in Watauga County</td>
</tr>
<tr>
<td>199.</td>
<td>An act to authorize the county commissioners of Stanly County to appoint a treasurer of said county, in case they cannot make satisfactory arrangements with the banks of the county, under the present law, for handling the county funds</td>
</tr>
<tr>
<td>200.</td>
<td>An act to amend chapter 32 of the Public-Local Laws of 1921, extra session, relative to the hunting of foxes in Alexander County</td>
</tr>
<tr>
<td>201.</td>
<td>An act to repeal section 1, chapter 358, of the Public-Local Laws of 1921, forbidding the trapping or shooting of foxes in Chowan County</td>
</tr>
<tr>
<td>202.</td>
<td>An act to amend section 2114 of the Consolidated Statutes, relating to the closed season for squirrel in Chowan County</td>
</tr>
<tr>
<td>203.</td>
<td>An act to amend section 2131 of the Consolidated Statutes, forbidding the sale of quail in Chowan County</td>
</tr>
<tr>
<td>204.</td>
<td>An act to amend section 2111 of the Consolidated Statutes of 1919, relating to hunting opossums in Alexander County</td>
</tr>
<tr>
<td>205.</td>
<td>An act to protect and conserve the game and fish in Transylvania County</td>
</tr>
<tr>
<td>Chap.</td>
<td>Act Description</td>
</tr>
<tr>
<td>-------</td>
<td>---------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>206</td>
<td>An act to amend chapter 520 of the Public-Local Laws of 1921, relating to game in Union County</td>
</tr>
<tr>
<td>207</td>
<td>An act to amend section 2116 of the Consolidated Statutes of North Carolina, relating to hunting quail, so as to provide for the close season for quail in Harnett County</td>
</tr>
<tr>
<td>208</td>
<td>An act to authorize the board of commissioners for the county of Beaufort to levy a special tax to pay indebtedness and current expenses</td>
</tr>
<tr>
<td>209</td>
<td>An act to amend chapter 179 of the Public-Local Laws of 1921, relative to game in Ashe County</td>
</tr>
<tr>
<td>210</td>
<td>An act to authorize the commissioners of Jackson County to levy special tax</td>
</tr>
<tr>
<td>211</td>
<td>An act to amend section 1565 of the Consolidated Statutes, so as to permit a less frequent period of holding recorders' courts</td>
</tr>
<tr>
<td>212</td>
<td>An act to authorize the board of commissioners of Polk County to levy a special tax</td>
</tr>
<tr>
<td>213</td>
<td>An act to authorize the county board of education of Durham County to acquire rights of way for sewerage and drainage systems for public school buildings in Durham County</td>
</tr>
<tr>
<td>214</td>
<td>An act to ratify the special tax election in Crawford Township, Currituck County, North Carolina, held January 4, 1923</td>
</tr>
<tr>
<td>215</td>
<td>An act to amend section 19 of chapter 128, Public-Local Laws, session 1921, relative to the public roads of Clay County</td>
</tr>
<tr>
<td>216</td>
<td>An act to authorize the county commissioners of Swain County to issue bonds for the purpose of paying outstanding indebtedness, and to authorize a tax to retire said bonds</td>
</tr>
<tr>
<td>217</td>
<td>An act to amend chapter 126 of the Public-Local Laws of the extra session of 1921, relative to the public roads of Ashe County</td>
</tr>
<tr>
<td>218</td>
<td>An act to regulate the fees of jurors in Columbus County</td>
</tr>
<tr>
<td>219</td>
<td>An act to amend chapter 62 of the Public-Local Laws of 1917, relative to highways of Camden County</td>
</tr>
<tr>
<td>220</td>
<td>An act to ratify and validate the purchase of certain land by the board of commissioners of Bladen County, and to authorize the sale of the same</td>
</tr>
<tr>
<td>221</td>
<td>An act to amend chapter 436 of Public-Local Laws of 1921, relating to fees of clerk of Superior Court of Brunswick County</td>
</tr>
<tr>
<td>222</td>
<td>An act to authorize Alamance County to issue bonds for the building of a new courthouse, and to provide for the building of said courthouse</td>
</tr>
<tr>
<td>223</td>
<td>An act to amend and consolidate the road laws of Cherokee County, and to provide for the issue of certain bonds</td>
</tr>
<tr>
<td>224</td>
<td>An act to authorize Alamance County to issue bonds for the purpose of paying and retiring notes given before February 1, 1923, to obtain funds for the necessary expenses of Alamance County</td>
</tr>
<tr>
<td>225</td>
<td>An act to limit the bonded indebtedness of Haywood County and to provide for the payment of same</td>
</tr>
<tr>
<td>226</td>
<td>An act to secure better drainage of lowlands in Forsyth County</td>
</tr>
<tr>
<td>Chap.</td>
<td>Title</td>
</tr>
<tr>
<td>-------</td>
<td>----------------------------------------------------------------------</td>
</tr>
<tr>
<td>227.</td>
<td>An act to amend chapter 578, Public-Local Laws of 1921, relating to</td>
</tr>
<tr>
<td></td>
<td>the fees of sheriff of Perquimans County</td>
</tr>
<tr>
<td>228.</td>
<td>An act to authorize Union County, North Carolina, to issue road</td>
</tr>
<tr>
<td></td>
<td>and bridge bonds and to provide for the payment thereof</td>
</tr>
<tr>
<td>229.</td>
<td>An act to repeal chapter 1 of the Public-Local Laws of the extra</td>
</tr>
<tr>
<td></td>
<td>session of 1921, relating to the duties of the register of deeds of</td>
</tr>
<tr>
<td></td>
<td>Union County</td>
</tr>
<tr>
<td>230.</td>
<td>An act to abolish the office of treasurer of Mitchell County and to</td>
</tr>
<tr>
<td></td>
<td>provide for a fiscal agent for said county</td>
</tr>
<tr>
<td>231.</td>
<td>An act to amend chapter 103, Public-Local Laws, extra session</td>
</tr>
<tr>
<td></td>
<td>1920, being the Beaufort County road law</td>
</tr>
<tr>
<td>232.</td>
<td>An act to provide for the payment of indebtedness of the highway</td>
</tr>
<tr>
<td></td>
<td>commission of Cheoah Township, Graham County, and to regulate the</td>
</tr>
<tr>
<td></td>
<td>payment of funds and work on roads in said township</td>
</tr>
<tr>
<td>233.</td>
<td>An act to amend chapter 125, Public-Local Laws 1921, authorizing</td>
</tr>
<tr>
<td></td>
<td>the levy of special taxes and the issue of bonds for the improve-</td>
</tr>
<tr>
<td></td>
<td>ment of the public roads of Watauga County</td>
</tr>
<tr>
<td>234.</td>
<td>An act to amend chapter 64 of the Public-Local Laws 1921, extra</td>
</tr>
<tr>
<td></td>
<td>session, relative to the public roads of Mitchell County</td>
</tr>
<tr>
<td>235.</td>
<td>An act to authorize Gaston County to issue bonds to pay indebted-</td>
</tr>
<tr>
<td></td>
<td>ness incurred in constructing and improving highways and bridges</td>
</tr>
<tr>
<td>236.</td>
<td>An act to amend chapter 382, Public-Local Laws of 1921, relating to</td>
</tr>
<tr>
<td></td>
<td>the issue of courthouse and jail bonds by the board of county</td>
</tr>
<tr>
<td></td>
<td>commissioners of Person County</td>
</tr>
<tr>
<td>237.</td>
<td>An act to amend chapter 168 of the Public-Local Laws of the</td>
</tr>
<tr>
<td></td>
<td>General Assembly of 1913, being an act to provide good roads for</td>
</tr>
<tr>
<td></td>
<td>Hamilton Township, Martin County</td>
</tr>
<tr>
<td>238.</td>
<td>An act to amend chapter 169 of the Public-Local Laws, extra sess-</td>
</tr>
<tr>
<td></td>
<td>ion, 1921, and include Moore County therein</td>
</tr>
<tr>
<td>239.</td>
<td>An act to amend chapter 275 of the Public-Local Laws of 1917,</td>
</tr>
<tr>
<td></td>
<td>relating to the salaries of the officers of Duplin County</td>
</tr>
<tr>
<td>240.</td>
<td>An act to authorize the commissioners of the county of Pasquotank</td>
</tr>
<tr>
<td></td>
<td>and the board of aldermen of the city of Elizabeth City to appro-</td>
</tr>
<tr>
<td></td>
<td>priate money</td>
</tr>
<tr>
<td>241.</td>
<td>An act to repeal chapter 151 of the Public-Local Laws 1919, relating</td>
</tr>
<tr>
<td></td>
<td>to the killing and shipping of heifer calves in Surry</td>
</tr>
<tr>
<td>242.</td>
<td>An act to provide for the upkeep and maintenance of the public</td>
</tr>
<tr>
<td></td>
<td>roads of Anson County</td>
</tr>
<tr>
<td>243.</td>
<td>An act to reënact an act entitled “An act to equalize school ad-</td>
</tr>
<tr>
<td></td>
<td>vantages in Guilford County, North Carolina,” ratified February</td>
</tr>
<tr>
<td></td>
<td>21, 1921, and the act amendatory thereof, and also to validate</td>
</tr>
<tr>
<td></td>
<td>proceedings taken under said acts, and to provide for the issuance</td>
</tr>
<tr>
<td></td>
<td>of obligations to evidence indebtedness authorized by said acts and</td>
</tr>
<tr>
<td></td>
<td>proceedings</td>
</tr>
<tr>
<td>244.</td>
<td>An act to permit Murphy Township, in Cherokee County, to sub-</td>
</tr>
<tr>
<td></td>
<td>subscribe to stock and issue bonds to aid in constructing a railroad</td>
</tr>
<tr>
<td></td>
<td>in said township</td>
</tr>
<tr>
<td>Chap.</td>
<td>Description</td>
</tr>
<tr>
<td>-------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>245</td>
<td>An act to make unlawful the Sunday sale of merchandise and soft drinks within two miles of certain churches in Gaston County.</td>
</tr>
<tr>
<td>246</td>
<td>An act to authorize the board of county commissioners of Ashe County to issue bonds for the construction and completion of public roads in Ashe County, and to pay existing indebtedness.</td>
</tr>
<tr>
<td>247</td>
<td>An act to amend chapter 218, Public-Local Laws of 1911, relative to redredging Potts Creek.</td>
</tr>
<tr>
<td>248</td>
<td>An act to prohibit carnivals from exhibiting in Alamance County.</td>
</tr>
<tr>
<td>249</td>
<td>An act to authorize Rockingham County to issue bonds.</td>
</tr>
<tr>
<td>250</td>
<td>An act to authorize the board of commissioners of Brunswick County to issue bonds to refund jail bonds and to pay off the indebtedness of said county incurred for necessary expenses.</td>
</tr>
<tr>
<td>251</td>
<td>An act to authorize the State Treasurer, by and with the consent of the Governor and Council of State, to borrow money and issue short-term notes therefor in anticipation of the sale of bonds authorized by law.</td>
</tr>
<tr>
<td>252</td>
<td>An act to amend chapter 138, Private Laws of 1907, relating to the maintenance of a free library in the city of Wilmington, and providing for extension of library facilities to residents of New Hanover County.</td>
</tr>
<tr>
<td>253</td>
<td>An act to prohibit exhibition of carnivals in Madison County.</td>
</tr>
<tr>
<td>254</td>
<td>An act to require the auditor of Buncombe County to enter certain deeds on tax assessor’s record.</td>
</tr>
<tr>
<td>255</td>
<td>An act to amend chapter 691 of the Public-Local Laws 1915, as amended, relating to the salaries of the sheriff, deputy sheriff, register of deeds, and clerk of the court of Franklin County.</td>
</tr>
<tr>
<td>256</td>
<td>An act to provide for the election by the people of Montgomery County of an attorney for said county.</td>
</tr>
<tr>
<td>257</td>
<td>An act to regulate the fees of the sheriff of Surry County.</td>
</tr>
<tr>
<td>258</td>
<td>An act to place certain public officers in Transylvania County on salaries.</td>
</tr>
<tr>
<td>259</td>
<td>An act to repeal chapter 51 of the Public-Local Laws of 1919, relating to game in Union County.</td>
</tr>
<tr>
<td>260</td>
<td>An act to amend chapter 549 of the Public-Local Laws of North Carolina, 1913.</td>
</tr>
<tr>
<td>261</td>
<td>An act to authorize the board of county commissioners of Montgomery County to issue bonds for building, rebuilding, repairing or otherwise improving the roads and bridges of said county.</td>
</tr>
<tr>
<td>262</td>
<td>An act relating to the public hospital of Number Six Township, Cleveland County.</td>
</tr>
<tr>
<td>263</td>
<td>An act to repeal chapter 260, Public Laws of North Carolina, session 1905, relative to Buncombe County.</td>
</tr>
<tr>
<td>264</td>
<td>An act to amend section 5403, Consolidated Statutes.</td>
</tr>
<tr>
<td>265</td>
<td>An act to protect game and fish in Madison County.</td>
</tr>
<tr>
<td>266</td>
<td>An act to amend an act to revise the financial system of the county of Buncombe.</td>
</tr>
<tr>
<td>Chap.</td>
<td>Page</td>
</tr>
<tr>
<td>-------</td>
<td>------</td>
</tr>
<tr>
<td>267.</td>
<td>An act to fix the salary of the sheriff, treasurer, and to place the register of deeds and clerk of the court on fees, and to create the office of auditor in Caswell County.</td>
</tr>
<tr>
<td>268.</td>
<td>An act to authorize the board of commissioners of New Hanover County to appropriate moneys to protect the town of Wrightsville Beach, in said county.</td>
</tr>
<tr>
<td>269.</td>
<td>An act in respect to the killing of foxes in Alleghany County.</td>
</tr>
<tr>
<td>270.</td>
<td>An act relative to compulsory school attendance in Mitchell County.</td>
</tr>
<tr>
<td>271.</td>
<td>An act authorizing and requiring the commissioners of Madison County to open up and build a road from the mouth of Ivy, up the French Broad River to the Buncombe County line on the east side of the river.</td>
</tr>
<tr>
<td>272.</td>
<td>An act to amend sections 2111 and 2114 of the Consolidated Statutes extending the time for hunting opossums and squirrels in Johnston County.</td>
</tr>
<tr>
<td>273.</td>
<td>An act to protect game in Catawba County, North Carolina.</td>
</tr>
<tr>
<td>274.</td>
<td>An act to amend chapter 69 of Private Laws of 1921, entitled &quot;An act to amend chapter 380, Private Laws of 1915, relating to the charter of the town of Sanford, and an act to authorize the town of Sanford to pave and improve its streets, assess cost on abutting property and issue bonds therefor.&quot;</td>
</tr>
<tr>
<td>275.</td>
<td>An act to prohibit the use of open muffler cut-outs on certain roads in Stanly County.</td>
</tr>
<tr>
<td>276.</td>
<td>An act to place the sheriff of Mitchell County on a salary.</td>
</tr>
<tr>
<td>277.</td>
<td>An act to amend chapter 477, Public-Local Laws of the session of the General Assembly of 1917, relative to school funds now in hand in New Hanover County.</td>
</tr>
<tr>
<td>278.</td>
<td>An act to authorize removal of certain cemeteries in Forsyth County.</td>
</tr>
<tr>
<td>279.</td>
<td>An act to regulate hunting and trapping of foxes and other game in Randolph County.</td>
</tr>
<tr>
<td>280.</td>
<td>An act to regulate the hunting and trapping of foxes in the county of McDowell.</td>
</tr>
<tr>
<td>281.</td>
<td>An act to repeal chapter 305, Public Laws of 1909, in so far as it relates to Caswell County, and to repeal chapter 16, Public-Local Laws of 1915; chapter 26, Public-Local Laws 1917; chapter 131, Public-Local Laws 1917; chapter 485, Public-Local Laws 1919; chapter 312, Public-Local Laws 1921; chapter 297, Public-Local Laws 1921; chapter 183, Public-Local Laws, special session 1921, and chapter 67, Public-Local Laws, special session 1921, relating to public roads of Caswell County.</td>
</tr>
<tr>
<td>282.</td>
<td>An act to amend section 12, and to repeal sections 8, 9, and 10, of chapter 172 of the Public-Local Laws of 1915, and section 7, chapter 326, of the Public-Local Laws of 1921, and to provide for the maintenance of the public roads of Mitchell County.</td>
</tr>
<tr>
<td>283.</td>
<td>An act to repeal chapter 268, Public-Local Laws 1921, relating to fish in Robeson County.</td>
</tr>
</tbody>
</table>
284. An act to regulate the establishing of free ferries across the Cape Fear River in Bladen County
285. An act fixing the fees for service of civil and criminal process in Orange County
286. An act to authorize the board of county commissioners for Graham County to provide ready funds for the payment of current expenses, and to issue bonds to fund the indebtedness of the road fund for Yellow Creek Township
287. An act to amend chapter 37 of the Public-Local Laws of 1919, in regard to salaries of county officers of Orange County
288. An act to amend chapter 613 of the Public-Local Laws, regular session 1913, relating to recorder's court at Mooresville, Iredell County, North Carolina
289. An act to protect game in Surry County
290. An act providing for an election in Rocky Point Township, Pender County, relative to the continuance of the special road tax
291. An act providing for an election in Burgaw Township, Pender County, relative to the continuance of the special road tax
292. An act to authorize Lincoln County to issue bonds for the construction and repair of roads and bridges
293. An act to regulate the hunting and killing of quail and turkeys in Pamlico County
294. An act to change the location of the public roads in Poplar Township, Mitchell County, and for other purposes
295. An act to increase the fees of the clerk of the Superior Court in Perquimans County
296. An act to authorize Lenoir County to issue bonds to fund existing debt
297. An act to amend chapter 64 of the Public-Local Laws of 1921, entitled "An act to provide for the construction and maintenance of the public roads of Burke County"
298. An act to permit board of commissioners of McDowell County to call an election to issue bonds to build a hospital
299. An act to amend chapter 246 of the Public-Local Laws of 1921, entitled "An act to regulate hunting and to protect game birds, wild fowls, rabbits, squirrels, opossum, and fur-bearing animals in Davie County"
300. An act to authorize the road commissioners of Chowan County to levy license taxes for the use of the roads by log wagons or log carts
301. An act to authorize the board of county commissioners of Clay County to issue bonds for building, rebuilding, repairing or otherwise improving the county courthouse and furnishing original equipment therefor for said county
302. An act to authorize the county commissioners of Haywood County to build certain bridges in said county
303. An act to put Camden County under general law of State in regard to pay of jurors
<table>
<thead>
<tr>
<th>CHAP.</th>
<th>Act Description</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>304.</td>
<td>An act to authorize the board of county commissioners of Haywood County to build and maintain a county hospital.</td>
<td>326</td>
</tr>
<tr>
<td>305.</td>
<td>An act to amend section 13 of House Bill No. 470, relating to the roads of Haywood County.</td>
<td>329</td>
</tr>
<tr>
<td>306.</td>
<td>An act to provide highway commissioners and for road and highway improvements in Cabarrus County.</td>
<td>329</td>
</tr>
<tr>
<td>307.</td>
<td>An act to provide a road law and a highway commission for Tyrrell County.</td>
<td>337</td>
</tr>
<tr>
<td>308.</td>
<td>An act to repeal chapter 242 of the Public-Local Laws of North Carolina, extra session of 1921, relating to commissioners of Carteret County levying special school tax.</td>
<td>339</td>
</tr>
<tr>
<td>309.</td>
<td>An act to provide for the construction, improvement, and maintenance of the public roads of Watauga County.</td>
<td>340</td>
</tr>
<tr>
<td>310.</td>
<td>An act to authorize the county commissioners to cooperate with State Highway Commission in locating, constructing and maintaining roads in Yancey County.</td>
<td>343</td>
</tr>
<tr>
<td>311.</td>
<td>An act for the protection of maps or plats to be filed in the office of the register of deeds of Moore County.</td>
<td>346</td>
</tr>
<tr>
<td>312.</td>
<td>An act to permit fishing in certain streams in Guilford County.</td>
<td>346</td>
</tr>
<tr>
<td>313.</td>
<td>An act to authorize the board of county commissioners of Cherokee County to levy a special tax for the pay of jurors and for the support of the county home and county jail.</td>
<td>347</td>
</tr>
<tr>
<td>314.</td>
<td>An act to fix the salaries of the judge and prosecuting attorney for the county court for Stanly County.</td>
<td>347</td>
</tr>
<tr>
<td>315.</td>
<td>An act to reduce the compensation for the tax collector of Buncombe County.</td>
<td>348</td>
</tr>
<tr>
<td>316.</td>
<td>An act authorizing and directing the commissioners of Wake County to work the county highways running through towns having a population of less than 1,500.</td>
<td>349</td>
</tr>
<tr>
<td>317.</td>
<td>An act to fix the fees of the sheriff of Caswell County.</td>
<td>349</td>
</tr>
<tr>
<td>318.</td>
<td>An act to authorize Iredell County to issue bonds.</td>
<td>350</td>
</tr>
<tr>
<td>319.</td>
<td>An act to fund the floating debt of the county of Wake.</td>
<td>351</td>
</tr>
<tr>
<td>320.</td>
<td>An act to amend chapter 334, Public-Local Laws session 1921, relative to the promotion of cream routes in Buncombe County.</td>
<td>353</td>
</tr>
<tr>
<td>321.</td>
<td>An act to authorize the county commissioners of Haywood County to employ a county auditor.</td>
<td>353</td>
</tr>
<tr>
<td>322.</td>
<td>An act to provide for the appointment of members of the board of road commissioners of Granville County.</td>
<td>354</td>
</tr>
<tr>
<td>323.</td>
<td>An act to authorize the commissioners of the county of Wake to issue bonds to pay off and fund its present bonded indebtedness, known as the old courthouse bonded indebtedness.</td>
<td>354</td>
</tr>
<tr>
<td>324.</td>
<td>An act to amend an act to revise the financial system of the county of Buncombe.</td>
<td>356</td>
</tr>
<tr>
<td>325.</td>
<td>An act to require the road superintendent and road overseers of Pender County to widen the public roads to twenty-two feet, and to cut down undergrowth on sharp curves on the public roads.</td>
<td>358</td>
</tr>
<tr>
<td>326.</td>
<td>An act to amend chapter 684 of the Public-Local Laws of 1915, relating to the auditor of Harnett County.</td>
<td>358</td>
</tr>
<tr>
<td>Chap.</td>
<td>An act</td>
<td>Page</td>
</tr>
<tr>
<td>-------</td>
<td>--------</td>
<td>------</td>
</tr>
<tr>
<td>327.</td>
<td>An act permitting the citizens of Pine Level Township, Johnston County, to call for an election for the purpose of ascertaining whether or not the citizens desire to vote a tax on themselves in lieu of bond issue heretofore voted on. No bonds have been sold or offered for sale under said law.</td>
<td>360</td>
</tr>
<tr>
<td>328.</td>
<td>An act to revise, consolidate and amend the road laws of the county of Buncombe and authorize a levy of special taxes in said county and for other purposes relating to said county.</td>
<td>361</td>
</tr>
<tr>
<td>329.</td>
<td>An act to amend chapter 415 of the Public-Local Laws, 1915, relating to the civil jurisdiction of the recorder's court of Leaksville Township, Rockingham County.</td>
<td>373</td>
</tr>
<tr>
<td>330.</td>
<td>An act to give the board of road commissioners of Stanly County power to establish and open cartways; and to amend the road law of Stanly County.</td>
<td>375</td>
</tr>
<tr>
<td>331.</td>
<td>An act to validate certain plats and subdivisions of land and deeds for same in the county of Duplin.</td>
<td>376</td>
</tr>
<tr>
<td>332.</td>
<td>An act to protect wild birds and game in Mitchell County.</td>
<td>376</td>
</tr>
<tr>
<td>333.</td>
<td>An act to authorize the board of commissioners of Brunswick County, the trustees of the Southport High School District, and the mayor and board of aldermen of the city of Southport, to cancel a part of the liability of the Bank of Southport with other depositors, when sureties on official bonds agree to become bound for full payment.</td>
<td>378</td>
</tr>
<tr>
<td>334.</td>
<td>An act to authorize the board of commissioners of the county of Buncombe, upon petition of property owners, to pave roads in said county.</td>
<td>380</td>
</tr>
<tr>
<td>335.</td>
<td>An act for the protection of game in the counties of Avery and Watauga.</td>
<td>386</td>
</tr>
<tr>
<td>336.</td>
<td>An act to amend chapter 184, Public-Local Laws of 1919, and chapter 185, Public Laws of 1921, so far as it relates to the term of office of the members of the board of education for Columbus County.</td>
<td>387</td>
</tr>
<tr>
<td>337.</td>
<td>An act to make it a misdemeanor to trap bear in Avery, Mitchell and Watauga counties.</td>
<td>387</td>
</tr>
<tr>
<td>338.</td>
<td>An act to amend chapter 276, Public-Local Laws 1917, pertaining to public roads in Hayslett Township, Gates County.</td>
<td>388</td>
</tr>
<tr>
<td>339.</td>
<td>An act to repeal chapter 206, Public-Local Laws, extra session 1921, relative to hunting deer in Caswell County.</td>
<td>389</td>
</tr>
<tr>
<td>340.</td>
<td>An act to regulate the hunting and trapping of foxes in the county of McDowell.</td>
<td>389</td>
</tr>
<tr>
<td>341.</td>
<td>An act to create sanitary districts in Buncombe County and describing their purposes and powers.</td>
<td>390</td>
</tr>
<tr>
<td>342.</td>
<td>An act to amend chapter 261, Public-Local Laws 1915, pertaining to public roads, Hunters Mill Township, Gates County.</td>
<td>397</td>
</tr>
<tr>
<td>343.</td>
<td>An act to provide for an annual audit of accounts for the county of Bertie, the costs of which shall be paid out of the general fund of said county.</td>
<td>398</td>
</tr>
</tbody>
</table>
CHAP. | PAGE
344. An act relative to hunting quail or partridge in Sampson County | 399
345. An act authorizing the board of county commissioners of Columbus County to levy a special tax | 399
346. An act to repeal chapter 157 of the Public-Local Laws, extra session 1921, relating to fishing in Keels Creek and Currituck Bay in Hertford and Bertie counties | 400
347. An act supplemental to an act ratified by the General Assembly of North Carolina on the 26th day of February, 1923, entitled “An act to amend chapter 691 of the Public-Local Laws of 1915, relating to the salaries of the sheriff, deputy sheriff, register of deeds and clerk of the court of Franklin County” | 400
348. An act to prohibit hunting on the lands of another in Rutherford County without written permission | 401
349. An act to prohibit the keeping, the storage or the sale of fireworks in Franklin County | 401
350. An act to provide for better school advantages in Waynesville Township, Haywood County, for issuing bonds in said township, and for other purposes | 402
351. An act to provide for the collection of assessments in drainage districts in Forsyth County | 406
352. An act prohibiting fishing with nets and seines in the rivers and streams in Pender County, except during the months of February and March | 407
353. An act authorizing the county commissioners of Camden County to regulate or prohibit the erection of dance halls therein | 407
354. An act to repeal chapter 351, Public-Local Laws, session 1921 | 408
355. An act to amend chapter 84 of the Public-Local Laws of 1921, entitled “An act to fix the salaries of the officers of Davie County” | 408
356. An act relating to the game laws of Perquimans County | 409
357. An act relating to the courthouse of Caswell County | 410
358. An act to empower the board of county commissioners of Hyde County to abolish the office of county treasurer | 410
359. An act to amend the Consolidated Statutes relative to the close season for quail or partridges for Davidson County, section 2116 | 411
360. An act to authorize the board of commissioners of New Hanover County to issue bonds to construct buildings at the county home of said county | 411
361. An act to authorize the board of commissioners of New Hanover County to build an annex or addition to the present courthouse of said county, and for other purposes, and to issue bonds therefor | 412
362. An act authorizing the town of Bryson City, Swain County, to issue bonds in the amount of $10,000, for the purchase of additional water supply, and for other purposes | 413
363. An act to require the officers of Dare County to publish an annual account of all moneys received and disbursed by said officers | 414
<table>
<thead>
<tr>
<th>Chap.</th>
<th>Page</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>364.</td>
<td>415</td>
<td>An act to allow the commissioners of Bladen County to borrow from one county fund for the use of another county fund.</td>
</tr>
<tr>
<td>365.</td>
<td>415</td>
<td>An act to amend chapter 179 of the Public-Local Laws of 1917, and relating to the salary of the treasurer of Chowan County.</td>
</tr>
<tr>
<td>366.</td>
<td>415</td>
<td>An act authorizing the road commissioners of Mitchell County to issue additional road bonds for Grassy Creek Township, Mitchell County.</td>
</tr>
<tr>
<td>367.</td>
<td>416</td>
<td>An act to authorize the board of commissioners of Surry County to fund its debts and levy tax for the payment of the same.</td>
</tr>
<tr>
<td>368.</td>
<td>418</td>
<td>An act authorizing the county commissioners of Bertie County to issue road bonds in an amount of $25,000, when ordered to do so by the road commissioners of said county.</td>
</tr>
<tr>
<td>369.</td>
<td>419</td>
<td>An act to allow the road commission of Robeson County to borrow $5,000 for road construction in Gaddy's Township, and provide for the repayment thereof.</td>
</tr>
<tr>
<td>370.</td>
<td>419</td>
<td>An act to protect game in Person County.</td>
</tr>
<tr>
<td>371.</td>
<td>421</td>
<td>An act supplemental to H. B. 637 and S. B. 582, entitled &quot;An act authorizing the town of Robbinsville and the board of county commissioners of Graham County and the trustees of Cheoah School to provide water.&quot;</td>
</tr>
<tr>
<td>372.</td>
<td>421</td>
<td>An act to regulate itinerant merchants or peddlers in the county of Stanly.</td>
</tr>
<tr>
<td>373.</td>
<td>422</td>
<td>An act to abolish the office of treasurer of Watauga County and to provide fiscal agents for said county.</td>
</tr>
<tr>
<td>374.</td>
<td>423</td>
<td>An act to increase the number of the board of education of Pitt County from 3 to 5 members.</td>
</tr>
<tr>
<td>375.</td>
<td>423</td>
<td>An act to provide for the construction, improvement, and maintenance of the public roads of Avery County.</td>
</tr>
<tr>
<td>376.</td>
<td>427</td>
<td>An act to reappoint A. J. Draper a member of the Mecklenburg County Highway Commission.</td>
</tr>
<tr>
<td>377.</td>
<td>427</td>
<td>An act to amend chapter 151 of the Public-Local Laws of the session of 1921, in relation to the salary of the register of deeds for Madison County.</td>
</tr>
<tr>
<td>378.</td>
<td>428</td>
<td>An act to authorize the board of county commissioners of Granville County to issue bonds for road purposes and to provide for the payment of the same.</td>
</tr>
<tr>
<td>379.</td>
<td>429</td>
<td>An act for the protection of fish in Watauga County.</td>
</tr>
<tr>
<td>380.</td>
<td>430</td>
<td>An act to allow the people of Madison County to sell veal calves for transportation beyond the borders of the county.</td>
</tr>
<tr>
<td>381.</td>
<td>430</td>
<td>An act providing for the appointment of financial agents for the county of Scotland.</td>
</tr>
<tr>
<td>382.</td>
<td>431</td>
<td>An act to authorize the board of commissioners of Brunswick County to levy a special tax.</td>
</tr>
<tr>
<td>383.</td>
<td>432</td>
<td>An act validating certain bonds of Franklin County.</td>
</tr>
<tr>
<td>384.</td>
<td>432</td>
<td>An act to increase witness fees in the Superior Court of Surry County.</td>
</tr>
<tr>
<td>385.</td>
<td>432</td>
<td>An act validating certain bonds of Chatham County.</td>
</tr>
</tbody>
</table>
CHAP.  

386. An act to amend chapter 108, Public Laws of 1909, relative to fishing in Boone Fork Creek, Watanga County ........................................ 433

387. An act authorizing the commissioners of Graham County to issue township bonds not to exceed $125,000 for roads and bridges in Graham County ................................................................. 433

388. An act to provide a close season for a period of three years for fishing in Johnson's mill pond and Phillip's Creek in Bladen County .... 434

389. An act to provide for a dog-tax collector for each township in Pasquotank County ................................................................. 434

390. An act to amend chapter 67, Public-Local Laws of North Carolina, session 1917, being the Caldwell County road law .................. 435

391. An act to authorize the tax collector for Polk County to pay interest coupons on road bonds of Polk County ........................................ 437

392. An act to authorize the erection and maintenance, by Mecklenburg County and city of Charlotte, of a joint courthouse and municipal building ................................................................. 438

393. An act to amend chapter 451 of the Public-Local Laws of North Carolina, session 1915, providing for the appointment of rural policemen for certain townships in Anson County, and to levy a tax therefor ........................................ 446

394. An act to fix the compensation of the sheriff and treasurer of Haywood County ................................................................. 447

395. An act to provide for the protection of fish in Madison County ........ 449

396. An act to authorize the board of road commissioners of Davie County to pay for topsoil used in building and repairing roads in said county ................................................................. 449

397. An act to repeal part of chapter 413 of the Public-Local Laws of session 1919, with respect to protecting partridges in Montgomery County ................................................................. 450

398. An act relating to the game law of Pasquotank County, requiring every hunter to pay a license ........................................ 450

399. An act to fix the salary of the county superintendent of schools of Robeson County, and require a bond, and to fix the time for the election of a county superintendent of schools by the board of education of Robeson County, and to give public notice thereof ...... 451

400. An act to authorize the county commissioners of Union County to submit to the voters of Union County the question of abolishing the road commission ........................................ 452

401. An act to fix the pay of tales jurors in Nash County .................. 453

402. An act to amend section 3905 of the Consolidated Statutes of North Carolina, relating to fees of coroner of Davidson County .......... 453

403. An act providing for the better protection of game in Halifax County ................................................................. 453

404. An act to require the board of education of Greene County to make and file with the board of county commissioners of Greene County an annual itemized statement of receipts and expenditures of said board ........................................ 454
<table>
<thead>
<tr>
<th>CHAP.</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>405.</td>
<td>An act to prohibit the sale of deer meat, killed in the counties of</td>
<td>455</td>
</tr>
<tr>
<td></td>
<td>Buncombe, Haywood, Jackson, Henderson, and Transylvania</td>
<td></td>
</tr>
<tr>
<td>406.</td>
<td>An act to regulate the sale of merchandise on Sunday in the county</td>
<td>456</td>
</tr>
<tr>
<td></td>
<td>of Durham</td>
<td></td>
</tr>
<tr>
<td>407.</td>
<td>An act to provide compensation for services of the deputy clerk of</td>
<td>457</td>
</tr>
<tr>
<td></td>
<td>Superior Court of Warren County</td>
<td></td>
</tr>
<tr>
<td>408.</td>
<td>An act to create an auditor and tax commissioner for Iredell County</td>
<td>457</td>
</tr>
<tr>
<td></td>
<td>and to abolish the office of county treasurer for said county</td>
<td></td>
</tr>
<tr>
<td>409.</td>
<td>An act to regulate the hunting of game in Brunswick County</td>
<td>460</td>
</tr>
<tr>
<td>410.</td>
<td>An act to provide for retirement of county officers in Henderson</td>
<td>461</td>
</tr>
<tr>
<td></td>
<td>County</td>
<td></td>
</tr>
<tr>
<td>411.</td>
<td>An act to require official bonds of county officers in Brunswick</td>
<td>462</td>
</tr>
<tr>
<td></td>
<td>County to be executed by surety companies</td>
<td></td>
</tr>
<tr>
<td>412.</td>
<td>An act to amend chapter 606, Public-Local Laws of 1917, by providing</td>
<td>462</td>
</tr>
<tr>
<td></td>
<td>for the Australian ballot for Stanly County</td>
<td></td>
</tr>
<tr>
<td>413.</td>
<td>An act to fix the salaries of officers of Nash County</td>
<td>463</td>
</tr>
<tr>
<td>414.</td>
<td>An act entitled “An act for the promotion of education and for the</td>
<td>464</td>
</tr>
<tr>
<td></td>
<td>relief of taxpayers of Hyde County,” ratified the 3d day of</td>
<td></td>
</tr>
<tr>
<td></td>
<td>February, 1923</td>
<td></td>
</tr>
<tr>
<td>415.</td>
<td>An act to amend chapter 403, section 12, of the Public-Local Laws</td>
<td>464</td>
</tr>
<tr>
<td></td>
<td>of North Carolina, session 1921</td>
<td></td>
</tr>
<tr>
<td>416.</td>
<td>An act providing for the protection of game in Nash, Franklin and</td>
<td>466</td>
</tr>
<tr>
<td></td>
<td>Edgecombe counties</td>
<td></td>
</tr>
<tr>
<td>417.</td>
<td>An act to protect fish in Surry County, by prohibiting the throwing</td>
<td>467</td>
</tr>
<tr>
<td></td>
<td>of sawdust in the creeks and rivers, and prevent the killing and</td>
<td></td>
</tr>
<tr>
<td></td>
<td>destroying of fish in said creeks and rivers by the use of any</td>
<td></td>
</tr>
<tr>
<td></td>
<td>dynamite or other explosive</td>
<td></td>
</tr>
<tr>
<td>418.</td>
<td>An act to regulate the fees of the various justices of the peace in</td>
<td>467</td>
</tr>
<tr>
<td></td>
<td>Surry County</td>
<td></td>
</tr>
<tr>
<td>419.</td>
<td>An act to establish a Moore County Game Commission and the office</td>
<td>468</td>
</tr>
<tr>
<td></td>
<td>of county game warden; to provide for the expenses of the members</td>
<td></td>
</tr>
<tr>
<td></td>
<td>of the commission and to fix the compensation of the county game</td>
<td></td>
</tr>
<tr>
<td></td>
<td>warden and deputies; to prescribe the duties of the commision, the</td>
<td></td>
</tr>
<tr>
<td></td>
<td>county game warden and deputies; to provide for the protection of</td>
<td></td>
</tr>
<tr>
<td></td>
<td>wild birds and animals; to provide open and close seasons for game</td>
<td></td>
</tr>
<tr>
<td></td>
<td>birds, game animals and fur-bearing animals; to create a county-wide</td>
<td></td>
</tr>
<tr>
<td></td>
<td>resident and nonresident hunting license, and a county game</td>
<td></td>
</tr>
<tr>
<td></td>
<td>protection fund; to take Moore County out of the Audubon Society</td>
<td></td>
</tr>
<tr>
<td></td>
<td>of North Carolina</td>
<td></td>
</tr>
<tr>
<td>420.</td>
<td>An act authorizing the constable of Asheville Township, Buncombe</td>
<td>482</td>
</tr>
<tr>
<td></td>
<td>County, to appoint a deputy constable</td>
<td></td>
</tr>
<tr>
<td>421.</td>
<td>An act for the relief of the county board of education of Madison</td>
<td>483</td>
</tr>
<tr>
<td></td>
<td>County</td>
<td></td>
</tr>
<tr>
<td>422.</td>
<td>An act to amend chapter 192, Public-Local Laws of 1919, relating to</td>
<td>484</td>
</tr>
<tr>
<td></td>
<td>the salary of the sheriff of Granville County</td>
<td></td>
</tr>
<tr>
<td>423.</td>
<td>An act for the relief of the treasurer of Transylvania County</td>
<td>484</td>
</tr>
<tr>
<td>424.</td>
<td>An act relating to the game law of Tyrrell County</td>
<td>485</td>
</tr>
<tr>
<td>CHAP.</td>
<td>PAGE</td>
<td></td>
</tr>
<tr>
<td>-------</td>
<td>------</td>
<td></td>
</tr>
<tr>
<td>425.</td>
<td>An act to amend chapter 553 of the Public-Local Laws of the session of 1919 so far as the same relates to Olin Township in Iredell County .......................................................................................................................... 486</td>
<td></td>
</tr>
<tr>
<td>426.</td>
<td>An act to amend chapter 594, Public Laws of 1915, relative to the salary of the clerk of the court of Northampton County.................................................................................................................. 486</td>
<td></td>
</tr>
<tr>
<td>427.</td>
<td>An act to permit the board of county commissioners, or council, or board of aldermen or commissioners to strike from the tax books and discharge sheriffs and tax collectors from the collection of such taxes as may be impossible of collection.............................................................................................................. 487</td>
<td></td>
</tr>
<tr>
<td>428.</td>
<td>An act to amend chapter 146 of the Public-Local Laws of 1913, and acts amendatory thereof, relative to county solicitor for New Hanover County .................................................................................................................. 487</td>
<td></td>
</tr>
<tr>
<td>429.</td>
<td>An act to permit the board of county commissioners of Caswell County to employ a prosecuting attorney and fix his fees therefor........................................................................................................ 488</td>
<td></td>
</tr>
<tr>
<td>430.</td>
<td>An act for the protection of game and fish in the counties of Bertie, Gates, Hertford, and Northampton.................................................................................................................. 489</td>
<td></td>
</tr>
<tr>
<td>431.</td>
<td>An act to place the officers of Sampson County on a salary .................................................................................................................................................................................................................. 491</td>
<td></td>
</tr>
<tr>
<td>432.</td>
<td>An act to place the sheriff of Stanly County upon a salary .................................................................................................................................................................................................................. 494</td>
<td></td>
</tr>
<tr>
<td>433.</td>
<td>An act regulating rights of way of public-service corporations .......................................................................................................................................................................................................... 494</td>
<td></td>
</tr>
<tr>
<td>434.</td>
<td>An act to provide for the working of certain roads in Transylvania County and for levying a special tax therefor.................................................................................................................. 495</td>
<td></td>
</tr>
<tr>
<td>435.</td>
<td>An act to authorize county boards of education to insure school buildings in mutual fire insurance associations .................................................................................................................................................................. 498</td>
<td></td>
</tr>
<tr>
<td>436.</td>
<td>An act to provide for standard-weight packages of meal and flour; to prevent the sale of short-weight packages; to provide the law in conformity with the laws of adjoining states, and to protect the millers of North Carolina from unfair competition .................................................................................................................................................................. 498</td>
<td></td>
</tr>
<tr>
<td>437.</td>
<td>An act to repeal chapter 462 of the Public-Local Laws of the regular session of the General Assembly of North Carolina of 1921, ratified on the 7th day of March, A.D. 1921, entitled “An act to regulate the appointment of members of the Burke County Road Commission ........................................................................................................ 500</td>
<td></td>
</tr>
<tr>
<td>438.</td>
<td>An act to protect game and regulate hunting in Bladen County .............................................................................................................................................................................................................. 500</td>
<td></td>
</tr>
<tr>
<td>439.</td>
<td>An act authorizing the board of drainage commissioners of Hyde County to modify the boundaries of drainage districts .................................................................................................................................................. 502</td>
<td></td>
</tr>
<tr>
<td>440.</td>
<td>An act to protect the public roads of Montgomery County .............................................................................................................................................................................................................. 503</td>
<td></td>
</tr>
<tr>
<td>441.</td>
<td>An act to amend chapter 354 of the Public-Local and Private Laws of session 1921 of the General Assembly with reference to the working of the public roads of Granville County .............................................................................................................................................................................................................. 504</td>
<td></td>
</tr>
<tr>
<td>442.</td>
<td>An act relating to fox hunting in Cumberland County, and providing for a game warden .............................................................................................................................................................................................................. 505</td>
<td></td>
</tr>
<tr>
<td>443.</td>
<td>An act relating to the collection of taxes in Hoke County and to the sale of land for taxes and to the redemption of land so sold .............................................................................................................................................................................................................. 505</td>
<td></td>
</tr>
<tr>
<td>444.</td>
<td>An act to provide for the issuance of funding bonds to cover floating indebtedness of Randolph County .............................................................................................................................................................................................................. 506</td>
<td></td>
</tr>
<tr>
<td>445.</td>
<td>An act relating to working convicts on the county farm of Iredell County .............................................................................................................................................................................................................. 508</td>
<td></td>
</tr>
</tbody>
</table>
CAPTIONS OF THE PUBLIC-LOCAL LAWS

CHAP.  PAGE

446. An act to equalize school advantages in Cabarrus County................. 509

447. An act validating certain school district bonds and school districts... 512

448. An act to provide for the refunding of indebtedness of the board of  education of Randolph County.............................................. 512

449. An act to authorize Davie County to issue bonds........................................... 515

450. An act to create and establish an auditor’s office for the county of  Bladen ............................................................................. 516

451. An act to amend chapter 241 of the Public-Local Laws of the session  of 1919, relative to appointment of superintendent of roads for  Lincoln County........................................................................ 526

452. An act to amend chapter 605 of the Public-Local Laws 1917, relating  to the salary of the register of deeds of Surry County......................... 526

453. An act to authorize the board of commissioners of Robeson County  to issue bonds to build a county home................................................. 527

454. An act to authorize the commissioners of Lee County to issue serial  bonds for the improvement of roads in said county............................................. 530

455. An act to provide for the construction and maintenance of the public  roads and bridges of Bladen County, and to authorize the county  commissioners to levy a special tax.................................................. 532

456. An act to authorize the commissioners of Lee County to issue serial  bonds for the improvement of roads in said county............................................. 533

457. An act to authorize the county commissioners of Moore County to  submit to the voters of said county the question of issuing bonds  for road improvement in said county.................................................. 535

458. An act to authorize the board of county commissioners of Caldwell  County to issue bonds..................................................................... 539

459. An act to amend chapter 152 of the Public Laws of 1917, with respect  to the election of drainage commissioners in Robeson County.............. 540

460. An act to regulate the dedication of streets, highways, etc., to limit  the time within which such dedication must be accepted, and to  provide means of adjudication of abandonment thereof....................... 541

461. An act to authorize the board of county commissioners of Pasquotank  County and the board of aldermen of Elizabeth City to aid the  Pasquotank Municipal Hospital Association........................................ 544

462. An act to amend chapter 113, section 2, of the Public Laws of 1921,  increasing the fees of justices of the peace in Avery County................. 544

463. An act to regulate the hunting of deer in Pamlico County..................... 545

464. An act to amend chapter 555 of the Public-Local Laws of 1917,  relating to wild birds and other game in Cherokee and Mitchell  counties .................................................................................... 545

465. An act to regulate the fees for the various justices of the peace of  Graham County............................................................................. 546

466. An act making section 5362 of the Consolidated Statutes inoperative  in the Mattamuskeet Lake Drainage District of Hyde County for  the collection of maintenance taxes only............................................. 547
467. An act to provide for the record of marriages where the officiating minister or justice of the peace has failed to fill out his certificate, and requiring register of deeds to ascertain whether unreturned licenses have been acted upon.............................................. 547
468. An act to protect game and regulate hunting in Sampson County..... 548
469. An act to amend section 3767 of chapter 70 of the Consolidated Statutes, to allow county commissioners of Henderson County to cooperate with the State Highway Commission........................................... 549
470. An act to place the sheriff and treasurer of Dare County upon a fee basis in lieu of salary................................................................. 550
471. An act prohibiting the placing of sawmills or planing mills on creeks and streams in Anson County....................................................... 550
472. An act to amend chapter 328, Public-Local Laws of 1919, relating to the road commissioners and the public roads of Bertie County..... 551
473. An act regulating the salary of the sheriff and clerk of the Superior Court of Henderson County....................................................... 552
474. An act to provide for the office of superintendent of public welfare in Mitchell County................................................................. 553
475. An act increasing the number and the appointment of county school board of Cleveland County......................................................... 554
476. An act to amend the squirrel law of Beaufort County....................... 555
477. An act to regulate the salary of superintendent of public instruction of Currituck County............................................................... 555
478. An act to amend section 1681 of the Consolidated Statutes, transferring the proceeds of the dog tax in Pasquotank County from the school fund to the county agricultural fund................................... 556
479. An act to regulate fees of the county surveyor of Henderson County. 556
480. An act for the protection and propagation of game birds and fish in Yancey County................................................................. 556
481. An act making it a misdemeanor to pasture hogs on graveyards in Tyrrell County................................................................. 559
482. An act to authorize the board of county commissioners of Robeson County to loan the road bond sinking fund to the county............. 559
483. An act relating to the regulation, construction, and maintenance of roads in Graham County.......................................................... 560
484. An act to regulate the compensation of the members of the board of county commissioners, board of education, and the road board of Robeson County, and any other boards that may be created............. 562
485. An act to fix the salary of the superintendent of roads of Robeson County, and to provide for the supervision of certain bridges of Robeson County, and require said superintendent of roads to devote his entire time to his duties............................................... 563
486. An act to amend chapter 469, Public-Local Laws 1919, relating to the public roads of Catawba County................................. 563
487. An act relating to the game law of Hyde County............................. 564
488. An act for the better protection of game in Currituck County........... 565
<table>
<thead>
<tr>
<th>CAPTIONS OF THE PUBLIC-LOCAL LAWS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CHAP.</strong></td>
</tr>
<tr>
<td>489.</td>
</tr>
<tr>
<td>490.</td>
</tr>
<tr>
<td>491.</td>
</tr>
<tr>
<td>492.</td>
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<td>506.</td>
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<td>507.</td>
</tr>
<tr>
<td>508.</td>
</tr>
<tr>
<td>509.</td>
</tr>
<tr>
<td>510.</td>
</tr>
</tbody>
</table>
511. An act providing for a dog-tax collector for each township in Vance County .................................................. 590
512. An act to amend House Bill 321, Senate Bill 410, of the 1923 session of the General Assembly, relating to the better government of Hertford County, and to amend chapter 347 of the Private Laws of 1921, relating to the public roads of said county .................................................. 590
513. An act to repeal chapter 22 of the Public-Local Laws of 1921 session of the General Assembly of North Carolina, relative to the terms of Superior Court of the county of Randolph .................................................. 591
514. An act to divide Martin County into five districts, from each of which shall be elected a member of the board of county commissioners and a member of the county board of education .................................................. 591
515. An act to authorize the board of county commissioners of Haywood County to maintain a county convict force .................................................. 592
516. An act to regulate the operation of cotton warehouses in Union County .................................................. 593
517. An act to promote the fish industry of Henderson County .................................................. 594
518. An act to make chapter 606, Public-Local Laws of North Carolina, session 1917, and amendments thereto, applicable to New Hanover County, entitled “An act to provide the Australian ballot” .................................................. 595
519. An act to authorize the board of commissioners of Durham County to sell the present site of the county home and the county farm, and to authorize said board of commissioners to purchase a new site, and to erect thereon a county home .................................................. 596
520. An act to regulate the traffic on the streets and public highways outside of the limits of any corporate city or town in Forsyth County .................................................. 597
521. An act to repeal “An act to promote the teaching of agriculture and domestic science in the public high schools of Durham County,” and to permit the operation of farm-life schools of Durham County under the general State-wide law .................................................. 598
522. An act authorizing the commissioners of McDowell County and other governing bodies to prohibit the exhibition of traveling shows .................................................. 599
523. An act to amend section 3906 of the Consolidated Statutes, fixing fees of the register of deeds for Cumberland County .................................................. 599
524. An act to amend chapter 576, Public-Local Laws of 1919, and relating to fees of clerk Superior Court for Cumberland County .................................................. 600
525. An act to require the county commissioners of Robeson County to give notice of the appointment of the auditor of said county .................................................. 600
526. An act to amend chapter 221, Public-Local Laws of 1919, and providing for the payment of full fees to witnesses and court officers in insolvent cases in Cumberland County .................................................. 601
527. An act to protect game in Alamance, Craven, Jones, and Lenoir counties .................................................. 601
528. An act to protect fish in Swain County .................................................. 602
529. An act to allow the sheriff of Rockingham County extra compensation for the employment of deputies .................................................. 602
530. An act to provide for rural policemen in Harnett County.......................... 602
531. An act to regulate the system of public road work in Columbus County ................................................................. 604
532. An act regulating the pay of jurors in Hoke County........................................ 605
533. An act to amend section 1992 of the Consolidated Statutes........................... 605
534. An act relating to fishing in Sampson, Cumberland and Harnett counties .................. 605
535. An act to fix salaries of certain county officials of Duplin County.............. 606
536. An act to amend section 2, chapter 492 of the Public-Local Laws of 1921, relating to the protection of game in Warren County............... 606
537. An act to amend chapter 480, Public-Local Laws 1921, entitled "An act to establish an auditor for Pender County".............................. 607
538. An act to amend chapter 152 of the Public Laws of 1917, with respect to the election of drainage commissioners in Robeson County........ 617
539. An act to protect game in Onslow County................................................ 618
540. An act to protect game and regulate hunting in Pender County.................. 620
541. An act to aid in the enforcement of the prohibition law in Caswell County ....... 621
542. An act to enlarge the powers of the board of commissioners of Columbus County with respect to recorder elected under chapter 277, Public Laws 1919.......................................................... 621
543. An act to fix salaries of the sheriff, register of deeds and clerk of the Superior Court of Union County ........................................ 622
544. An act to amend section 1, chapter 105 of the Public-Local Laws, extra session of 1921.................................................. 623
545. An act to amend section 3908 of the Consolidated Statutes, and chapter 578, Public-Local Laws 1921, relating to the sheriff's fees in Sampson County.................................................. 623
546. An act to amend section 3908 of the Consolidated Statutes of North Carolina, relative to certain fees collected by the sheriff of Wake County .................................................. 624
547. An act to appoint Robert Russell, Jr., as constable for Mount Hermon Township.......................... 624
548. An act to protect fish in Pungo River, and all creeks tributary thereto .......................................................... 624
549. An act to protect game in Chatham County................................................ 625
550. An act to amend chapter 692 of the Public-Local Laws of 1913, and amendments thereto, relating to the recorder's court of Mount Airy Township, Surry County........................................ 626
551. An act to amend chapter 116, Public Laws 1919........................................ 627
552. An act to prevent the attendance of children under sixteen years of age in places of amusement after eight o'clock in the evening unless attended by a person of legal age........................................ 628
553. An act to appoint and fix compensation of road commissioners of Polk County and repeal chapter 247, Public-Local Laws of 1921.. 629
<table>
<thead>
<tr>
<th>CHAP.</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>554.</td>
<td>An act to amend section 5016 and section 5017 of the Consolidated Statutes, abolishing the office of county superintendent of public welfare for Warren County.</td>
</tr>
<tr>
<td>555.</td>
<td>An act to provide that the magistrates in each township in Hyde County shall constitute the board of road supervisors of said township.</td>
</tr>
<tr>
<td>556.</td>
<td>An act to regulate the use of public roads in Madison County.</td>
</tr>
<tr>
<td>557.</td>
<td>An act amending section 4461 of the Consolidated Statutes of North Carolina, defining and punishing tramps, in so far as the same affects Guilford County.</td>
</tr>
<tr>
<td>558.</td>
<td>An act to protect the game and fur-bearing animals in Robeson County, and the creation of a game commission for Robeson County.</td>
</tr>
<tr>
<td>559.</td>
<td>An act to validate certain school bonds in Vance County.</td>
</tr>
<tr>
<td>560.</td>
<td>An act to amend chapter 214 of the Public-Local Laws of North Carolina, session of 1919, entitled “An act to authorize the issue of township road bonds for the townships of Robeson County.”</td>
</tr>
<tr>
<td>561.</td>
<td>An act to authorize counties to levy a special county-wide tax for schools when each district in a county has voted separately a special local tax.</td>
</tr>
<tr>
<td>562.</td>
<td>An act to amend chapter 73 of the Public-Local Laws of the regular session of 1921, relating to the roads in Brunswick County.</td>
</tr>
<tr>
<td>563.</td>
<td>An act empowering the board of county commissioners of Forsyth County to remodel the present county home or to build an additional building or buildings to provide for the better caring for the poor of Forsyth County.</td>
</tr>
<tr>
<td>564.</td>
<td>An act to amend chapter 247, Public-Local Laws, extra session 1921, relating to the salary of the treasurer of Catawba County.</td>
</tr>
<tr>
<td>565.</td>
<td>An act to amend chapter 235, Public-Local Laws of extra session 1921, relating to the permanent improvement of the public roads of Catawba County.</td>
</tr>
<tr>
<td>566.</td>
<td>An act to amend chapter 469, Public-Local Laws of 1919, relative to the permanent improvement of the public roads of Catawba County.</td>
</tr>
<tr>
<td>567.</td>
<td>An act for the relief of ex-Sheriff W. D. Woodruff, of Wilkes County, in the discretion of the county commissioners.</td>
</tr>
<tr>
<td>568.</td>
<td>An act authorizing the county commissioners of Onslow County to issue road bonds for said county in an amount not exceeding $300,000, or to call an election for voting on the issuance of said bonds.</td>
</tr>
<tr>
<td>569.</td>
<td>An act authorizing the board of commissioners of Cumberland County to appoint rural policemen for said county.</td>
</tr>
<tr>
<td>570.</td>
<td>An act to authorize the board of commissioners for the county of Cumberland to make an annual appropriation in aid of the maintenance of a public rest room for the use and benefit of the citizens of said county.</td>
</tr>
<tr>
<td>Chap.</td>
<td>Act Description</td>
</tr>
<tr>
<td>-------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>571.</td>
<td>An act to authorize the board of county commissioners of Caldwell County to issue bonds of Lovelady Township in an amount not to exceed $60,000 for assisting in the construction of a hard-surface road.</td>
</tr>
<tr>
<td>572.</td>
<td>An act regulating the sale of seed cotton in Cumberland County, and amending chapter 659 of the Public-Local Laws of 1917, and 465 of the Public-Local Laws of 1919.</td>
</tr>
<tr>
<td>573.</td>
<td>An act to amend section 3905, Consolidated Statutes, regulating the fees of coroner of Wake County.</td>
</tr>
<tr>
<td>574.</td>
<td>An act to amend chapter 649 of the Public-Local Laws of 1917, relative to enforcing the game laws of Guilford County.</td>
</tr>
<tr>
<td>575.</td>
<td>An act to regulate fox hunting in Lee County.</td>
</tr>
<tr>
<td>576.</td>
<td>An act to authorize the commissioners of Martin County to appoint road trustees in Williamston Township.</td>
</tr>
<tr>
<td>577.</td>
<td>An act to prescribe certain fees for the register of deeds in Martin County.</td>
</tr>
<tr>
<td>578.</td>
<td>An act to regulate the fees of the prosecuting attorney for the recorder's court of Robeson County.</td>
</tr>
<tr>
<td>579.</td>
<td>An act to repeal chapter 848, Public Laws of North Carolina, session 1907, being an act establishing Hazel Creek Public Road District in Swain County.</td>
</tr>
<tr>
<td>580.</td>
<td>An act to fix the salaries of the sheriff, clerk of the Superior Court, register of deeds, county superintendent, and to abolish the office of county treasurer of Alexander County.</td>
</tr>
<tr>
<td>581.</td>
<td>An act providing for elections for all bond issues and special tax levies in Johnston County.</td>
</tr>
<tr>
<td>582.</td>
<td>An act empowering the county commissioners of Moore County to acquire by donation or gift grounds, buildings and other equipment for a hospital for said county.</td>
</tr>
<tr>
<td>583.</td>
<td>An act authorizing the creation of cemetery trustees for cities and towns in North Carolina.</td>
</tr>
<tr>
<td>584.</td>
<td>An act for the protection of game in Duplin County.</td>
</tr>
<tr>
<td>585.</td>
<td>An act to amend chapter 169, Public-Local Laws, extra session 1921, providing for the establishment of planning commissioners in the cities and towns of North Carolina.</td>
</tr>
<tr>
<td>586.</td>
<td>An act relating to public roads and bridges in Harnett County.</td>
</tr>
<tr>
<td>587.</td>
<td>An act regulating road hands in Duplin County.</td>
</tr>
<tr>
<td>588.</td>
<td>An act to fix the fees of the several recorders of Robeson County, and other fees.</td>
</tr>
<tr>
<td>589.</td>
<td>An act authorizing the board of commissioners of Cumberland County to submit to the qualified voters of said county the question of reducing the number of county commissioners from five to three, and the question of changing the method of nominating county commissioners.</td>
</tr>
<tr>
<td>590.</td>
<td>An act empowering the board of commissioners of Craven County to appoint a special officer.</td>
</tr>
</tbody>
</table>
591. An act regulating the performance of duties of financial agents or
depositories of Anson County................................................................. 679
592. An act supplemental to an act passed at the present session of the
General Assembly, entitled “An act regulating the salary of the
sheriff of Forsyth County”................................................................. 679
593. An act to amend chapter 175 of the Public-Local Laws of extra
session 1921, relating to the establishment of the Mecklenburg
County General Hospital................................................................. 680
594. An act to create the office of matron of the recorder’s court of New
Hanover County ................................................................. 681
595. An act to amend chapter 502, Public-Local Laws 1919, relating to
certain official fees in Mecklenburg County........................................ 682
596. An act relating to discounts and penalties on taxes in Wilkes County 682
597. An act to pension certain school teacher in Duplin County.............. 684
598. An act relating to tax receipts and vital statistics of Lenoir County.... 684
599. An act to make uniform the tax penalties in Iredell County.............. 685
600. An act relating to the listing and collection of taxes in Youngsville
Graded School District, Franklin County............................................ 685
601. An act to amend chapter 203, Public-Local Laws of extra session
1921, relating to Carteret County............................................................. 686
602. An act to provide separate schools for that race of people in Gaston
Township, Northampton County, known as the “Portuguese”.............. 686
603. An act to repeal “An act to equalize school advantages in Cabarrus
County,” being Senate Bill 1139, House Bill 1214............................... 687
604. An act to amend chapter 126, Public-Local Laws, session 1915, relat-
ing to the highway commission of Pasquotank County............................. 687
605. An act to amend chapter 505 of the Public-Local Laws of 1921, and
chapter 592 of the Public-Local Laws of 1919, relating to salary of the
meter adjuster of city of Wilmington and county of New
Hanover ........................................................................................................... 689
606. An act repealing chapter 613 of the Public-Local Laws 1919, relative
to bond issues in Pender County............................................................. 690
607. An act to fix the compensation of the constable of Wilmington Town-
ship, New Hanover County................................................................. 690
608. An act to amend chapter 386 of the Public Laws of North Carolina,
session 1909, the same being an act to establish a special court for
Rowan County, with civil and criminal jurisdiction, to be known
as Rowan County Court............................................................................. 691
609. An act prohibiting the county board of education or the board of
commissioners for the county of Craven, or board of aldermen of
the city of New Bern, said county, pledging the credit of said
county or city, or issuing bonds of said county or city without
first submitting the question to the qualified voters thereof................. 692
610. An act to amend section 1, chapter 105 of the Public-Local Laws
extra session 1921................................................................................ 695
611. An act to enable any two or more counties to establish a district
hospital-home in lieu of separate county homes........................................ 695
612. An act to validate an issue of $20,000 good roads bonds of Dunn's Township in Franklin County, and to authorize the levy of a tax for their payment ................................................................. 698

613. An act to regulate the fees of the officers of New Hanover County, and to make the same correspond to payment upon a salary basis.. 699

614. An act to make chapter 606, Public-Local Laws of North Carolina, session of 1917, and amendment thereto, applicable to New Hanover County, entitled "An act to provide the Australian ballot".... 703

615. An act to provide for the organization of a county board of health for Madison County .............................................................. 704
AN ACT TO AMEND CHAPTER 56, PUBLIC-LOCAL LAWS, EXTRA SESSION OF 1921, RELATING TO COMPENSATION OF OFFICERS OF HARNETT COUNTY.

Whereas at the extra session of nineteen hundred and twenty-one an act was passed relating to the compensation of certain officers of Harnett County, which act is chapter fifty-six of the Public-Local Laws of nineteen hundred and twenty-one, extra session; and

Whereas it was intended that the provisions of said act should go into effect on the first Monday in December, nineteen hundred and twenty-two, at the time when the officers elected in the general election of nineteen hundred and twenty-two should assume the duties of their respective offices; and

Whereas the said act, as ratified, by error provided that the provisions of said act should be in force and effect from and after the first Monday in December, nineteen hundred and twenty-three, instead of from and after the first Monday in December, nineteen hundred and twenty-two, as was intended: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That section six of chapter fifty-six of the Public-Local Laws of the extra session of nineteen hundred and twenty-one be amended by striking out the words “twenty-three” at the end of said section and inserting in lieu thereof the words “twenty-two.”

SEC. 2. That the provisions of said chapter fifty-six of the Public-Local Laws of the extra session of nineteen hundred and twenty-one be declared in effect from and after the first Monday in December, nineteen hundred and twenty-two, and all fees and emoluments of office collected by the several officers of Harnett County referred to in said chapter, between the dates of the first 1—Public-Local
Monday in December, nineteen hundred and twenty-two, and the date of the ratification of this act, shall be held and retained by the respective officers collecting the same as compensation for their services during said period, and shall be accepted by them as full compensation for their said services during said period.

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

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

Ratified this the 9th day of January, A.D. 1923.

CHAPTER 2

AN ACT TO PROVIDE FOR THE COLLECTION OF TAXES FOR SURRY COUNTY AND FOR OTHER PURPOSES.

Whereas, A. L. Ashburn, sheriff of Surry County, failed and neglected to settle the State and county taxes levied for the year nineteen hundred and twenty-two; and

Whereas a tax collector was appointed by the board of county commissioners, and the tax-books containing the taxes levied for the year nineteen hundred and twenty-two were placed in his hands; and

Whereas C. H. Haynes was duly elected sheriff of Surry County at the election held in November, nineteen hundred and twenty-two, and was on the first Monday in December, nineteen hundred and twenty-two, qualified and inducted into office, executing bond for the collection of the taxes, and also for the discharge of the duties as sheriff; and

Whereas the sheriffs of Surry County are now and have been for two years past placed on a salary, and the salary included the collection of taxes; and

Whereas demand has been made upon the tax collector so appointed to turn over the uncollected taxes to the said sheriff, and such demand has been refused.

The General Assembly of North Carolina do enact:

SECTION 1. That the place or office of the tax collector for Surry County be and the same is hereby abolished.

Sec. 2. That A. E. Tilley, the tax collector appointed by the board of county commissioners, is hereby ordered and directed to make immediate settlement with the board of county commissioners of all taxes collected by him by virtue of the position of tax collector, and that the remaining uncollected taxes, with the books, be immediately turned over to C. H. Haynes, sheriff of Surry County.
Sec. 3. That the said C. H. Haynes, sheriff as aforesaid, shall collect all the taxes levied for the year nineteen hundred and twenty-two, and turned over to him by the said tax collector, and shall receive for such services no additional pay therefor.

Sec. 4. That so much of the taxes levied for the year nineteen hundred and twenty-four as shall remain uncollected on the first Monday in December, nineteen hundred and twenty-four, shall be turned over to the incoming sheriff, and the same shall be collected by the said sheriff without additional compensation, and every two years thereafter.

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

This act shall take effect immediately upon its ratification.

Ratified this the 24th day of January, A.D. 1923.

CHAPTER 3

AN ACT TO REGULATE SALES ON SUNDAY NEAR OLD FORD CHRISTIAN CHURCH IN BEAUFORT COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person, firm, or corporation to expose for sale, sell, or offer for sale on Sunday, any goods, wares, or merchandise within one mile of the Old Ford Christian Church in Beaufort County, and no store, shop, soft-drink stand, or other place of business in which goods, wares, or merchandise of any kind are kept for sale shall be kept open from and after twelve o'clock Saturday night until twelve o'clock Sunday night: Provided, that this act shall not be construed to apply to restaurants furnishing meals to actual guests, nor to the operation of garages or to the sale of gasoline.

Sec. 2. 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. 3. That this act shall be in force and effect from and after the first day of February, nineteen hundred and twenty-three.

Ratified this the 19th day of January, A.D. 1923.

CHAPTER 4

AN ACT TO INCREASE THE NUMBER OF THE BOARD OF EDUCATION OF TRANSYLVANIA COUNTY.

Whereas, owing to the growth of education in Transylvania County, and also by reason of the physical and geographic conditions of said county, so that adequate representation can be had
from all sections of the county on said county board of education, it is deemed advisable to increase the number of said board from three members to five members; and

Whereas W. H. Duckworth has duly resigned from said county board of education; Now, therefore,

The General Assembly of North Carolina do enact:

Section 1. That the county board of education of Transylvania County shall hereafter consist of five members of said board.

Sec. 2. That as W. H. Duckworth has duly resigned as a member of said board, that J. M. Galloway be and he is hereby appointed as the successor of the said W. H. Duckworth on said county board of education to fill out the unexpired term of the said Duckworth and serve until his successor is duly appointed and qualified.

Sec. 3. That A. E. England of Brevard, Route No. 1, and C. K. Osborne, of Brevard, N. C., be also appointed as members of the county board of education of Transylvania County, to serve until their successors are duly appointed or elected and qualified, according to law.

Sec. 4. That said three members appointed as above shall qualify and enter upon the duties of their office on the first Monday in February, nineteen hundred and twenty-three, and shall proceed to elect a chairman of said board, and other officers and appointees of such board, at such time or times thereafter as they may deem proper and according to law.

Sec. 5. That the members of said board of education shall receive the sum of three dollars ($3) per day for each day or fraction of day while engaged in performing the duties as members of said board, and mileage at the rate of ten cents per mile via the shortest route and for one way and within the county, and if the said members of said board, or any of them, are required to go out of the county on business for or connected with said board, or under the direction of said board, then in addition to said per diem of three dollars ($3), they or any of them shall be allowed actual traveling expenses and hotel bills; said allowance shall be in lieu and in place of allowances now made by the board of county commissioners of said county to the members of said board; said amounts shall be paid in the same manner and times as for other bills of said board.

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

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

Ratified this the 24th day of January, A.D. 1923.
CHAPTER 5

AN ACT TO AUTHORIZE CLEVELAND COUNTY TO ISSUE BONDS AND PROVIDE FOR THE PAYMENT THEREOF.

Whereas the board of commissioners of Cleveland County, in the year nineteen hundred and twenty-one, issued sixty thousand dollars ($60,000) of bridge notes or bonds of Cleveland County, dated on the first day of April, nineteen hundred and twenty-one, and becoming due on the first day of July, nineteen hundred and twenty-three, for the purpose of raising funds with which to defray the actual cost of building and repairing various bridges in the county of Cleveland, and sold said bridge notes or bonds; and

Whereas the county of Cleveland at the maturity of said bridge notes or bonds will be without sufficient funds available for that purpose with which to pay off said notes or bonds, thereby rendering it necessary that said county should obtain authority from the General Assembly of North Carolina to issue bonds with which to pay off said bridge notes or bonds aforesaid; and

Whereas for the purpose of raising funds with which to defray the actual cost of building various bridges in the county of Cleveland now under contract, and other bridges which it is necessary and desirable should be built in the near future, it will be necessary to issue bonds for the purpose of securing the necessary funds to pay therefor.: Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Cleveland County be and it is hereby authorized and directed to issue bonds of the county of Cleveland to an amount not exceeding one hundred thousand dollars ($100,000), of denominations not greater than one thousand dollars ($1,000), bearing interest from the date thereof at the rate of not exceeding six per cent, with interest coupons attached, payable semiannually, at such times and places as may be deemed advisable by said board of commissioners; said bonds to be of such form and tenor and transferable in such way, and the principal thereof payable at such time or times, not to exceed thirty-five (35) years from the date thereof, and in such place or places as the board of commissioners of said county may determine, which bonds shall be numbered and shall be signed by the chairman of said board and countersigned by the clerk thereof, and shall have the county seal impressed thereon; and, upon the request of any holder or holders of said bonds, the clerk of said board is authorized and empowered to register the same and to make same payable to the order of the registered holder only, and from the date of said registration, which shall be entered upon the face of the bonds so registered, and thereupon they shall cease
Serial issue. to be payable to the bearer. Said board of commissioners is hereby expressly authorized to issue said bonds serially so as to make said bonds so issued fall due at different dates, and so that any number of said bonds may become due at any time after five years from date thereof, and not to exceed thirty-five (35) years from their date.

Sec. 2. That the board of commissioners of Cleveland County is hereby further authorized and directed to levy annually a special ad valorem tax upon all taxable property in said county sufficient to pay the principal and interest of said bonds as the same become due, and such taxes shall be levied and collected at the same time and in the same manner as other taxes are levied, and shall be in addition to all other taxes authorized to be levied by said board.

Sec. 3. That before selling said bonds said board of commissioners shall advertise the same for sale in the manner provided by the State Municipal Finance Act for the sale of municipal bonds.

Sec. 4. That the total net proceeds arising from the sale of the bonds, issued pursuant to the provisions of this act, shall constitute a separate and distinct fund and shall be paid over to the treasurer of Cleveland County; and shall be used first for the purpose of refunding and paying off the sixty thousand dollars ($60,000) of bridge notes or bonds of Cleveland County issued in the year nineteen hundred and twenty-one, and bearing date April first, nineteen hundred and twenty-one, and falling due on July first, nineteen hundred and twenty-three; second, and the remaining proceeds arising from the sale of said bonds, after deducting therefrom the amount required to pay off the aforesaid bridge notes or bonds maturing on July first, nineteen hundred and twenty-three, shall be used for the purpose of paying the cost of bridges for the county of Cleveland now under contract by the board of commissioners of Cleveland County, or which may hereafter be authorized and directed to be built by the said board of commissioners: Provided, that if, after the payment of said sixty thousand dollars ($60,000) of bridge bonds maturing on July first, nineteen hundred and twenty-three, and the payment for the bridges now under contract, and which shall be authorized to be contracted hereafter during the year nineteen hundred and twenty-three, by the board of commissioners of Cleveland County, there shall remain any surplus arising from the proceeds from the sale of said bonds, that the same may be used for the payment of any of the necessary expenses of the county of Cleveland, or any outstanding indebtedness of the county of Cleveland incurred for necessary expenses; and Provided further, that the purchasers or holders of any part of the aforesaid issue of bonds authorized by this act shall not be required to see to the application of the proceeds of same.
Sec. 5. That powers granted by this act are in addition to Powers additional.
and not in substitution for existing powers of Cleveland County,
and are not subject to any limitations or restrictions contained
in any other law.

Sec. 6. All laws and parts of laws in conflict with this act are Repealing clause.
hereby repealed.

Sec. 7. This act shall be in force from and after its ratification.
Ratified this 24th day of January, A.D. 1923.

CHAPTER 6

AN ACT TO REPEAL CHAPTER 205, PUBLIC-LOCAL LAWS,
SESSION 1921, RELATING TO THE EMPLOYMENT OF AN
AUDITOR BY THE COMMISSIONERS OF STOKES COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred and five, Public-Local Law repealed.
Laws, session one thousand nine hundred and twenty-one, be and
the same is hereby repealed.

SEC. 2. That this act shall be in force from and after its ratification.
Ratified this the 26th day of January, A.D. 1923.

CHAPTER 7

AN ACT TO ABOLISH THE OFFICE OF COUNTY TREASU-
RER OF RANDOLPH COUNTY AND TO PERMIT THE
BOARD OF COUNTY COMMISSIONERS TO EMPLOY BANK-
ING AND TRUST COMPANIES IN LIEU THEREOF.

The General Assembly of North Carolina do enact:

SECTION 1. That the office of county treasurer of Randolph
County be and the same is hereby abolished, and the board of
county commissioners of said county is hereby authorized, em-
powered and directed to designate and appoint, in lieu thereof, one
or more solvent banks or trust companies located in said county
as financial agent or agents of said county, which said bank or
banks, trust company or trust companies shall perform the duties
now performed by said county treasurer, or by the sheriff as ex
officio treasurer of said county: Provided, that such bank or
banks, trust company or trust companies shall not charge or
receive any compensation for said services.

Sec. 2. That any bank or banks, trust company or trust com-
panies appointed and acting as financial agent for said county
shall be appointed for a term of two years, and shall be required,
before entering upon its duty as such, to execute the same bond or bonds now required of county treasurers of said county for the safe-keeping and proper accounting of any and all funds that may come into its possession and belonging to said county, and for the faithful discharge of its duty as such.

Repealing clause.

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

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

Ratified this the 26th day of January, A.D. 1923.

CHAPTER 8

AN ACT TO AMEND SECTION 4352 OF THE CONSOLIDATED STATUTES, RELATING TO THE USE OF PROFANE AND INDECENT LANGUAGE ON PUBLIC HIGHWAYS IN CLEVELAND COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section four thousand three hundred and fifty-two of the Consolidated Statutes of North Carolina be and is hereby amended by striking out the word "Cleveland" before "Brunswick" and after "Watauga" in the seventh line.

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

Sec. 3. That this act shall take effect from and after its ratification.

Ratified this the 26th day of January, A.D. 1923.

CHAPTER 9

AN ACT TO REPEAL CHAPTER 63 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION 1919, ENTITLED "AN ACT TO PROMOTE CATTLE-RAISING IN WILKES COUNTY."

The General Assembly of North Carolina do enact:

Section 1. That chapter sixty-three, Public-Local Laws of North Carolina, session one thousand nine hundred and nineteen, entitled "An act to promote cattle-raising in Wilkes County," be and the same is hereby repealed.

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

Ratified this 26th day of January, A.D. 1923.
CHAPTER 10

AN ACT TO AUTHORIZE AND DIRECT THE COMMISSIONERS OF YANCEY AND MADISON COUNTIES TO REPAIR AND CONSTRUCT A PUBLIC ROAD ACROSS PAINT GAP.

The General Assembly of North Carolina do enact:

Section 1. That the board of commissioners of Yancey and Madison counties are hereby authorized and directed, as soon as practicable, but not later than January one, one thousand nine hundred and twenty-four, to begin work on the repair and construction of a graded public road (no grade to exceed ten per cent) from a point at or near Paint Gap postoffice in Price's Creek Township to a point at or near Joe Brown's store, near Waverly postoffice, Madison County, an approximate distance of three miles.

Sec. 2. That the county of Yancey shall pay the expense for said repair and construction of said graded public road lying and being within Yancey County; and that the county of Madison shall bear the expense for the cost of said repair and construction of said graded public road lying and being within Madison County.

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

Ratified this the 26th day of January, A.D. 1923.

CHAPTER 11

AN ACT TO AMEND SECTION 8073, CHAPTER 133, OF THE CONSOLIDATED STATUTES AND TO PROVIDE FOR A STANDARD-KEEPER FOR CURRITUCK COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section eight thousand and seventy-three, chapter one hundred and thirty-three, of the Consolidated Statutes be and the same is hereby amended by striking out the word “Currituck” in line four of said section.

Sec. 2. That in addition to the duties of said standard-keeper as now provided by the law, said standard-keeper shall inspect and test all gasoline, crude oil, and other pumps or measuring devices once a year, and for said services said standard-keeper shall be paid the sum of twenty-five cents for each gasoline, crude-oil pump or measuring device.

Sec. 3. That for his services other than provided for in section two hereof said standard-keeper shall receive the fees now provided for in section three thousand one hundred and ninety-four, chapter seventy-one, of the Consolidated Statutes.
Chapter 11—12—13

Chapter 12

An Act Prohibiting the Sale of Fireworks in Camden County

The General Assembly of North Carolina do enact:

Section 1. That from and after April first, one thousand nine hundred and twenty-three, it shall be unlawful for the sheriff or the representative of any governing body within the county of Camden to grant or issue any license tax authorizing or permitting the sale of fireworks within the county.

Section 2. That any person shooting fireworks on any of public roads, church grounds or school grounds in the county shall be guilty of a misdemeanor and fined not to exceed fifty dollars or imprisoned not more than thirty days.

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

Section 4. That this act shall be in force from and after the first day of April, one thousand nine hundred and twenty-three.

Section 5. That this act shall apply to Camden County only.

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

Ratified this 26th day of January, A.D. 1923.

Chapter 13

An Act to Extend the Time of the Sheriff or Tax Collector of Hyde County for the Sale of Lands in Mattamuskeet Drainage District, Hyde County, from the First Monday in February to the First Monday in May of Each Year

The General Assembly of North Carolina do enact:

Section 1. That the time of the sheriff of Hyde County to sell lands in Mattamuskeet Drainage District, Hyde County, for delinquent drainage district assessments, is hereby extended from
AN ACT TO PROVIDE FOR THE ERECTION OF A NEW COUNTY HOME IN ALAMANCE COUNTY AND TO AUTHORIZE THE COUNTY COMMISSIONERS TO SELECT AND PURCHASE A SITE FOR SAID NEW COUNTY HOME.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Alamance County be and they are hereby authorized to purchase a site for and to erect a county home for the aged and infirm at such place in Alamance County as they shall deem a proper and suitable place for such county home. That said board of county commissioners may elect, decide upon, and purchase such site at any regular meeting of the board, or at any special meeting called for that purpose, upon the vote of a majority of the board of commissioners, as to the property to be purchased and the price to be paid therefor. That said board of commissioners may select and purchase such site for said county home without giving any notice thereof, and that they may select and purchase such site at any place in Alamance County which they shall deem for the best interests of the county. That when such site is selected and purchased and a proper and suitable county home for the aged and infirm is erected thereon, that all the inmates in the present county home shall be removed thereto, and from the date of the completion of the erection of such new county home so that it shall be ready for use, such county shall cease to use the old county home.

SECTION 2. That all acts of the county commissioners of Alamance County looking to the sale of the property and site of the place at
which the county home for the aged and infirm has been maintained in Alamance County be and the same are hereby ratified.

Sec. 3. The board of county commissioners shall use the funds received from the sale of the property and site upon which has been maintained the county home for the aged and infirm in Alamance County in the purchase of a site for the location of the new county home and the erection of the necessary buildings; and from the general funds of Alamance County they shall appropriate such other and further funds as shall be necessary to build and equip a proper and suitable home for the aged and infirm in said Alamance County.

Use of funds.

Appropriation.

Sec. 4. That all laws and parts of laws in conflict herewith, whether such laws be private or public, are hereby repealed.

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

Ratified this the 26th day of January, A.D. 1923.

CHAPTER 15

AN ACT TO PROHIBIT THE SALE OR USE OF FIREWORKS IN CURRITUCK AND CHEROKEE COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person, firm, or corporation to sell or offer for sale, to use, set off or explode any firecracker, Roman candle, skyrocket or other fireworks, and any person, firm, or corporation violating any of the provisions of this act shall be guilty of a misdemeanor.

Sec. 2. That this act shall apply to the counties of Currituck and Cherokee.

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

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

Ratified this 26th day of January, A.D. 1923.

CHAPTER 16

AN ACT TO FACILITATE THE HANDLING OF THE PUBLIC FUNDS OF ANSON COUNTY.

Whereas the board of commissioners of Anson County have, in exercising the discretion vested in them by chapter two hundred and sixty-two, Public-Local Laws of one thousand nine hundred and fifteen, by resolution abolished the office of treasurer in said
county, and have designated and appointed certain banks of said county as financial agents or depositories for the public funds of Anson County for a term of two years from the first Monday in December, one thousand nine hundred and twenty-two: Now, therefore, in order to facilitate the handling of the public funds of said county of Anson,

The General Assembly of North Carolina do enact:

SECTION 1. That the action of the board of commissioners of Anson County in abolishing the office of treasurer of said county be and the same is hereby approved and confirmed, and the office of treasurer of said county is declared to be abolished.

SEC. 2. That the First National Bank of Wadesboro, The Bank of Wadesboro, and The Bank of Lilesville are hereby appointed financial agents or depositories for the public funds of Anson County, effective as of the first Monday in December, one thousand nine hundred and twenty-two, and they shall act as such for a period of two years from said date, and until their successor or successors are duly designated and appointed and qualified, as hereinafter provided by this act.

SEC. 3. It shall be the duty of the board of commissioners of Anson County, and they are hereby authorized, empowered and directed to meet at the courthouse in Wadesboro on the first Monday in November in the year of our Lord one thousand nine hundred and twenty-four, and biennially thereafter, and designate and appoint some solvent bank or banks of said county to act as financial agent or agents, depository or depositories for said county, which said bank or banks shall be designated and appointed to act as such for a period of two years from the first Monday in December of the year in which such appointment is made, and until a successor or successors are duly designated and appointed and qualified, as provided in this act: Provided, however, that no bank shall be eligible for appointment as aforesaid unless the said bank is authorized to conduct the business of banking as provided by the laws of the United States of America, or by the laws of North Carolina.

SEC. 4. That the bank or banks designated and appointed herein, or which may be hereafter designated and appointed as financial agent or agents, or depository or depositories for said county of Anson, as hereinbefore provided, shall, before receiving any deposit of public moneys under the provisions of this act, enter into an undertaking payable to the State of North Carolina, in some solvent surety company doing business in North Carolina and approved by the Insurance Commissioner of said State, in a penal sum of such an amount as may be required by the board of commissioners of Anson County of such bank or banks, conditioned upon the safe-keeping, proper disbursing, and accounting for to the authorities of said county having control of the disbursement of
said funds, of all public moneys which may be deposited with or come into the possession and custody of said depository or depositories under the provisions of this act, and the said bonds shall inure to the benefit of the board of commissioners of said county, the board of education of said county, and any board or boards having charge of the roads of said county, as well as all other boards having charge of the disbursement of any public funds of Anson County; and if it shall become necessary to bring any suit for any breach of said bond, the said suit shall be brought in the name of the State of North Carolina on the relation of any one or more of said boards which may have an interest in the matter in controversy. The said undertaking shall be filed with the board of commissioners of said county and shall be approved by them if given in accordance with this act, and, thereupon, the said undertaking shall be recorded and filed in the same manner as is now required by law for the filing and recording of other official bonds of said county. The premium or premiums which may be charged by the surety company or companies in which said bond or bonds are given shall be paid by the board of commissioners and the board of education of Anson County in equal proportions.

SEC. 5. Upon the execution and approval of said undertaking, it shall be the duty of the clerk or chairman of said board of commissioners of Anson County, in writing, to notify the sheriff of said county and all other officers of said county and State, having in their custody or control any of the moneys required to be deposited as specified in this act, of the bank or banks which have been designated as financial agent or agents, depository or depositories for public moneys of said county for the fund or funds handled by such officer; and it shall thereupon be the duty of the said sheriff, or other officer having in his possession or control any of said moneys, immediately to deposit or cause to be deposited all moneys in his possession or under his control, or which may thereafter come into his possession or under his control by virtue of his office or position of trust held by him, in the bank or banks so designated as depository or depositories by the board of commissioners for such fund or funds, and to continue to so deposit all such public moneys until otherwise directed in writing by the board of commissioners of said county.

SEC. 6. That all moneys coming into the hands of the sheriff of Anson County by virtue of his office as such sheriff, or by virtue of his office as ex officio treasurer of Anson County, whether belonging to the general county fund, general road fund, any district or township road fund, general school fund, any special school-tax fund, county sinking fund or otherwise, and any and all public moneys from whatever source derived and coming into the hands of the sheriff of Anson County by virtue of his office as sheriff, or by virtue of his office as ex officio treasurer of Anson County or custodian of any public funds of said county, shall be deposited by
the said sheriff in such bank or banks as may be designated to receive such fund or funds by the board of commissioners of Anson County in accordance with the provisions of this act.

Sec. 7. It shall be the duty of the board of commissioners of Anson County and the board of education of Anson County, and any and all boards of road trustees of said county, as well as all other officers or authorities having control of the disbursement of the public funds hereinbefore mentioned, to direct the sheriff of Anson County or any other public officers having at any time the custody and control of any of the public funds of said county as hereinbefore mentioned, to deposit all of said funds in such bank or banks as shall be designated as a depository for such fund or funds by the board of commissioners of Anson County under the provisions of this act.

Sec. 8. There shall be deposited in the several banks appointed in section two of this act as financial agents or depositories such public fund or funds of Anson County as have been ordered deposited therein by the board of commissioners of Anson County, and hereafter at the time of the appointment and designation by the board of commissioners of Anson County of a bank or banks to act as financial agent or agents, depository or depositories of the public funds of Anson County, as hereinbefore provided by this act, it shall be the duty of the board of commissioners of Anson County, and said board of commissioners is hereby directed to state and designate, in the order or resolution making such appointment, what public fund or funds of Anson County shall be deposited in the several banks so appointed and designated as hereinbefore provided.

Sec. 9. The several banks herein appointed and designated as financial agents or depositories for the public funds of Anson County by this act, and the bank or banks which may hereafter be appointed and designated as financial agent or agents, depository or depositories for the public funds of Anson County, as hereinbefore provided by this act, shall receive all moneys deposited with such bank or banks under the provisions of this act and shall duly account to the proper officers of said county therefor. The moneys so deposited, as aforesaid, shall only be paid out by such bank or banks upon vouchers properly signed by the duly constituted officer or officers of Anson County having control over the public fund or funds on which such vouchers are drawn, or properly signed by the duly authorized agent or agents of such officer or officers, and such vouchers shall be properly endorsed by the payee therein named before such bank or banks shall pay the same. Any one general or special class or division of the public funds of said county, which may be deposited in any one bank or depository in accordance with the provisions of this act, shall be handled and treated by said bank or depository as one account, and said bank or depository shall not be required to
keep separate accounts of the various constituent parts of any one general or special class or division of the public funds of said county which may be deposited with said bank or depository under the provisions of this act; and the said bank or depository shall only be required to keep a record in a pass book of the moneys deposited in said bank or depository, showing the amount deposited, the name of the officer making the deposit, and the date of such deposit; and in addition thereto such bank or depository shall keep a record in the same manner of all moneys paid out by said bank or depository on vouchers drawn on said bank or depository, showing the date of the voucher, the number of the same, the amount for which same was drawn and the name of the payee therein named; at the end of each month said bank or depository shall prepare a statement from the records kept by said bank or depository showing an itemized list of all receipts of moneys deposited with said bank or depository, and an itemized statement of all disbursements made by said bank or depository on vouchers drawn on said bank or depository, said statements to be prepared by said bank or depository from the records of said bank or depository required by this section to be kept by said bank or depository, and shall contain only the information required by this section to be shown in said record, except said statement shall show the balance then on deposit with said bank or depository; the statements prepared as herein required shall be so prepared within ten days after the close of the month for which such statement is submitted and shall be delivered by such bank or depository to the officer or officers of Anson County designated by the board of commissioners of said county to receive said statement; and at the time of the delivery of such statement to said officer or officers by said bank or depository, the said bank or depository shall turn over to such officer or officers all of the vouchers paid by said bank or depository and listed on said statement, and it shall be the duty of the officer or officers receiving said vouchers to give said bank or banks a receipt therefor, which said receipt shall operate as a discharge for said bank or depository from any further liability for the moneys paid out by said bank on said vouchers.

SEC. 10. The said bank or depository shall not be required to perform any duties or shall not incur any liabilities not enumerated in this act, except such duties and liabilities as may arise by operation of law upon the creation of the relation of bank and depositor or customer.

SEC. 11. That the bank or banks designated and appointed under this act, or which may hereafter be designated and appointed as financial agent or agents, depository or depositories for the public funds of Anson County, as hereinbefore provided, shall not charge or receive any compensation for the services rendered by said bank or banks in acting as financial agent or depository other than such advantages or benefits as may accrue to said bank or
banks from the deposit and disbursement of the public funds of Anson County in the usual course of banking.

Sec. 12. That all acts heretofore performed by The First National Bank of Wadesboro, The Bank of Wadesboro, and The Bank of Lilesville in handling the public funds of Anson and in acting as financial agents or depositories for the public funds of said county since the first Monday in December, nineteen hundred and twenty-two, be and the same are hereby ratified and validated.

Sec. 13. That all laws and parts of laws in conflict with the provisions of this act be and the same are, to the extent of such conflict, hereby repealed.

Sec. 14. That except as otherwise provided in this act, this act shall be in force from and after its ratification.

Ratified this 26th day of January, A.D. 1923.

CHAPTER 17

AN ACT TO AMEND CHAPTER 169, PUBLIC-LOCAL LAWS, EXTRA SESSION 1921, KNOWN AS THE PLANNING BOARD BILL.

The General Assembly of North Carolina do enact:

Section 1. That section five, chapter one hundred sixty-nine, Public-Local Laws, extra session one thousand nine hundred and twenty-one, be and the same is hereby amended by adding after the third sentence and before the last sentence of said section the following: “Before the plan, plat, or map of such subdivision or development is filed for registration there must appear thereon the written approval of said board.”

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

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

Ratified this the 31st day of January, A.D. 1923.

CHAPTER 18

AN ACT TO VALIDATE CERTAIN BONDS OF CHEROKEE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the bonds of Cherokee County, aggregating fifty thousand dollars, dated October first, one thousand nine hundred and twenty-two, and maturing October first, one thousand nine hundred and fifty-two, bearing interest at five and one-quarter per 2—Public-Local
cent per annum, and sold by the county commissioners of said county for the purpose of building a jail and heating the same; and the courthouse in said county, be and the same are hereby in all respects validated, and the present board of county commissioners of said county are hereby authorized and empowered to execute and deliver same to the purchasers.

Sec. 2. That the said board of county commissioners are further authorized, empowered and directed to annually levy a sufficient special tax to pay the accruing interest on said bonds and to provide a sinking fund for the payment of the same at maturity.

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

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

Ratified this 26th day of January, A.D. 1923.

CHAPTER 19

AN ACT TO AUTHORIZE THE COMMISSIONERS OF CLEVELAND COUNTY TO BORROW MONEY FOR ROAD EQUIPMENT AND MAINTENANCE OF THE ROADS OF NUMBER TWO TOWNSHIP, AND FOR LEVYING THE NECESSARY TAXES FOR THE PAYMENT OF SAME.

The General Assembly of North Carolina do enact:

SECTION 1. The commissioners of Cleveland County, upon the written request of the highway commission of Number Two Township, in Cleveland County, are hereby authorized and directed to borrow, on behalf of Number Two Township, Cleveland County, from time to time as same may be needed, moneys, the total of which shall not exceed five thousand dollars ($5,000), and shall execute notes for the sums so borrowed, which notes shall mature in not more than five years from the date of the execution of said notes and bear interest at not exceeding six per cent, and which notes shall set forth that they are given for money borrowed on behalf of Number Two Township, and shall be payable by the treasurer of Cleveland County out of the taxes levied for road purposes on the property of Number Two Township, and the sums so borrowed shall be paid to the treasurer of Cleveland County and shall be held by said treasurer to the credit of the highway commission of Number Two Township, and shall be paid out on proper vouchers from said highway commission for the payment of road equipment and for the maintenance and improvement of the roads of Number Two Township, Cleveland County.

Sec. 2. The board of commissioners of Cleveland County, at the time of levying other taxes, shall regularly levy a sufficient tax,
either under this act or other then existing acts, upon the prop-
erty of Number Two Township, to pay off and discharge in full the
sums which shall be so borrowed under the foregoing provisions of
this act when the same shall become due and payable, and also to
meet the interest upon the sums so borrowed as same shall fall
due; and the board of commissioners of Cleveland County shall
have the right to renew from time to time any of the notes given
for money so borrowed: Provided, such renewal note or notes so
given shall mature and become payable in not more than five years
from the date of the execution of the original note or notes.
Sec. 3. This act shall be in force from and after its ratification.
Ratified this 31st day of January, A.D. 1923.

CHAPTER 20
AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS
OF MACON COUNTY TO PAY A BONUS FOR WILDCAT
SCALLPS.

The General Assembly of North Carolina do enact:

Section 1. That the county commissioners of Macon County are Bonus.
hereby authorized to pay a bonus of three dollars for each wild-
cat killed within the county. The chairman shall administer an Verifi-
oath to those presenting such scalps, if he has any doubt about
where the same were caught; said oath shall be to the effect that
said wildcat was taken within the county of Macon. Upon being Pay-
satisfied of the truth of this, the commissioners shall pay him the
three dollars.

Sec. 2. That this act shall be in force from and after its ratifi-
cation.

Ratified this the 31st day of January, A.D. 1923.

CHAPTER 21
AN ACT TO ELIMINATE THE RESTRICTIONS AS TO
GRADES UPON THE PUBLIC ROADS OF MITCHELL
COUNTY AND FOR OTHER PURPOSES.

The General Assembly of North Carolina do enact:

Section 1. That chapter one hundred and seventy-two, Public-
Local Laws of one thousand nine hundred and fifteen, be amended
by placing a “period” after the word “obtainable” in line seven, Limi-
section seven of said chapter, and striking out immediately there-
after the words “not to exceed six feet in each hundred feet.”
Law specifying work repealed.

SEC. 2. That chapter one hundred and sixty-eight, Public-Local Laws of one thousand nine hundred and seventeen, relating to change of location and grade of certain roads in Mitchell County, be and the same is hereby repealed.

Adjustment of damages.

SEC. 3. That the board of road commissioners of Mitchell County, when adjusting the compensation of property owners in Mitchell County for damages arising from the construction of a public road through their lands, for the taking of materials therefrom, or for any other cause incident thereto, or any jury trying any cause arising thereunder, shall assess for the county of Mitchell all benefits of every kind and nature out of said construction, to be applied as a set-off against the property owners' claim for damages, and shall assess the damages for taking land for road purposes upon a per acre basis.

Assessment in proportion to acreage.

SEC. 4. That all laws and clauses of laws in conflict herewith are hereby repealed, in so far as they apply to the county of Mitchell.

Repealing clause.

SEC. 5. That this act shall not be construed to repeal or any wise affect any of the provisions of chapter two of the Public Laws of one thousand nine hundred and twenty-one or any laws amendatory thereto.

Construction of act.

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

Ratified this the 31st day of January, A.D. 1923.

CHAPTER 22

AN ACT TO AUTHORIZE THE COMMISSIONERS OF LEE COUNTY TO CALL AN ELECTION AND ISSUE ROAD BONDS.

The General Assembly of North Carolina do enact:

SEC. 1. The county commissioners of Lee County are authorized and directed to call an election and submit to the qualified voters of said county the question of issuing bonds to the extent of one hundred thousand dollars for the construction, improvement and maintenance of the public roads in said county.

SEC. 2. For such purpose they shall order a new registration of voters in said county; shall advertise the election for at least thirty days prior to said election, in one or more of the newspapers published in Lee County, stating in the advertisement the amount of bonds to be issued and referring to this act as authority therefor. The election shall be held under the laws, rules and regulations in force for election of members of the General Assembly, as far as they may be applicable. At the election those favoring the bonds shall vote a printed or written ballot containing the
words "For Road Bonds," and those opposing shall vote a printed or written ballot containing the words "Against Road Bonds."

SEC. 3. If the majority of the qualified voters at said election shall be found, upon canvass of the vote, to have voted "For Road Bonds," the county commissioners shall thereupon issue and sell and deliver to the purchaser or purchasers one hundred thousand dollars bonds of Lee County, to be known as Lee County Road Bonds, with interest coupons attached, to mature at such time as the commissioners may determine, not more than forty nor less than twenty years from date, in such denominations as the commissioners may determine, the bonds to be payable to bearer and to bear interest from date at a rate not exceeding six per cent per annum, payable semiannually, interest and principal payable at such place as may be designated by the board.

SEC. 4. To provide a fund to pay the interest on said bonds and a sinking fund to pay off said bonds when they mature, the county commissioners shall, at the time of levying other tax, levy a special tax not exceeding twenty cents on every one hundred dollars of taxable property in the county, and not exceeding sixty cents on every poll.

SEC. 5. The proceeds of the sale of said bonds shall be used exclusively for the construction, improvement and maintenance of the public roads of the county, in such manner and in such proportion as the commissioners may deem to the best interest of the people of the county.

SEC. 6. This act shall be in force from and after its ratification. Ratified this the 31st day of January, A.D. 1923.

CHAPTER 23

AN ACT AUTHORIZING THE CONSTRUCTION OF A BRIDGE CONNECTING THE COUNTIES OF ASHE AND WATAUGA.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Ashe County and Watauga County be and are hereby authorized, empowered and directed to have constructed a substantial steel or wooden bridge, upon concrete pillars and foundation, at a cost not to exceed fifteen thousand dollars ($15,000), the cost of which shall be equally borne by said counties.

SEC. 2. That said boards of commissioners are hereby authorized to issue bonds of such denomination and of such tenure as in their judgment is proper, and to sell the same to raise the funds to construct said bridge, each board acting separately in the issuing of its part of said bonds; and said boards are hereby authorized to levy a tax sufficient to pay the interest and principal of said bonds respectively.
Committee.

Sec. 3. That A. S. Cooper, T. S. Watson and Sherman Brown be and are hereby appointed a committee, to act without compensation, to locate and superintend the construction and let the contract for said bridge.

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

Ratified this the 31st day of January, A. D. 1923.

CHAPTER 24

AN ACT TO REPEAL CHAPTER 439 OF THE PUBLIC-LOCAL LAWS OF 1921 SESSION, RELATING TO THE OFFICE OF CHAIRMAN OF RANDOLPH COUNTY BOARD OF COUNTY COMMISSIONERS.

The General Assembly of North Carolina do enact:

Section 1. That chapter four hundred and thirty-nine of the Public-Local Laws of North Carolina, session one thousand nine hundred and twenty-one, be and the same is hereby repealed.

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

Ratified this 31st day of January, A.D. 1923.

CHAPTER 25

AN ACT TO PROHIBIT AND PUNISH THE UNLAWFUL DRIVING OF AUTOMOBILES IN BUNCOMBE AND MADISON COUNTIES.

The General Assembly of North Carolina do enact:

Section 1. That it shall be unlawful for any person to operate or drive any motor vehicle on any highway in Buncombe and Madison counties at a greater rate of speed than thirty-five miles per hour.

Sec. 2. That any person violating any of the provisions of this act shall be guilty of a misdemeanor, and shall be fined not less than fifty dollars ($50) nor more than five hundred dollars ($500), or imprisoned not less than thirty days nor more than two years, at the discretion of the court: Provided, that any person bound to the Superior Court under this act may not be required to give more than a fifty-dollar justified bond for his appearance in said court.

Sec. 3. That it shall be the duty of the board of commissioners for the counties of Buncombe and Madison to have erected, within fifteen days after the passage of this act, upon each highway at
the county line, a sign not less in size than six by twelve feet, in as large letters as the same can be painted thereon, advising the general public of the speed limit on such highway, and the minimum and maximum punishment for exceeding such speed limit, and to keep said signs in good repair at all times.

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

Ratified this the 31st day of January, A.D. 1923.

CHAPTER 26

AN ACT TO ABOLISH THE AUDITOR'S OFFICE FOR DAVIDSON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That chapter two hundred and seventy-three of the Law repealed. Public-Local Laws of one thousand nine hundred and nineteen be and the same is hereby repealed.

Sec. 2. This act shall be in full force and effect from and after February fifteenth, one thousand nine hundred and twenty-three.

Ratified this the 31st day of January, A.D. 1923.

CHAPTER 27

AN ACT TO CREATE THE OFFICE OF TAX COLLECTOR FOR MADISON COUNTY AND RELATING TO THE OTHER OFFICERS OF SAID COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the office of tax collector be and the same is Office established. hereby established for the county of Madison.

Sec. 2. That it shall be the duty of the said tax collector to collect, account for and settle all State and county taxes of said county of Madison under and by virtue of the law prescribed for the collection and settlement of taxes by the sheriff of said county: Provided, however, that the sheriff of said county shall collect and settle for all special license taxes as is now provided by law and shall receive the fees for collecting said special license taxes. Proviso: special license taxes.

Sec. 3. That before entering upon the discharge of his or her duties as tax collector, he or she shall execute and file with the board of county commissioners of said county the tax bond as now prescribed by law and shall take and subscribe the oath of office provided by law for tax collectors: Provided, that the county
commissioners for said county of Madison may make the bond for the said tax collector in such manner as they may deem to the best interest of the county.

Sec. 4. That the said tax collector shall receive as full compensation for his or her services in the collection and settlement of taxes the sum of fifteen hundred dollars ($1,500) per annum, payable in monthly installments. The said tax collector shall pay over to the treasurer, or the parties provided by law to receive the money collected as taxes for the said county of Madison, all money collected by the said tax collector each week and take receipt for the same.

Sec. 5. That said tax collector shall be inducted into his or her office on the first Monday in December, one thousand nine hundred and twenty-three, and shall hold said office for a term of three years and until his or her successor is elected in the manner prescribed by law for other county officers in said county by the qualified voters thereof and until his or her successor is qualified by the board of county commissioners for said county. That on the first Monday in December, one thousand nine hundred twenty-six, the said tax collector shall make full settlement with the board of commissioners for said county, at which time the board of commissioners shall turn over the tax books of said county to the successor of said tax collector, and the bond of the tax collector herein appointed shall be responsible for all taxes collected by the said tax collector and the faithful performance of the duties of the said tax collector up and until the said first Monday in December, one thousand nine hundred twenty-six.

Sec. 6. That Mrs. Annie Mae White be and is hereby appointed tax collector for the said county of Madison to fill the vacancy caused by the creation of said office, and it shall be her duty, upon filing the bonds and taking the oath of office prescribed by this act, to collect, account for and pay over and settle the taxes for the remainder of one thousand nine hundred twenty-three, one thousand nine hundred twenty-four, one thousand nine hundred twenty-five, and so much of the taxes of one thousand nine hundred twenty-six as she is required by law to collect during her said term of office, and she shall be required to collect and turn over so much of the taxes for one thousand nine hundred twenty-six as is now required of the sheriff by law.

Sec. 7. That the sheriff of said county and his deputies shall receive as full compensation for his and their services such fees of his office as is now or hereafter may be prescribed by law, and in addition thereto the said sheriff shall receive the sum of one thousand eight hundred dollars ($1,800) per year, payable monthly in the sum of one hundred and fifty dollars ($150) out of any funds belonging to the county of Madison.

Sec. 8. That in addition to the compensation allowed to the sheriff of Madison County in the preceding section hereof, that
where the said sheriff or his deputies shall seize property under and by virtue of the prohibition laws of North Carolina, he or his said deputy or deputies shall receive one-third of the proceeds of the sale of such seized property. That if the sheriff makes the seizure he shall receive the said amount, or if his deputy or deputies shall make the seizure the said deputy or deputies shall receive the said one-third of the proceeds of the sale of the said captured and seized property; or if the property is seized by the said sheriff and his deputy or deputies in conjunction with each other, that the said proceeds of captured property shall be divided among the sheriff and his deputies as may be equitable and just to each of them.

Sec. 9. That the board of county commissioners of said county shall, on the first Monday in December, one thousand nine hundred and twenty-three, and annually thereafter, deliver the tax books of said county to the tax collector for collection of taxes as hereinbefore provided.

Sec. 10. That the officers of the said county of Madison shall personally attend to their said offices in such manner as to keep all records in proper shape at all times and to be in their offices during office hours for the accommodation of the public who may have business with said officers or in their said offices; and it shall be unlawful for any officer of Madison County to be intoxicated while on duty, and if any of said officers of said county shall be intoxicated while on duty or during office hours such intoxication shall be sufficient cause, upon proof of such intoxication being made before a judge of the Superior Court of North Carolina holding court in said county, to declare said office vacant and for the removal of such officer: Provided, that such officer shall have notice of such proceedings before the judge and shall have opportunity to make defense.

Sec. 11. That the terms of all the commissioners of the said county of Madison shall expire on the first Monday in December, one thousand nine hundred and twenty-four, and their successors shall be elected by the qualified voters of Madison County in the regular election for State and county officers held in the said county of Madison in one thousand nine hundred and twenty-four, which commissioners elected at the said election shall qualify on the first Monday in December, one thousand nine hundred and twenty-four, and shall hold their said offices for the term of two years, and their successors shall be elected at the regular elections every two years thereafter, so that the term of a county commissioner of the said county of Madison shall be two years.

Sec. 12. That any person violating any of the provisions of this act shall be guilty of a misdemeanor in addition to the penalties hereinbefore provided, and upon conviction thereof shall be fined or imprisoned, in the discretion of the court.
Repealing clause. Sec. 13. That all laws and clauses of laws in conflict with this act be and the same are hereby repealed, and so much of the existing law not in conflict with this act shall remain in full force.

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

Ratified this the 2d day of February, A.D. 1923.

CHAPTER 28

AN ACT RELATIVE TO THE ROADS OF MACON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the board of county commissioners of Macon County shall constitute the highway commission of Macon County; that the said board of county commissioners acting as said highway commission shall have full power and authority over all the roads and bridges of Macon County not under the jurisdiction and control of the State Highway Commission, with full authority and power to build, construct and maintain all roads and bridges within said county of Macon and to enter into any contract or contracts with the State Highway Commission either for the building and construction of any highway or bridges within the county of Macon or the maintenance and upkeep of any highway or bridges within said county of Macon. That sections three thousand six hundred and sixty-nine and three thousand six hundred and seventy-one of the Consolidated Statutes of North Carolina of one thousand nine hundred and nineteen shall constitute a part of the road law of the county of Macon.

Sec. 2. That any road or highway within said county that the said board of county commissioners may, under this act, maintain and keep up and repair shall be known and designated as a principal road or roads, whether said highway or roads are entirely maintained and kept up entirely by said county commissioners or in connection with the State Highway Commission under any contract that it might enter into with said Highway Commission or any other person; and said board of county commissioners are hereby authorized, directed and empowered to designate any road that they may see fit within the county of Macon as a principal road or highway: Provided, that such designation shall not in any way interfere with or change the location of any highway in said county, located and designated by the State Highway Commission.

Sec. 3. That the county commissioners of Macon County are hereby authorized, directed and empowered to levy a special ad valorem tax of not less than ten cents per one hundred dollars
valuation of property and not more than forty cents per one hundred dollars valuation of property, which tax shall be levied annually upon all the property of said county, and shall be used by said board of county commissioners solely for the purpose of building, construction, repairing and maintaining roads and bridges situated within the county of Macon. That the special road and bridge tax so levied under this section shall be kept separate from all other taxes and shall be known and designated as the county road and bridge tax.

Sec. 4. That the county commissioners of Macon County shall, on the first Monday of March, one thousand nine hundred and twenty-three, appoint not less than two nor more than three trustees for each township in the county; said trustees shall be appointed from good and lawful men, who shall be residents of such township. That the county commissioners shall, on said date and every year thereafter, appoint the successors in office of said trustees, and the said county commissioners of Macon County are hereby given the right to remove any one or all of the trustees so appointed, for cause shown, at any time; that the county commissioners of said county shall annually fix the pay of the said trustees so appointed by them, and make such rules and regulations for the conduct and guidance of said trustees as in the opinion of said county commissioners would operate to the benefit of the roads of said county. That said trustees shall meet at once after their appointment and organize by selecting one of their number chairman and one secretary, and shall forthwith report their proceedings to the board of county commissioners in writing, which report shall be filed with the clerk of the board in the office of the registrar of deeds for said county. That the trustees so appointed shall meet so often as it may be necessary for the transaction of their business, but they shall not draw pay for more than one meeting each and every month. The said trustees shall proceed, at the first meeting after their appointment, to divide the roads of their township into suitable and convenient districts and appoint a supervisor or overseer for each road district, and shall fix his pay. It shall be the duty of each supervisor or overseer immediately after his appointment to put his section of road in good condition and to keep the same in good condition during his term of office. The trustees shall also be responsible for the condition of the roads in their township.

Sec. 5. That all able-bodied male persons, between the age of twenty-one and forty-five years, shall be liable to do and perform six days labor on said road annually under the direction of the overseer or supervisor of the road district in which they reside: Provided, if any person warned, as hereinafter provided, shall at the time of being warned, or at any time before the date on which he is to perform said labor, pay to the overseer or supervisor, in lieu of such labor, the sum of three dollars, the same shall be
received in satisfaction for such labor for the year. That it shall be the duty of the overseer or supervisor to order out every such person as aforesaid to do and perform the work as aforesaid; that the board of county commissioners of Macon County is hereby vested with the power and authority to fix and designate the number of days that said persons shall be required to work at any one time and the number of hands that any one overseer or supervisor shall be allowed to work at any time. If any such person, after being warned by the overseer or supervisor for as much as two days before the time of meeting to perform said road work, shall fail or refuse to do or perform said work, or shall fail or refuse to furnish an able-bodied substitute, or shall fail or refuse to pay the three dollars hereinbefore provided, said person shall be guilty of a misdemeanor, and upon conviction shall be fined not exceeding fifty dollars for each offense or be imprisoned not exceeding thirty days. It shall be sufficient warning to tell the person of the time and place of meeting or by leaving a written notice at his usual place of abode with some person of suitable age and discretion. Eight hours shall constitute a day's work under this act.

SEC. 6. That the overseer or supervisor is hereby authorized to collect the three dollars in lieu of work as hereinbefore provided for in this act, and shall receipt the person paying the same in full for his six days labor, and shall pay said money to the treasurer of the board of trustees of his township, rendering a full statement to him of all moneys so collected at least once every month. That a failure on the part of said overseer or supervisor to so account to said treasurer for said moneys so received by him shall be a misdemeanor, and upon conviction for the above offense the person so convicted shall be fined or imprisoned at the discretion of the court. That each and every failure to so account for said moneys or to turn over the same to the township treasurer, as above set forth, shall be constituted a separate offense. That any overseer or supervisor who shall fail or neglect to keep his road in reasonable condition shall be guilty of a misdemeanor, and upon conviction shall be fined and imprisoned at the discretion of the court. That any road trustee within said county or any board of trustees for any township in said county who shall neglect or allow the roads of their township to be and remain in a dangerous condition, so the same are not safe for the public to travel, shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned at the discretion of the court.

SEC. 7. That the county commissioners of Macon County are hereby authorized, directed and empowered to levy a special road tax on all the taxable property of the county of not less than fifteen cents per one hundred dollars valuation of property, nor more than fifty cents on the one hundred dollars valuation of property, which tax shall be kept separate from all other taxes,
and which shall be levied on all the taxable property of said county, and shall be known and designated as the township special road tax, and all moneys so levied under this section shall be used in the township in which the same is so levied and collected. All moneys collected under this section shall be collected by the sheriff of Macon County, and shall be turned over to the treasurer of the township trustees of each township upon order of the board of county commissioners of Macon County. That before any of said money shall be turned over to said treasurer of the road trustees of any township in said county, said treasurer shall enter into a bond with good and sufficient surety in the sum equal to the amount of money arising from the tax so levied under this section in his respective township, which bond shall be approved by the board of county commissioners of Macon County, which approval shall be recorded in the minutes of the board of county commissioners of Macon County, and said bond duly recorded and preserved as other officers' bonds of the county officers of Macon County are recorded and preserved. That if, in the opinion of any board of trustees of any township in Macon County, the amount of taxes so levied by the county commissioners is insufficient for the road work in their township, they shall petition the board of county commissioners of Macon County to levy an additional special road tax for said township, and it shall be the duty of the board of county commissioners to so levy said special road tax for said township on all the taxable property of said township, which special road tax shall not be less than five cents nor more than twenty-five cents on the one hundred dollars valuation of property, which tax shall be kept separate from all other taxes and shall be known and designated as an extra special road tax for the township in which the same is levied. That this tax may be levied at any time, and in each township where said special tax is so levied and collected the treasurer of the board of trustees shall increase his bond so as to cover said special tax. That said moneys so collected shall only be used within the township in which it is levied and collected.

Sec. 8. That the road trustees of each township in Macon County are hereby vested with the right and duties of keeping the several roads in their respective townships in good repair and expending the township road funds herein provided; and shall also have the authority to build and construct any road wholly within their respective townships, but shall not have the authority to spend any money for the building or construction of said roads other than what is levied under this act and known as the special township road tax, and the extra special road tax for the township in which the same is levied.

Sec. 9. That all new roads constructed in the county of Macon, either by the county commissioners or by the road trustees of any township, shall be laid off and staked out by some competent engi-
Assessment of damages.

Benefits to be considered.

Report of assessments.

Right of appeal.

Trustees to pass on assessments.

Right of appeal.

Work to proceed pending assessment of damages.

Question on appeal.

Payment of assessments.

License tax on lumber haulers.

Amount.

That after said road is so laid off and staked out by a competent engineer or surveyor and his report filed, either with the county commissioners of Macon County or the road trustees of the township, as the case may be, then it shall be the duty of the county commissioners of Macon County or of the road trustees of the township, as the case may be, to order a jury of three freeholders to view said premises after notice to all of the property owners through which said road runs, and assess such damages as may be sustained, always considering the benefits arising to the owner of the lands in the assessment of such damages. That said jury shall file their report either with the board of county commissioners or the trustees of the township, as the case may be, and when said road is constructed by the board of county commissioners of Macon County they shall pass on said damages and either approve or disapprove same, and allow such amount as in their judgment would be proper, but from the order of said board of commissioners and the report of the said jury either party may appeal to the Superior Court of Macon County, where the question of such damages shall be heard de novo. That if said road is built and constructed by the township trustees they shall pass upon the damages so allowed and allow such sum as in their opinion shall be proper, and from their decision and report of said jury either party may appeal to the board of county commissioners of Macon County, who shall pass upon said matters and render their judgment accordingly, and from the decision of the board of county commissioners either party may appeal to the Superior Court of Macon County, where such case shall be heard de novo as to the question of damages only. That the question of damages shall in no way hinder or obstruct the building and construction of said road or roads either by the board of county commissioners of Macon County or township trustees, but that said roads shall be built and constructed upon the orders of said board, the same as if no question of damages had arisen, and that said appeal shall only be allowed on the question of damages alone and not as to the building or construction of said roads. That all damages arising from the building or construction of a road by the board of county commissioners of Macon County shall be paid out of the county road funds provided for in this act. That all damages allowed for roads built or constructed by the township trustees shall be paid out of the special township road funds provided for under this act and from the road funds of the township in which said road is so built or constructed.

Sec. 10. That any lumber company, corporation, person or persons engaged in the lumber business and desiring to use any of the roads of Macon County for the purpose of carrying on its or their business of hauling, either by themselves or by hiring or by contracting with others, lumber, mill logs, or other heavy material with log wagons, log carts or other heavy vehicles, shall pay a
license tax or privilege tax of two cents per thousand feet of lumber, mill logs or heavy material so hauled, said tax being payable to the secretary-treasurer of the road trustees of the township in which said hauling is done, and money arising under this section shall be expended over the same section of road hauled over; and it shall be the duty of any lumber company, corporation, person or persons engaged in the lumber business as hereinbefore set out to make monthly reports to the road trustees of each township in which it or they are engaged in said business, said report to be made on the first Monday of each month of the number of feet of all lumber, logs or other heavy material so hauled during the preceding month. Said report shall accurately state the number of feet of lumber, logs or other heavy material hauled, and the same shall be itemized and sworn to. That any lumber company, corporation, person or persons so engaged in the lumber business failing to make the same accurately and truthfully, or failing to pay the said license or privilege tax hereinbefore set out, shall be guilty of a misdemeanor and shall be fined fifty dollars for each offense. The failure to make such report and to pay the said privilege tax each month shall constitute a separate offense. In addition to the fine herein provided for, such lumber company, corporation, person or persons shall likewise forfeit the sum of ten dollars for each day that such report is neglected to be made after the time specified that the same shall be done. That said forfeiture shall be collected by proper proceedings instituted in court of a justice of the peace of said county against such delinquent by the chairman of the board of trustees, and all money, after paying expense of such, arising under this section, shall be used for the improvement of the section of road over which such hauling was done.

Sec. 11. That sixty-six and two-thirds per cent of all the money arising under this act from property situated within the corporate limits of the town of Franklin shall be paid over by the sheriff or tax collector to the tax collector of the town of Franklin, to be used by the board of aldermen of the town of Franklin to improve the streets and sidewalks in said town; and thirty-three and one-third per cent of the money arising from the property within the corporate limits of the town of Franklin shall be used by the road trustees to maintain and improve the roads outside of the corporate limits of the town of Franklin, but in Franklin Township. That the town of Franklin shall be a unit of its own and shall have full authority over all the streets and sidewalks within the corporate limits of said town, shall have the right to appoint its own overseer or supervisor, and shall be entitled to all the free labor within said corporate limits as provided for in this act, or to collect the three dollars provided for in lieu of said labor.
Sec. 12. That this act shall only apply to Macon County; that the road year for Macon County shall begin on the first day of March in each and every year, and shall end on the last day of February in each and every year. That nothing in this act shall be construed to conflict in any way with chapter two of Public Laws of one thousand nine hundred and twenty-one, or any laws amendatory thereto.

Sec. 13. That all laws and clauses of laws in conflict with this act are hereby repealed, in so far as they apply to the county of Macon.

Sec. 14. That this act be in force from and after the first day of March, one thousand nine hundred and twenty-three.

Ratified this the 2d day of February, A.D. 1923.

CHAPTER 29

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF HENDERSON COUNTY TO ISSUE BONDS TO FUND FLOATING INDEBTEDNESS.

The General Assembly of North Carolina do enact:

Section 1. The board of county commissioners of Henderson County are hereby authorized to issue and sell bonds of the county to an aggregate principal amount not exceeding one hundred and thirty thousand dollars, for the purpose of funding floating indebtedness of the county incurred for the necessary expenses thereof prior to and outstanding March first, one thousand nine hundred and twenty-three. Such bonds shall be in the denominations of one thousand dollars each, and shall bear such rate of interest, not exceeding six per cent, and run for such time or times, not exceeding twenty-five years from their date, as the said board of commissioners may determine, and shall be signed by the chairman and clerk of the said board of commissioners. They may be sold by the board of commissioners at public or private sale on such terms as they may determine.

Sec. 2. In order to pay the interest on the said bonds and to create a sinking fund to pay them at maturity, the said board of commissioners shall annually, at the time of levying other taxes, levy a sufficient special tax on all the taxable property in the county.

Sec. 3. The powers hereby conferred are additional to any other powers conferred by and are not affected by any limitation imposed by any other act, including acts already or hereafter passed at this session of the General Assembly.

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

Ratified this the 2d day of February, A.D. 1923.
CHAPTER 30

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF HENDERSON COUNTY TO ISSUE BONDS TO REFUND OUTSTANDING BONDED INDEBTEDNESS.

The General Assembly of North Carolina do enact:

Section 1. The board of county commissioners of Henderson County are hereby authorized to issue and sell bonds of the county to an aggregate principal amount not exceeding sixty thousand dollars, for the purpose of refunding outstanding bonded indebtedness of the county incurred for the necessary expenses thereof, maturing during the year one thousand nine hundred and twenty-three. Such bonds shall be in the denominations of one thousand dollars each, and shall bear such rate of interest, not exceeding six per cent, and run for such time or times, not exceeding twenty-five years from their date, as the said board of commissioners may determine, and shall be signed by the chairman and clerk of the said board of commissioners. They may be sold by the board of commissioners at public or private sale, on such terms as they may determine.

Sec. 2. In order to pay the interest on the said bonds and to create a sinking fund to pay them at maturity, the said board of commissioners shall annually, at the time of levying other taxes, levy a sufficient special tax on all the taxable property in the county.

Sec. 3. The powers hereby conferred are additional to any other powers conferred by, and are not affected by any limitations imposed by any other act, including acts already or hereafter passed at this session of the General Assembly.

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

Ratified this the 2d day of February, A.D. 1923.

CHAPTER 31

AN ACT TO AMEND SECTION 1364, CONSOLIDATED STATUTES OF NORTH CAROLINA, SO AS TO ENABLE THE COMMISSIONERS OF MADISON COUNTY TO PROVIDE FUNDS FOR WORKING PRISONERS AND THE CONSTRUCTION OF ROADS IN SAID COUNTY.

The General Assembly of North Carolina do enact:

Section 1. There shall be added to the end of section one thousand three hundred sixty-four of the Consolidated Statutes of North Carolina the following: That the commissioners of Madison County are hereby authorized to issue and sell bonds of the county to an aggregate principal amount not exceeding sixty thousand dollars, for the purpose of refunding outstanding bonded indebtedness of the county incurred for the necessary expenses thereof, maturing during the year one thousand nine hundred and twenty-three. Such bonds shall be in the denominations of one thousand dollars each, and shall bear such rate of interest, not exceeding six per cent, and run for such time or times, not exceeding twenty-five years from their date, as the said board of commissioners may determine, and shall be signed by the chairman and clerk of the said board of commissioners. They may be sold by the board of commissioners at public or private sale, on such terms as they may determine.

Sec. 2. In order to pay the interest on the said bonds and to create a sinking fund to pay them at maturity, the said board of commissioners shall annually, at the time of levying other taxes, levy a sufficient special tax on all the taxable property in the county.

Sec. 3. The powers hereby conferred are additional to any other powers conferred by, and are not affected by any limitations imposed by any other act, including acts already or hereafter passed at this session of the General Assembly.

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

Ratified this the 2d day of February, A.D. 1923.
son County are also authorized to make short-time loans or to sell bonds of said county of Madison for the purpose of defraying expenses of working prisoners and building roads in said county of Madison.

Sec. 2. That section six of chapter three of the Public Laws of North Carolina, extra session one thousand nine hundred and twenty, shall not apply to the county of Madison in so far as it may be necessary for the commissioners of said county to raise funds for the purpose herein mentioned.

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

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

Ratified this the 2d day of February, A.D. 1923.

CHAPTER 32
AN ACT VALIDATING CERTAIN BONDS OF HENDERSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. The proceedings of the board of county commissioners of Henderson County, adopted on the second day of January, one thousand nine hundred and twenty-three, authorizing and selling one hundred thirty thousand dollars road and bridge bonds of the county, and providing for a special tax, are hereby validated, and the said bonds may be issued and special tax levied and collected accordingly.

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

Ratified this the 2d day of February, A.D. 1923.

CHAPTER 33
AN ACT TO AMEND CHAPTER 114, PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION 1913, RELATING TO THE APPOINTMENT OF RURAL POLICEMEN FOR THE COUNTY OF SCOTLAND.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and fourteen, Public-Local Laws of North Carolina, session one thousand nine hundred and thirteen, be and the same is hereby amended by striking out the whole of section two and inserting in lieu thereof the following:
“Sec. 2. The board of county commissioners of Scotland County is hereby authorized and empowered at any regular or called meeting of said board, whenever in the discretion of said board it is deemed advisable, to appoint and commission one or more, but not to exceed three, able-bodied men of good habits and good moral character as rural police for the county of Scotland, whose term of office shall continue for such time as said board, in its discretion, shall fix, not to exceed a period of one year, and such term of office may be terminated by said board at any time when, in the discretion of said board, it may be deemed advisable to do so.”

Sec. 2. That said chapter be and the same is further amended by striking out of line two in section three thereof the words “seventy-five” and inserting in lieu thereof the following: “such sum as may be fixed by the board of commissioners of said county, not exceeding the sum of one hundred.”

Sec. 3. That said chapter be and the same is further amended by inserting immediately following the word “horses” in line three of section four thereof the following: a comma and then the words “automobile, motorcycle, or other means of travel.”

Sec. 4. That said chapter be and the same is further amended by striking out of line one in section ten the word “shall” and inserting in lieu thereof the word “May,” and by striking out of line two of section ten the word “three.”

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

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

Ratified this the 2d day of February, A.D. 1923.

CHAPTER 34

AN ACT TO FILL THE VACANCY ON THE COUNTY BOARD OF EDUCATION OF FRANKLIN COUNTY, CREATED BY THE DEATH OF A. W. PERRY.

The General Assembly of North Carolina do enact:

Section 1. That for the purpose of filling the vacancy on the county board of education of Franklin County, said vacancy having been created by the death of A. W. Perry of Franklin County, A. F. Johnson is hereby appointed a member of the county board of education of Franklin County for the unexpired term of the said A. W. Perry, deceased.

Sec. 2. This action will be in force from and after its ratification.

Ratified this the 2d day of February, A.D. 1923.
CHAPTER 35

AN ACT TO VALIDATE THE PROBATE AND REGISTRATION OF CERTAIN DEEDS AND OTHER CONVEYANCES.

The General Assembly of North Carolina do enact:

Section 1. In all cases where the acknowledgment, private examination, or other proof of the execution of any deed, mortgage, or other instrument authorized or required to be registered has been taken or had by or before any commissioner of affidavits and deeds of this State, or clerk or deputy clerk of a court of record, or notary public of this or any other State, territory or district; and such deed, mortgage, or other instrument has heretofore been recorded in any county in this State, but such commissioner, clerk, deputy clerk, or notary public has omitted to attach his or her official or notarial seal thereto, or it does not appear of record that such seal was attached to the original deed, mortgage, or other instrument, or such commissioner, clerk, deputy clerk, or notary public has certified the same as under his or her “official seal,” “notarial seal,” or words of similar import, and no such seal appears of record, then all such acknowledgments, private examinations, or other proofs of such deeds, mortgages, or other instruments, and the registration thereof, are hereby made in all respects valid and binding: Provided, this act shall not apply to any pending litigation, and shall apply to Guilford County only.

Sec. 2. This act shall be in force from and after its ratification. Ratified this the 3d day of February, A.D. 1923.

CHAPTER 36

AN ACT FOR THE RELIEF OF EDITH MILLER, PUBLIC SCHOOL TEACHER OF ALLEGHANY COUNTY.

Whereas, Miss Edith Miller taught music at Turkey Knob Academy, Alleghany County, for the term of six months during the winter of one thousand nine hundred and twenty-one and one thousand nine hundred and twenty-two; and whereas she has not been compensated in full for said service; and whereas there is due her the sum of three hundred dollars as a balance for her services in teaching music in said school for said term; and whereas there is a surplus to the credit of said district raised by the levy of taxes upon the property and polls of said district now in the hands of the treasurer of said county; and whereas the school committee of said district is in doubt about its authority to pay said amount out of the school funds of said district now in the treasurer’s hands upon their warrants: Therefore,
The General Assembly of North Carolina do enact:

SECTION 1. That the treasurer of Alleghany County is hereby authorized and directed to pay Miss Edith Miller for services as a teacher of music in the public school of Turkey Knob District, Alleghany County, the sum of three hundred dollars, or so much thereof as may remain in the hands of the treasurer of said county to the credit of said Turkey Knob District, arising from taxes levied and collected in the year one thousand nine hundred and twenty-one.

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

Ratified this the 3d day of February, A.D. 1923.

CHAPTER 37

AN ACT RELATING TO CERTAIN ROAD FUNDS IN BURKE COUNTY.

Whereas, in one thousand nine hundred and nineteen, a proposition to issue bonds to the amount of seventeen thousand dollars ($17,000) for road purposes was carried under an election held in Lower Fork Township of Burke County, in which there are two voting precincts, as provided by and under authority of chapter one hundred and twenty-two, Laws one thousand nine hundred and thirteen, and amendments thereof of one thousand nine hundred and fifteen, and one thousand nine hundred and seventeen; and

Whereas the bonds so authorized have been issued and sold, with only a portion of such issue expended on the roads of said township, leaving a portion thereof to be apportioned and used for the purposes contemplated by the voters in said election; and

Whereas the petition for the election under which said bonds were voted and issued provided that the proceeds from such bond issue should be expended on the roads of Precincts Numbers One and Two in equal proportion, and also designated certain roads in the two several precincts whereon the expenditures of the funds derived from bond sale should be made, as allowed by section nine (9) of chapter one hundred twenty-two, Laws one thousand nine hundred and thirteen, and section one (1) of chapter one hundred twenty-five, Laws one thousand nine hundred and seventeen, being section three thousand seven hundred and four, Consolidated Statutes; and

Whereas, in the location of the old Shelby road by the State Highway Commission, it became and was necessary for the member of the Lower Fork Township Road Commission from Precinct Number Two to employ counsel to the end that the best interest of said precinct might be subserved by having said Shelby road located by the Three-County Corner and thereby secure some six
miles of such road in said Precinct Number Two to be taken over, built, and maintained by the State Highway Commission; and

Whereas the said road has been so located through said Precinct Number Two to the lasting benefit and great advantage of said Precinct Number Two and the residents thereof: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the funds derived from the sale of the said bonds of said Lower Fork Township be divided in accordance with the petition, that is to say, equally between the said Precincts Numbers One and Two, and in such division and apportionment the amount already expended in each of said precincts shall be taken into consideration and charged to the particular precinct in which expended, unless by agreement with the members of said township commission from Precinct Number Two a larger portion thereof shall be allowed to Precinct Number One; in which event not more than three-fifths of the whole bond issue shall be allowed to Precinct Number Two, including the amount already expended in said precinct; and the amount so apportioned to Precinct Number Two shall be paid over to Riley Chapman and Edison Mull, who are hereby constituted the members of said township commission from said Precinct Number Two.

SEC. 2. That the proceeds from the sale of said bonds paid over to the members of said commission from Precinct Number Two shall be used by them in settling the reasonable charges of counsel so employed in securing the location of the Shelby road through said Precinct Number Two, by way of the Three-County Corner, and other debts due on road improvements in said precinct already contracted, and the balance in their hands shall be used by them on the public roads of said Precinct Number Two, or the location, grading, and maintaining of such new roads of said precinct as they may in their discretion determine to locate and establish.

SEC. 3. That upon the ratification of this act, and upon notice to be issued by the clerk of the Superior Court of Burke County to the members of the said Lower Fork Township road commissioners of Precincts Number One and Number Two, it shall be the mandatory duty of said township road commissioners to meet in the town of Morganton, on a day to be fixed by the said clerk of the Superior Court, and account for the funds which have come into their hands and the amount thereof heretofore expended in Precinct Number One and in Precinct Number Two, and to make apportionment and pay over the funds arising from said bond sales in accordance with the provisions of this act.

SEC. 4. Vacancies in the membership of the Lower Fork Township Road Commission of Precincts Number One and Number Two occasioned by death, resignation, or otherwise, shall be filled by the clerk of the Superior Court of Burke County.
Sec. 5. That all laws and clauses of laws in conflict with this Repealing clause, act are hereby repealed.

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

Ratified this the 3d day of February, A.D. 1923.

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CHAPTER 38
AN ACT TO REPEAL CHAPTER 34 OF THE PUBLIC-LOCAL LAWS, EXTRA SESSION 1921, RELATING TO THE FEES OF THE CLERK OF THE SUPERIOR COURT OF CHOWAN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter thirty-four of the Public-Local Laws, Specific repeal. Extra Session one thousand nine hundred and twenty-one, be and the same is hereby repealed.

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

Ratified this the 5th day of February, A.D. 1923.

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CHAPTER 39
AN ACT FOR THE PROMOTION OF EDUCATION AND FOR THE RELIEF OF TAXPAYERS OF HYDE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That before consolidation of any school district or districts, an election must be held in each school district and a majority of the qualified registered voters must cast their votes, or a majority of the qualified registered voters, by a petition, may ask for said consolidation, before the same can take effect, said election to be regularly called by the county commissioners at the request of the county board of education. There shall be no expenses of holding said election, except the cost of printing of ballots, said cost to be borne by the school district.

Sec. 2. That where the erection of a new school building or the removal of an old school building in any school district is contemplated, before the same shall be ordered an election in said district shall be held as provided in section one of this act, at which election a majority of the qualified registered voters of said district must cast their votes in favor of the proposed erection of a new school building or removal of an old school building before the same shall be effected.

Sec. 3. That where districts have been consolidated the original district shall be re-established, if a petition signed by two-thirds
Chapter 39—40—41

Repealing clause.

of the qualified voters of the school district is presented to the county board of education asking for such reestablishment.

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

Sec. 5. That this act shall apply only to Hyde County.

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

Ratified this the 3d day of February, A.D. 1923.

Chapter 40

AN ACT TO REPEAL SECTION 3 OF CHAPTER 568, PUBLIC-LOCAL AND PRIVATE LAWS OF 1919, RELATIVE TO THE SALARY OF THE CLERK OF THE BOARD OF COMMISSIONERS OF NEW HANOVER COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section three of chapter five hundred sixty-eight of the Public-Local and Private Laws, session nineteen hundred and nineteen, of North Carolina, be and the same is hereby repealed.

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

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

Ratified this the 5th day of February, A.D. 1923.

Chapter 41

AN ACT TO AID IN THE IMPROVEMENT OF THE PUBLIC ROADS OF STANLY COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That Doctor J. A. Allen be and he is hereby appointed and constituted a member of the board of road commissioners for Stanly County to succeed himself for a term of six years, his term of office to begin on the date on which his present term as such member now expires. He having been appointed a member of said board by the General Assembly of North Carolina, sessions one thousand nine hundred and twenty-one.

Sec. 2. That the board of road commissioners of Stanly County, North Carolina, are hereby authorized and empowered under the same law, rules and regulations contained in chapter four hundred and three, Public-Local Laws of North Carolina, sessions one thousand nine hundred and twenty-one, providing for the building,
straightening, and improving the public highways of Stanly County, to build and construct a road or roads from any point where any old church road, country road, mill road, or cartway intersecting with an old road, to a point intersecting with the new road being built or completed. The damage to the land, if any, to be determined as set out and provided in chapter four hundred and three, Public-Local Laws of one thousand nine hundred and twenty-one.

Sec. 3. That it shall be unlawful for any person or persons, his or their agents, servants or employees, to obstruct the road commissioners, or any of its agents, servants, or employees in opening and building said intersecting road or roads, or obtaining material for the purpose of building the same; and that after said connecting road or roads have been built, so as to intersect and connect with the new road being built or completed, that the same shall in no way be obstructed or stopped up, and that any person or persons who shall obstruct the road commissioners, or any of its agents, servants, or employees, in opening and building said intersecting road or roads, or in obtaining material for the purpose of building the same, or who shall stop up or obstruct said connecting road or roads, after it has been built, or any ditch or ditches cut for the improvement of the same, or any drain used in connection therewith and for the betterment thereof, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined or imprisoned, or both, in the discretion of the court.

Sec. 4. That the board of road commissioners of Stanly County shall not be liable for the upkeep of the intersecting road or roads above referred to.

Sec. 5. That this act shall apply only to Stanly County.

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

Ratified this the 5th day of February, A.D. 1923.

CHAPTER 42

AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF COLUMBUS COUNTY TO AUDIT ALL COUNTY ACCOUNTS FOR THE PAST FOUR YEARS.

The General Assembly of North Carolina do enact:

Section 1. That the board of county commissioners of Columbus County be and the same are hereby authorized and empowered to audit all accounts of and affecting Columbus County for the past four years, and they are empowered to employ such auditors, accountants, or other agents as may be necessary to secure a complete audit of any and all accounts, and are authorized to pay any and all expenses incurred therefor out of the general funds.
Sec. 2. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.
Sec. 3. That this act shall be in force from and after its ratification.
Ratified this the 5th day of February, A.D. 1923.

CHAPTER 43

AN ACT TO REPEAL CHAPTER 15 OF THE PUBLIC-LOCAL LAWS OF THE EXTRA SESSION 1921, AND TO RE-ENACT CHAPTER 410, PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION 1915.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter fifteen, Public-Local Laws, Extra Session one thousand nine hundred and twenty-one, relative to the powers of the board of commissioners of Robeson County, is hereby repealed.
Sec. 2. That chapter four hundred and ten, Public-Local Laws, one thousand nine hundred and fifteen, be and the same is hereby in all respects reënacted and declared to be the law relative to game birds in Robeson County, in the same manner and to the same effect and purpose as if chapter fifteen, Public-Local Laws of North Carolina, Extra Session one thousand nine hundred and twenty-one, had never been enacted.
Sec. 3. That all laws and clauses of laws in conflict with this act are hereby repealed, and chapter four hundred and ten, Public-Local Laws of North Carolina, session nineteen hundred and fifteen, is declared to be the law relative to game birds in Robeson County.
Sec. 4. That this act shall be in full force and effect from and after its ratification.
Ratified this the 5th day of February, A.D. 1923.

CHAPTER 44

AN ACT TO REQUIRE THE PUBLIC OFFICERS OF CURRITUCK COUNTY TO MAKE ANNUAL REPORTS.

The General Assembly of North Carolina do enact:

SECTION 1. That the boards of county commissioners, the highway commission, the board of education, and the game commission of the county of Currituck be and are hereby required to make an annual itemized report of the expenses of said boards, and of all funds expended by said boards, a copy of which report shall be
filed with the clerk of the Superior Court of said county and
posted at the courthouse door of said county, as hereinafter pro-
vided.

Sec. 2. That the board of county commissioners shall make an
annual report on or before the first Monday in September of each
year; that the board of education of said county shall make its
annual report on or before the first Monday in August of each
year; that the game commission of said county shall make its
report on or before the first Monday in March of each year; that
the highway commission of said county shall make its report on or
before the first Monday in April of each year.

Sec. 3. That failure to comply with this act shall be a misde-
meanor, with a penalty of a fine and imprisonment in the discre-
tion of the court.

Sec. 4. That this act shall be in force from and after February
first, one thousand nine hundred and twenty-three.

Ratified this the 7th day of February, A.D. 1923.

CHAPTER 45

AN ACT TO CREATE THE OFFICE OF COUNTY SOLICITOR
IN RUTHERFORD COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That there may be established or created in the
county of Rutherford the special office of county solicitor.

Sec. 2. That the county solicitor must be a licensed attorney
and a duly qualified elector of the county at the time of his elec-

tion or appointment, and that he shall be elected by the voters of
the county at the same time and in the same manner that the
recorder and other county officers are elected, and shall hold said
office for a term of two years.

Sec. 3. That said county solicitor shall act as prosecuting
attorney in the county recorder's court and shall appear for the
prosecution in all criminal cases tried in said court, and his duties
shall be in every respect similar to those of the solicitor elected
to prosecute criminals in the Superior Court; he may prepare war-
rants when required to be issued by the recorder, cause subpoenas
to be issued for such witnesses as shall be necessary, and, gener-
ally, to do any and all such acts and things as shall be necessary
for the prosecution of violations of the criminal laws of the State
and bring offenders to justice; and that in compensation for the
above services the county solicitor shall receive the fees and
emoluments of said office as provided in section four of this act.

Sec. 4. That in all cases tried in the county recorder's court Fees to be taxed.
where the defendant is convicted or pleads guilty, or in all cases
in which the recorder does not have final jurisdiction, and sufficient evidence is found to bind the defendant over to Superior Court, there shall, in addition to the other cost, be added the following fee: For county solicitor, three dollars and fifty cents, said fee to be taxed against the defendant, and when collected shall be paid to the county solicitor: Provided, however, that in all cases where the defendant is convicted or pleads guilty and is sentenced to be confined to jail or to work on the public roads, or for any other reason the defendant fail or be unable to pay the cost, then the county shall pay the county solicitor his full fee of three dollars and fifty cents in said case.

SEC. 5. That the board of county commissioners shall appoint a county solicitor, who shall meet the requirements under section two of this act, and shall hold office until the first Monday in January, one thousand nine hundred twenty-five, when his successor, who shall be duly elected, shall then enter said office. If at any time thereafter there should become a vacancy in said office as a result of death, resignation, or other cause, then it shall be the duty of the county commissioners to appoint some one to fill out the unexpired term.

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

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

Ratified this the 7th day of February, A.D. 1923.

CHAPTER 46

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF DURHAM COUNTY TO EMPLOY A PURCHASING AGENT FOR DURHAM COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Durham County be and it hereby is authorized and empowered to employ a purchasing agent for Durham County. That it shall be the duty of said purchasing agent to purchase supplies for the various departments of the county of Durham, and to discharge such other duties as may from time to time be prescribed by the board of commissioners of Durham County.

SEC. 2. That it shall be the duty of said purchasing agent to obtain competitive bids for supplies to be purchased for the county of Durham, and after said competitive bids have been received, to purchase said supplies at the best prices obtainable.

SEC. 3. That said purchasing agent may be employed by the board of commissioners of Durham County for such time and at such salary as it in its judgment may deem wise.
SEC. 4. That all laws and parts of laws in conflict herewith, whether such laws be private or public, are hereby repealed.

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

Ratified this the 7th day of February, A.D. 1923.

CHAPTER 47

AN ACT TO REQUIRE THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF ALAMANCE COUNTY TO DEVOTE HIS ENTIRE TIME TO THE DUTIES OF HIS OFFICE, AS NOW PRESCRIBED AND DEFINED, AND TO THE ADDITIONAL DUTIES PLACED UPON HIM IN THIS ACT, AND TO PROVIDE A SALARY IN LIEU OF ALL OTHER COMPENSATION FOR SUCH CHAIRMAN.

The General Assembly of North Carolina do enact:

SECTION 1. That from and after the ratification of this act the chairman of the board of county commissioners of Alamance County shall devote his entire time to performing those duties at present imposed upon the chairman of said board of commissioners and to the additional duties hereinafter specified to be performed by such chairman.

SEC. 2. Said chairman shall perform all the duties now imposed by law upon the chairman of the board of county commissioners of Alamance County, and, in addition thereto, shall perform the following duties:

(a) He shall, upon the requisition of any of the officers or employees of said county who are paid any part of their compensation from taxes levied and collected in said county, purchase such articles, property, and supplies as shall be requisitioned: Provided, that in case such purchase shall require the expenditure of more than one thousand dollars, then such county chairman shall give notice of his intention to make such purchase by advertising same for ten days by a notice posted at the courthouse door (and if he shall deem it necessary so to do, he may cause said notice to be published in some newspaper published in Alamance County), and he shall make such purchase from the person who shall offer such articles, property, and supplies at the lowest price, considering the quality of the articles, property, and supplies offered. The provisions of this subsection shall apply to all purchases made for the county board of education, but shall not apply to purchases made by boards of school trustees in charge of local schools.

(b) Said chairman shall have under his direct supervision, control, and management the building, maintenance, and upkeep of all county highways and bridges in Alamance County which
shall be built or maintained, in whole or in part, from funds collected by way of taxes levied by the board of county commissioners of Alamance County.

(c) Said chairman shall have general charge of all the finances of said county. Once in each year he shall employ a competent accountant to audit the books of each department and office of Alamance County, including the office of said chairman of said board of commissioners. He shall have such audit made at that time in each year immediately following the close of the fiscal year of the department and office to be audited. The expense of making such audit shall be paid from the general funds of Alamance County, and, upon the coming in of the report of the auditor in regard to any department or office, the same shall be submitted to the board of county commissioners for their inspection, and, in the event said commissioners find that expenditures have been made which they believe illegal, or which do not meet with their approval, then they shall notify the office or department so making such expenditures, and shall have the privilege of requiring an explanation in regard to such expenditures. Said audit shall be filed in the office of the register of deeds for said county, and shall be a public record, open to the inspection of any citizen and resident of this county.

(d) No money shall be paid to any person for any service performed in Alamance County any part of which shall be from funds derived from taxes levied by the board of commissioners of Alamance County, except upon a voucher signed or countersigned by said chairman, and this provision shall apply to all payments heretofore made by the board of county commissioners, the superintendent of roads, the board of education, and by any other department in said county.

(e) After the regular time for listing property for taxes in the various townships and precincts in Alamance County, as provided under the general laws of the State of North Carolina, shall have expired, then the county chairman shall attend for at least one day in each township in Alamance County (and he shall spend more than one day in any township where he deems it necessary to do so), to give persons, firms, and corporations who have failed to list their property for taxation the opportunity to list such property, or if they shall have listed a part of their property, then to give such persons, firms, or corporations the opportunity to amend and add to such list. Said chairman shall give notice of the day and dates when he will attend in such townships and the place where he will attend by publishing a notice thereof in newspapers having general circulation in said townships or by causing posters to be posted in said township giving such information at least ten days before the time he shall attend in such townships, and the expense of giving such notices shall be paid from the general funds of Alamance County.
(f) It shall be the duty of said county chairman to see that all property subject to taxation in Alamance County is listed for taxation, and, in order that he may properly and thoroughly perform this duty he shall have the privilege of compelling the attendance and examining under oath any person whom he shall see fit concerning the taxable property of such person or of any other person, firm, or corporation. In the event such county chairman shall have information which shall lead him to believe that any person, firm, or corporation has failed to list taxable property for taxation, then he shall have the privilege of examining books, records, and papers of any person, firm, or corporation, but only so far as may be necessary to ascertain whether the property of the person, firm, or corporation that is being investigated has listed for taxation all property subject to tax. If he shall deem it necessary to examine any person or to examine any books or papers in order to perform the duties imposed upon him in this section, he shall apply to the clerk of the Superior Court of Alamance County and such clerk shall issue a subpoena commanding such person to appear and produce such papers and accounts as he shall be directed so to do, or to appear in person for examination at such time and place as shall be designated by the county chairman, and such subpoena shall give at least three days notice of the time and place fixed for such appearance, and shall be served by the sheriff or by one of the deputy sheriffs of Alamance County. Neither the clerk nor the sheriff nor any deputy sheriff shall be permitted to charge for issuing or serving such subpoena, and no witness shall be permitted to charge for attending at such hearing. If any person being subpoenaed so to do shall fail to attend at the time and place fixed in such subpoena, or if he shall willfully fail to produce the accounts and papers which he was directed to produce for examination, then the county chairman shall report such act to the judge of the Superior Court holding the next term of the Superior Court in Alamance County succeeding such failure, and said judge of the Superior Court shall issue a citation and cause the same to be served, requiring such person to appear, and if it shall appear that such person has willfully failed to attend, or has willfully failed to produce such books and accounts, then such person shall be adjudged to be in contempt of the Superior Court, and shall be punished as being guilty of such contempt.

(g) If any person, firm, or corporation shall have failed to have listed any property subject to taxation for taxes at the proper time for such listing, as provided under the general law, or with such county chairman when he shall attend for such listing, and if said county chairman shall afterward discover that said property is not listed, it shall be his duty to list the same, and such person, firm, or corporation shall pay, in addition to the regular tax levied upon such property so listed by said county chairman,
Penalty.

Collection of penalty.

Proviso: no penalty because of increase of valuation.

Supervision of public property.

Employment and compensation of superintendents and others.

Quarterly reports.

Salary.

Automobile.

Clerk.

Clerk to act as county treasurer.

Salary.

Official bond of chairman.

Official bond of clerk.

Election of chairman and commissioners.

Duties of chairman.

Duties of commissioners.

as a penalty twenty-five (25) per cent of the tax upon such property so failed to be listed by the taxpayer and so listed by said county chairman; and such penalty shall be collected as are other taxes, and shall be a lien upon property in all respects as are other taxes! Provided, that no penalty shall be collected upon additional taxes levied because of an increase or change in the valuation of property which has been duly listed for taxation.

(h) Said county chairman shall have entire supervision of the conduct of the county home for the aged and infirm, the jail, and the workhouse (should one continue to be maintained), the courthouse, and any and all public property owned by Alamance County, except public schoolhouses situate in said county. He shall, by and with the approval of the county commissioners, employ and fix the compensation of all necessary superintendents, employees, and janitors necessary to superintend and keep and maintain said buildings and property.

Sec. 3. The county chairman shall, once in each quarter, render to the board of county commissioners of Alamance County a report showing his actions hereunder.

Sec. 4. The salary of said county chairman shall be three thousand dollars ($3,000) a year, which shall be paid monthly from the general funds of said county; and the board of county commissioners shall provide for him an automobile, and a proper charge for the expense of such shall be the operating and upkeeping expense of said automobile. Said county chairman shall also be empowered to employ a clerk, who shall perform the duties heretofore performed by the county treasurer of Alamance County, and such other duties as such clerk may be called upon to perform by such county chairman: Provided, that the salary for such clerk shall not exceed the sum of fifteen hundred dollars ($1,500) per annum.

Sec. 5. Before entering upon the discharge of his duties hereunder, said county chairman shall give a bond in the sum of ten thousand dollars ($10,000), conditioned for the faithful performance of his duties hereunder, and the clerk provided for herein, who is to act as county treasurer, shall give a bond in the sum of ten thousand dollars ($10,000), conditioned for the faithful performance of his duties and for the faithful accounting for all moneys which shall come to his hands by virtue of his office as such clerk.

Sec. 6. That at the general election to be held in the year one thousand nine hundred and twenty-four, and biennially thereafter, there shall be elected by the voters of Alamance County a chairman of the board of county commissioners and four commissioners for said Alamance County. The duties of such chairman shall be those at present devolving upon the chairman of the board of county commissioners of said county and those placed upon him hereunder, and the duties of the four commissioners of Alamance
County shall be those at present imposed upon such commissioners and those placed upon them hereunder.

SEC. 7. That until the first Monday in December, one thousand nine hundred and twenty-four, the duties prescribed for the chairman of the board of county commissioners of said Alamance County, under the general law and herein, shall be performed by the present duly constituted chairman of said board, and in case there should be a vacancy in such office previous to the first Monday in December, one thousand nine hundred and twenty-four, then such duties shall be performed by the successor to the present chairman, selected as provided by law at the time of the passage of this act.

SEC. 8. That all laws or parts of laws in conflict herewith, and particularly chapter two hundred and twenty-three of the Public-Local Laws of one thousand nine hundred and twenty-one, are hereby repealed.

SEC. 9. That this act shall be in force from and after the first day of March, one thousand nine hundred and twenty-three.

Ratified this the 7th day of February, A.D. 1923.

CHAPTER 48

AN ACT TO VALIDATE CERTAIN BONDS IN CHEROKEE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the bonds of Cherokee County, aggregating sixty thousand dollars, known as courthouse and jail bonds, dated October first, one thousand nine hundred and twenty-two, and maturing October first, one thousand nine hundred and fifty-two, bearing interest at five and one-quarter per centum per annum, and previously sold at competitive sale by the board of county commissioners of said county, be and the same are hereby validated in all respects, and the said bonds shall be valid notwithstanding any change in county officials since the date of said bonds, and may be issued and delivered by the present board, though signed by the officers in office at the time of the date of the said bonds, and are to be delivered in accordance with the terms of said sale.

SEC. 2. That the said board of county commissioners are hereby authorized, empowered, and directed to annually levy and collect a sufficient special tax to pay the accruing interest on the said bonds, and to provide a sinking fund for payment of the principal at maturity.

SEC. 3. That all laws and clauses of laws in conflict with this act, including House Bill one hundred and three, Senate Bill 4—Public-Local
eighty-four, enacted at this session, and ratified January the twenty-sixth, one thousand nine hundred and twenty-three, are hereby repealed.

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

Ratified this the 7th day of February, A.D. 1923.

CHAPTER 49

AN ACT TO REPEAL CHAPTER 101, PUBLIC-LOCAL LAWS 1921, RELATING TO THE SALARY OF THE CHAIRMAN OF THE BOARD OF COMMISSIONERS OF SAMPSON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That chapter one hundred and one, Public-Local Laws one thousand nine hundred and twenty-one, be and the same is hereby repealed.

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

Ratified this the 9th day of February, A.D. 1923.

CHAPTER 50

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF SURRY COUNTY TO ISSUE $150,000 OF COUNTY BONDS FOR THE PURPOSE OF CONSTRUCTING AND IMPROVING THE PUBLIC ROADS OF SURRY COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That upon the written request of the highway commission of Surry County, the board of county commissioners are hereby authorized, empowered, and directed to issue bonds of Surry County not to exceed one hundred and fifty thousand dollars ($150,000), of which amount fifty thousand dollars shall be used in funding the present road indebtedness of Surry County, and the remaining one hundred thousand dollars expended for the construction, repairing and improving of the highways of Surry County. The bonds to be so issued shall be designated "Surry County Good Roads Bonds." That the said bonds so issued shall be of such denomination as the board of county commissioners may deem advisable, bearing interest from date of issuance not to exceed five and one-half (5½) per cent per annum, payable semi-annually, having interest-bearing coupons attached; and said bonds shall be signed by the chairman of the board of county commissioners and countersigned by the clerk of the board, with
the seal of the county affixed; and shall not be sold for less than
par, and the place and payment of the interest and principal of
the bonds shall be designated by the purchasers of the said bonds
and shall be made payable at such time or times as the board of
county commissioners may determine. That the coupons shall be
signed by the chairman only, and a facsimile signature shall be
used by the chairman.

Sec. 2. That for the purpose of providing a sinking fund for
the payment of the said bonds and the payment of the interest
thereon, the board of county commissioners of Surry County and
their successors in office shall annually, at the time the general
taxes of the county are levied, levy and lay a special tax on all
property subject to taxation within the limits of the county of
Surry as in cases of other taxes levied for general county pur-
poses. The tax so levied shall be collected by the sheriff of
Surry County in the same manner as other taxes are collected and
without additional charge, and shall be kept separate from other
taxes. That the money collected from the sale of the bonds herein
described shall be turned over to the treasurer of the Surry
County Highway Commission and shall be expended by the Surry
County Highway Commission.

Sec. 3. That the bonds issued under provisions of this act shall
be advertised by the board of county commissioners of Surry
County, as provided by law, and sold at public auction at the
courthouse door in Dobson; and that the said board of county
commissioners shall have the right to reject any and all bids and
readvertise.

Sec. 4. That the bonds to be issued under the provisions of this
act are to be in addition to any bonds heretofore issued by the
county of Surry for the construction and improvement of good
roads for Surry County. This act is not intended to repeal any of
the provisions of any previous acts authorizing the issuing of
bonds for road purposes.

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

Ratified this the 9th day of February, A.D. 1923.

CHAPTER 51

AN ACT VALIDATING CERTAIN BONDS OF CLAY COUNTY.

The General Assembly of North Carolina do enact:

Section 1. The proceedings of the board of county commis-
sioners of Clay County adopted on the fifteenth of December, one
thousand nine hundred and twenty-two, authorizing and selling
one hundred thousand dollars road and bridge bonds of the county,
and providing for a special tax, are hereby validated, and the said bonds may be issued and special tax levied and collected accordingly.

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

Ratified this the 9th day of February, A.D. 1923.

CHAPTER 52

AN ACT TO APPOINT A MEMBER OF THE PAMLICO HIGHWAY COMMISSION OF PAMLICO COUNTY, AS PROVIDED IN CHAPTER 395, PUBLIC-LOCAL LAWS 1921.

The General Assembly of North Carolina do enact:

Section 1. That D. A. Dees be and he is hereby appointed a member of the Pamlico Highway Commission of Pamlico County for a term of six years, as provided in chapter three hundred and ninety-five, Public-Local Laws nineteen hundred and twenty-one.

Sec. 2. That said term shall begin from and after the first Monday in March, one thousand nine hundred and twenty-three.

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

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

Ratified this the 9th day of February, A.D. 1923.

CHAPTER 53

AN ACT TO AMEND CHAPTER 39, PUBLIC-LOCAL LAWS, EXTRA SESSION 1921, PROVIDING FOR THE BETTER MAINTENANCE OF THE PUBLIC ROADS OF SCOTLAND COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That chapter thirty-nine, Public-Local Laws of North Carolina, Extra Session one thousand nine hundred and twenty-one, be and the same is hereby amended by adding to the end of section three thereof the following: "Provided, that any surplus in the hands of the treasurer to the credit of any public road fund of any of the said townships, other than interest fund or sinking fund to pay the principal and interest of any bonds, whether it be repair fund, maintenance fund or other, may be applied toward the payment of any such deficit of any other fund."

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

Ratified this the 9th day of February, A.D. 1923.
CHAPTER 54

AN ACT TO REPEAL SECTION 8, CHAPTER 128, PUBLIC-LOCAL LAWS OF 1921, RELATING TO THE SALARY OF THE ROAD SUPERVISOR OF CLAY COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section eight of chapter one hundred and twenty-eight of the Public-Local Laws one thousand nine hundred and twenty-one be and the same is hereby repealed, and the following enacted in lieu thereof:

"Sec. 8. That the said road supervisor shall receive a salary of two dollars per day and three hundred and thirty-five dollars per annum for expenses, which shall be in full of all compensation for his services as such road supervisor."

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 full force from and after its ratification.

Ratified this the 9th day of February, A.D. 1923.

CHAPTER 55

AN ACT TO INCREASE THE NUMBER OF THE COUNTY COMMISSIONERS FOR RANDOLPH COUNTY TO FIVE; TO CONFER UPON THE BOARD OF COUNTY COMMISSIONERS THE FUNCTIONS OF THE BOARD OF ROAD TRUSTEES, AND TO ABOLISH THE BOARD OF ROAD TRUSTEES OF RANDOLPH COUNTY.

The General Assembly of North Carolina do enact:

Section 1. Section one thousand two hundred and ninety-three of the Consolidated Statutes of North Carolina is hereby amended by inserting the word "Randolph" between the words "Pitt" and "Richmond" in line six thereof.

Section 2. That all the rights, powers, privileges, duties and functions of the board of road trustees of Randolph County, and of the members of said board as such, be and the same are hereby conferred, imposed upon, and vested in the board of county commissioners of Randolph County, and the members thereof as such. And wherever the act creating said board of road trustees of Randolph County, that is to say, chapter five hundred and eighty-two of the Public-Local Laws of North Carolina, session nineteen hundred and fifteen, or any other of the laws of the State of North Carolina, has vested any power or powers in the said board of road trustees, has imposed any duties thereon, or has provided...
for the exercise of any function thereby, the same are hereby vested in, imposed upon, and authorized and directed to be performed by the board of county commissioners of Randolph County.

Sec. 3. That chapter two hundred and sixty-eight of the Public-Local Laws of North Carolina, session nineteen hundred and nineteen, be and it is hereby repealed.

Sec. 4. That C. C. Crawford and E. B. Leach be and they are hereby appointed members of the board of county commissioners of Randolph County, to serve as such with the three members of said board elected at the last general election, their terms of office to expire at the same time as the terms of office of the three present members. At the next general election their successors shall be elected according to law.

Sec. 5. This act shall be in force from and after its ratification.
Ratified this the 9th day of February, A.D. 1923.

CHAPTER 56
AN ACT PROHIBITING CARNIVALS IN CLEVELAND COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That it shall be unlawful for any person, firm or corporation to exhibit a carnival in Cleveland County: Provided, that the word "carnival" shall be construed to mean shows consisting of more than one distinct attraction, conducted for profit, whether under canvas or not: Provided further, that this act shall not apply to circuses, menageries, movies, or dog and pony shows.

Sec. 2. Any person, firm or corporation violating the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be fined or imprisoned in the discretion of the court.

Sec. 3. That this act shall be in force from and after its ratification.
Ratified this the 9th day of February, A.D. 1923.

CHAPTER 57
AN ACT TO AMEND SECTION 9, CHAPTER 596 OF THE PUBLIC-LOCAL LAWS OF 1915, RELATING TO BONDS OF OFFICERS OF DAVIDSON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section number nine of chapter five hundred and ninety-six of the Public-Local Laws of one thousand nine hundred and fifteen be and the same is hereby amended as follows:
By striking out the word “one-half” at the end of line five and the beginning of line six and further striking out the clause “the other half by the officer or financial agent executing said bond” at the end of said section.

Sec. 2. That all laws and clauses of laws in conflict with the Repealing clause, above amendment are hereby repealed.

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

Ratified this the 9th day of February, A.D. 1923.

CHAPTER 58

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF WILSON COUNTY TO APPOINT A SPECIAL POLICE AT FARMERS MILL, TAYLOR’S TOWNSHIP, WILSON COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Section 1. The board of commissioners of Wilson County are hereby authorized and empowered to appoint a special police or constable, which said special police or constable shall have full power to police and maintain order at Farmers Mill over Toisnot, in Taylor’s Township, Wilson County, and at any place within a quarter of a mile therefrom. The said special police shall wear a uniform and badge and shall have power to maintain order and make arrests as fully as if the said territory was an incorporated town or village. The board of commissioners shall be put to no expense in providing the said police, but the owners of the said property shall be required to pay the necessary expenses in connection therewith.

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

Ratified this the 9th day of February, A.D. 1923.

CHAPTER 59

AN ACT IN REFERENCE TO THE MANNER OF ADVERTISEMENT OF REAL ESTATE IN TOWNSHIPS NUMBERS 6, 7, 12, 13 AND 14 OF EDGECOMBE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That in the exercise of the power of sale in any mortgage or trust deed contained, which directs that notice of sale be published in some newspaper published in the county where the land lies, it shall be a sufficient compliance with said direction if notice of sale be published in some newspaper pub-
CHAPTER 60

AN ACT TO AMEND CHAPTER 578, PUBLIC-LOCAL AND PRIVATE LAWS, SESSION 1921, BY ADDING PERSON COUNTY TO THE LIST OF COUNTIES NAMED IN SAID SECTION.

The General Assembly of North Carolina do enact:

SECTION 1. That section two of chapter five hundred and seventy-eight, Public-Local and Private Laws, session one thousand nine hundred and twenty-one, be amended by adding the word “person” in line two after the word “Granville” of said section.

Act extended.

Repealing clause.

Sec. 2. All laws in conflict with the provisions of this act are hereby repealed.

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

Ratified this the 9th day of February, A.D. 1923.

CHAPTER 61

AN ACT TO ENCOURAGE LIVESTOCK RAISING IN MOORE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That any bona fide farmer, who is in fact a citizen and resident of Moore County, who now owns or shall hereafter acquire and become the owner of a purebred bull, stallion, jack or boar of any of the well known standard purebred strains for breeding purposes, may be allowed a bonus or maintenance fee of not exceeding fifty dollars per annum, upon such owner’s appear-
ing before the county commissioners of Moore County and showing to the satisfaction of such commissioners the following facts, to wit: (1) That he is a bona fide farmer and citizen and resident of Moore County.

Sec. 2. That said bull, stallion, jack or boar is purebred and of well known standard strain and that it was bought for breeding purposes.

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 for a period of ten years.

Ratified this the 9th day of February, A.D. 1923.

CHAPTER 62

AN ACT TO AMEND CHAPTER 262, PUBLIC-LOCAL LAWS OF 1915.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred and sixty-two, Public-Local Laws of North Carolina, session of one thousand nine hundred and fifteen, be and same is hereby amended by inserting between the words “county” and “as,” in line five of section one, the words “or any adjoining county.”

SEC. 2. That the provisions of this act shall apply only to Brunswick County.

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

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

Ratified this the 9th day of February, A.D. 1923.

CHAPTER 63

AN ACT TO AMEND THE ROAD LAW OF JACKSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter one hundred and thirty-five of the Public-Local Laws of the session of the Legislature of one thousand nine hundred and twenty-one be and the same is hereby repealed and the following inserted in lieu thereof, to be designated as section one, to wit: “That J. H. Wilson, of Sylva Township; A. L. Owen, of Canada Township, and William Patton, of Qualla Township, be and the same are hereby appointed as a board of highway commissioners for Jackson County, whose terms...
of office shall be for a period of two years and until their successors are qualified. All vacancies occurring in said board caused by death, resignation or otherwise, shall be filled by the board of county commissioners."

Sec. 2. That section four of said chapter be stricken out and the following, to be designated as section four, be inserted in lieu thereof: "That it shall be the duty of the board of highway commissioners named in section one of this act to meet on the first Monday occurring after the ratification of this act, or as soon thereafter as they can assemble, at the courthouse in Sylva, and organize by electing one of their number chairman and secretary. The chairman so elected shall be and serve as county superintendent of roads: Provided, that if the said chairman shall refuse, or does not desire to act as county superintendent of roads, the board may elect some one other than of their number to serve as such, and the said chairman elected and serving as highway commissioner shall devote his whole time and attention or as much thereof as may be necessary to the roads, bridges and highways as hereinafter prescribed and provided for, and for such service shall be paid out of the road funds of said county such sum as may be agreed upon by the board of highway commissioners not to exceed seven dollars and fifty cents ($7.50) per day for the actual time performed in the discharge of the duties under this act, and expenses not to exceed one dollar and fifty cents ($1.50) per day. Members of the said board other than the chairman shall receive five dollars ($5) per day, and mileage at five cents (5c.) per mile for time actually spent in the discharge of their duties performed under this act. It shall be the duty of the secretary provided for under this act to keep a record of all transactions of the board, and any one performing duties under them and reporting to the board, also copies of all contracts and agreements, all of which are to be kept on file and open to inspection of the public at any time the board is in session, or on demand at any other time, and shall receive per diem for all extra time performed in the discharge of the duties required of him under this act at the rate of five dollars ($5) per day only."

Sec. 3. That following section four of said chapter, a section shall be inserted to be designated as section four and one-half and to read as follows: "That it shall be the duty of the old board named in said chapter one hundred and thirty-five of the Public Local Laws of one thousand nine hundred and twenty-one to turn over to the new board named in this act, within thirty days after the ratification thereof, all records, reports, accounts, contracts, correspondence, and any other papers in any way pertaining to their administration, and furnish an itemized, verified account of all receipts and expenditures, resources and liabilities. And it shall be the duty of the incoming board to forthwith cause the
same to be published in manner as required of county commissioners in administration of their office. Furthermore, it shall be the duty in like manner to make publication in January of each year."

Any board and each member thereof failing or refusing to perform the duties required in this section shall be guilty of a misdemeanor and punished in the discretion of the court.

Sec. 4. That section thirteen of said chapter one hundred and thirty-five be and the same is hereby amended by inserting in line seven, after the word "travel," the words: "Provided, that no contracts amounting to one thousand dollars ($1,000) or more shall be let privately, but after proper advertisement in the usual manner."

Sec. 5. This act shall be in force from and after its ratification. Ratified this the 9th day of February, A.D. 1923.

CHAPTER 64

AN ACT TO PROHIBIT THE ISSUANCE OF BONDS OR NOTES BY THE COMMISSIONERS OF AVERY COUNTY WITHOUT A VOTE OF THE PEOPLE.

The General Assembly of North Carolina do enact:

Section 1. That the commissioners of Avery County may issue bonds or notes only after the vote of the people authorizing same: Provided, that this act shall not apply to the present indebtedness of said county.

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

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

Ratified this the 12th day of February, A.D. 1923.

CHAPTER 65

AN ACT TO MAKE CHAPTER 606, PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION 1917, AND AMENDMENT THERETO, APPLICABLE TO MACON, CLAY, CHEROKEE, YANCEY AND TRANSYLVANIA COUNTIES, ENTITLED "AN ACT TO PROVIDE THE AUSTRALIAN BALLOT."

The General Assembly of North Carolina do enact:

Section 1. That chapter six hundred and six, Public-Local Acts amended. Laws of North Carolina, session one thousand nine hundred and seventeen, ratified the fifth day of March, Anno Domini one
thousand nine hundred and seventeen, and the amendment thereto, being chapter five hundred and sixty-seven, entitled "An act amending chapter six hundred and six, Public-Local Laws, passed by the General Assembly of North Carolina at its session of one thousand nine hundred and seventeen, ratified on the fifth day of March, one thousand nine hundred and seventeen, entitled 'An act to provide the Australian ballot,' ” be and the same is hereby made applicable to Macon, Clay, Cherokee, Yancey and Transylvania counties, and that all elections held in said counties after the ratification of this act shall be held under the provisions of the laws herein specified.

SEC. 2. That all laws and clauses of laws in conflict with this act are hereby repealed, in so far, and no further, as the counties herein mentioned are concerned.

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

Ratified this the 12th day of February, A.D. 1923.

CHAPTER 66

AN ACT REQUIRING THE COMMISSIONERS OF MADISON COUNTY OR THE ROAD AUTHORITIES FOR SAID COUNTY TO BUILD A ROAD FROM REDMON THROUGH FRIEZELAND GAP TO THE GARDNER & EBBS STORE ON SPRING CREEK.

The General Assembly of North Carolina do enact:

SECTION 1. That the commissioners for the county of Madison, or the road authorities for said county, shall build a road from Redmon on the French Broad River in said county up Little Pine Creek through Friezeland Gap to the Gardner & Ebbs store on Spring Creek.

SEC. 2. That the said road shall be surveyed and located by a competent engineer, and the right of way for the said road shall be appropriated and condemned as is now provided by law for the condemnation of land for public roads and highways in Madison County.

SEC. 3. That the commissioners or road authorities of Madison County shall provide the means for the building and construction of said road and shall put the county chain-gang at work building the said road as soon as the road on the head of Shelton Laurel is finished, and in the event that State convicts are procured for road work in Madison County they shall be put to work immediately upon the construction of this road.

SEC. 4. That the said commissioners or road authorities may provide any other means for the construction of this road that they may deem expedient and practicable.
Sec. 5. That the commissioners of Madison County shall provide the finances for the building and construction of said road either by special taxes, by short-time loans or by the sale of county bonds, as they may deem most expedient.

Sec. 6. That the said commissioners shall proceed to have the said road surveyed and located at the earliest time practicable after the ratification of this act, and shall cause the work of constructing this road to commence not later than ninety (90) days after the ratification of this act.

Sec. 7. That the said road shall be of such grade and width as to make it a first-class road.

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

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

Ratified this the 12th day of February, A.D. 1923.

CHAPTER 67

AN ACT EMPOWERING THE COUNTY COMMISSIONERS OF ONSLOW COUNTY TO ISSUE BONDS FOR THE ERECTION OF A COUNTY HOME.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of the county of Onslow, North Carolina, be and it is hereby authorized and empowered to issue and sell serial coupon bonds of the said county in an amount not exceeding twenty-five thousand dollars ($25,000), payable in annual installments of an equal amount, beginning one year after the date of the said bonds, bearing interest at a rate not exceeding six per cent per annum, payable semiannually, denomination one thousand dollars, the place of payment of the said bonds and the interest thereon to be fixed by the said board of commissioners, for the purpose of purchasing land and erecting a building or buildings for a county home in said county.

Sec. 2. That the said bonds may be sold publicly or privately by the said board of commissioners at not less than the par value thereof and accrued interest, and the said board of commissioners may issue and sell such amount of said bonds as may be deemed necessary for the purposes stated, either the entire issue at one time or part of the same at one or more times, the aggregate amount so sold not to exceed twenty-five thousand dollars.

Sec. 3. That there shall be levied and collected annually a tax upon all the taxable property in the said county sufficient to pay the interest and principal of said bonds as they severally become due.
Repealing clause.

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

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

Ratified this the 12th day of February, A.D. 1923.

Chapter 68

An Act to Amend Section 1229 of the Consolidated Statutes, Providing That Where Defendant in Criminal Cases Pleads Guilty and No Jury is Impaneled, No Jury Tax Shall Be Charged.

The General Assembly of North Carolina do enact:

Section 1. That section one thousand two hundred and twenty-nine, Consolidated Statutes, be amended by adding after the words "four dollars," in line three, the words: "Provided, that where defendant pleads guilty, or no jury is actually impaneled, no jury tax shall be charged."

Sec. 2. That this act shall only apply to Catawba, Cherokee, Washington, and Anson counties.

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

Ratified this the 12th day of February, A.D. 1923.

Chapter 69

An Act to Build a Road in the Nantahala Township.

The General Assembly of North Carolina do enact:

Section 1. The county commissioners of Macon County are hereby fully authorized to lay out and construct a road in the Nantahala Township in Macon County, to begin at the concrete bridge that crosses the Nantahala River, near Nantahala depot, and following the meanders of the said river on the southeast side up the river so as to intersect with Macon County road; thence through Briertown and Nantahala Township the most practicable route. They are further authorized to issue a sufficient amount of bonds under existing law to build the road, and apply the proceeds of the same to its construction.

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

Ratified this the 12th day of February, A.D. 1923.
CHAPTER 70

AN ACT TO GIVE PUBLICITY TO THE EXPENDITURE OF ALL MONEYS COLLECTED BY WAY OF TAXES BY THE COUNTY OF ALAMANCE, AND TO PROMOTE ECONOMY IN THE EXPENDITURES OF SUCH MONEYS.

The General Assembly of North Carolina do enact:

Section 1. That once in each year the following boards and officers of Alamance County and the boards and officers of school districts situate therein, to wit: The board of commissioners, the board of education, the clerk of the Superior Court, the register of deeds, the farm demonstration agent, the county home demonstration agent, the chairman of the board of county commissioners and all boards of school trustees, shall cause to be made and published a statement showing in detail all moneys received and from what source or sources received and how expended. Said report shall show the total sum received by or paid to any person, from all sources: Provided, any part of said sum is paid to or received by such person from taxes levied by the board of commissioners of Alamance County: Provided further, that such report, in the case of those boards and officers who have their headquarters in the county courthouse, shall be posted and kept posted on bulletin-boards in said county courthouse for a period of thirty days, and the report for school boards and trustees shall be posted and kept posted at the schoolhouse where is held and conducted the schools under the direction and supervision of such boards and trustees.

Such reports shall be made up and posted at the close of the fiscal year of the various boards and officers and trustees, and if such boards, officers or trustees are required by law to make up reports at any particular time during the year, then such reports shall be made up as of the time required. In the case of school boards and trustees, where no fiscal year is observed and no time is fixed by law for the making of such reports, then such reports shall be made within thirty days after the close of each school year.

In the case of the board of education, such report shall only show in regard to schools the sum in one item paid to any individual school, and the details of the expenditure of this sum shall be shown in the report of the school board or trustees in charge of such individual school.

Sec. 2. That neither the board of commissioners of Alamance County, the board of education of Alamance County, nor school boards or boards of trustees of any public school situate in said county shall, in any one year, expend for current expenses more than the current revenue for said year, and in case money is borrowed in anticipation of current revenue before the same shall be
received and be available, then the interest upon the sum so borrowed shall be charged as a part of the current expenses.

Sec. 3. That if the members of any of said boards or trustees referred to in section two hereof shall willfully expend or contract to spend so that such expenditure as legally to be made in any year for current expenses amounts to a sum in excess of the current revenue of such year, then such person voting for such expenditure shall be personally liable for said sum, and the same may be recovered at the suit of any taxpayer resident of the county or the school district in which such expenditures are made: Provided, that expenditures made or contracted to be made for current expenses, based upon an estimate duly considered and made as to the current revenue, shall not be deemed to have been unlawfully made, even though they should be in excess of such current revenue.

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

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

Ratified this the 12th day of February, A.D. 1923.

CHAPTER 71

AN ACT TO AMEND CHAPTER 455 OF THE PUBLIC-LOCAL LAWS OF 1919, RELATING TO THE CONSTRUCTION OF HIGHWAYS IN MCDOWELL COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That chapter four hundred and fifty-five of the Public-Local Laws of one thousand nine hundred and nineteen, be and the same is hereby amended by adding after section twenty-three of said chapter and before section twenty-four of said chapter, the following three sections numbered "a," "b," and "c."

Sec. (a) That W. P. Artz be and he is hereby appointed as a member of the highway commission for McDowell County to serve until December first, one thousand nine hundred and twenty-five; that R. P. Morris be and he is hereby appointed as a member of the highway commission for McDowell County to serve until December first, one thousand nine hundred and twenty-seven; that H. F. Little be and he is hereby appointed as a member of the highway commission for McDowell County to serve until December first, one thousand nine hundred and twenty-nine.

Sec. (b) That said highway commission is hereby empowered to regulate the use of, and police traffic on, all highways for McDowell County under its control, and prevent their abuse by individuals, corporations, and public-service corporations, by heavy
vehicles, trucks, tractors, trailers, or other heavy or destructive vehicles or machinery, and unnecessary destruction incident to the laying of underground pipes.

Sec. (c) That any person or corporation which shall violate any written regulation or notice of said highway commission, after the same has been served upon him, or it, with reference to the reasonable use of said highways, shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine or imprisonment, or both, at the discretion of the court.

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

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

Ratified this the 12th day of February, A.D. 1923.

CHAPTER 72

AN ACT TO VALIDATE EDGECOMBE COUNTY BONDS OF $25,000 PAR VALUE, EACH AND ALL DATED APRIL 1, 1920, AND ISSUED FOR THE BENEFIT OF BATTLEBORO SPECIAL SCHOOL DISTRICT.

Whereas a petition was presented to the board of county commissioners of Edgecombe County by the board of education of said county, on June second, one thousand nine hundred and nineteen, petitioning an election to be called in and for the Battleboro Special School District, to vote on the proposition of issuing twenty-five thousand dollars ($25,000) of bonds for the purpose of erecting a school building in said Battleboro Special School District. See minute book of Edgecombe County commissioners, one thousand nine hundred and thirteen to one thousand nine hundred and twenty-two, at page three hundred and ninety-four; and

Whereas the board of county commissioners of Edgecombe County did, on the said second day of June, one thousand nine hundred and nineteen, by resolution duly adopted, order said election to be held, in the manner provided by law, in said Battleboro Special School District, for the purpose aforesaid, said election to be held on the third day of July, one thousand nine hundred and nineteen. See minute book of Edgecombe County commissioners, one thousand nine hundred and thirteen to one thousand nine hundred and twenty-two, at page three hundred and ninety-four; and

Whereas, in compliance with said order and according to law, said election was duly held on said July third, one thousand nine hundred and nineteen; and

Whereas the returns of said election were duly made to said board of county commissioners of Edgecombe County and said
Preamble: report from board of education.

Request for bond issue.

Request for special tax.

Preamble: order for tax levy.

Issuance, sale and delivery of bonds.

Election validated.

Bonds validated.

Obligation of bonds.

Tax levy authorized.

The General Assembly of North Carolina do enact:

SECTION 1. That said election held in said Battleboro Special School District at the time and in the manner aforesaid, to wit, on the third day of July, one thousand nine hundred and nineteen, is hereby declared legalized and validated in all and every respect; that said bonds, each and all of them, aggregating in all the sum of twenty-five thousand dollars ($25,000), of the denomination and number as aforesaid, are hereby declared legalized and validated and in fact and in deed legal obligations of the county of Edgecombe, and the said board of county commissioners of said county is hereby authorized, directed, and empowered to levy and collect the aforesaid mentioned tax so as to create a sinking fund sufficient to pay off the principal and interest on said bonds, as and when they fall due.

SEC. 2. This act shall be in force from and after its ratification. Ratified this the 12th day of February, A.D. 1923.
CHAPTER 73

AN ACT TO PROTECT DEER IN HARNETT COUNTY.

The General Assembly of North Carolina do enact:

Section 1. It shall be unlawful for any person to hunt with gun or dog or to take or kill in any manner any deer in the county of Harnett prior to the fifteenth day of November, one thousand nine hundred and twenty-eight, after which time the open season for hunting deer in said county with gun and dog shall be from the fifteenth day of November to the first day of December of each year; and at no other time: Provided, however, nothing herein shall prevent any resident landowner in said county or members of his immediate family from hunting or killing deer, on his own lands only, between the fifteenth day of November and the first day of December in any year.

Sec. 2. Any person violating any of the provisions of this act shall be guilty of a misdemeanor and shall be fined not less than twenty-five dollars ($25) nor more than fifty dollars ($50), or imprisoned not less than ten days nor more than thirty days for each offense.

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. Ratified this the 12th day of February, A.D. 1923.

CHAPTER 74

AN ACT REGULATING THE SALARY OF THE SHERIFF OF FORSYTH COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the sheriff of Forsyth County, North Carolina, is to be paid by the county commissioners of Forsyth County, North Carolina, the sum of four thousand dollars per year; said sum of four thousand dollars is to be paid to the sheriff in monthly installments of three hundred and thirty-three dollars and thirty-three cents; and the board of county commissioners of Forsyth County are hereby directed to pay to the said sheriff the further sum of fifteen hundred dollars per year for automobile upkeep and other necessary expenses in maintaining his office; said sum of fifteen hundred dollars is to be paid by said county commissioners to said sheriff in installments of one hundred and twenty-five dollars per month. The sheriff is to receive no other fees or compensation for his services other than such fees as the State of North Carolina shall pay him for collecting the special tax, and
such fees as he shall be entitled to for transporting prisoners from
the recorder's court of the city of Winston-Salem to the county
roads. And the county commissioners of Forsyth County are to
pay to the said sheriff all costs incident to transporting prisoners
from one place to another, or in bringing prisoners from other
places to Forsyth County.

Deputies allowed.  Sec. 2. That the sheriff of Forsyth County, North Carolina, is
hereby empowered to employ three deputy sheriffs to aid him in
conducting said office, and the board of county commissioners of
Forsyth County are directed to pay one of said deputy sheriffs the
sum of one hundred and seventy-five dollars per month, and two
of said deputy sheriffs one hundred and seventy-five dollars each
per month.

Salary of deputies.  Fees of deputies.  Sec. 3. That the said deputy sheriffs, mentioned in section two
of this act, shall receive no fees whatsoever for any processes
served or collections on executions made by them other than the
compensation mentioned in section two of this act; but the justices
of the peace shall tax in their bill of costs the same fees for
processes served and the collections made by said deputy sheriffs
mentioned in section two of this act as were allowed said officers
for serving processes prior to the passage of this act, and the said
justices of the peace shall turn over to the clerk of the Superior
Court all fees due said sheriff or deputy sheriffs. That the sheriff
of Forsyth County is authorized and empowered to appoint deputy
sheriffs in all townships of Forsyth County, and the deputy sheriffs
appointed in said townships shall receive pay for serving processes
according to the schedule of fees that applied to the deputy sheriffs
of Forsyth County before the passage of this act.

Fees paid over by magistrates. Township deputies.  Fees.  Sec. 4. That all justices of the peace of Forsyth County, North
Carolina, shall tax in their bill of costs in all cases instituted
before them where the sheriff or deputy sheriffs of Forsyth County
have served the process the same fee that is now allowed by law,
and the said justices of the peace shall turn over to the clerk of
the Superior Court of Forsyth County, North Carolina, all such
cost as has been collected by them or such cost as has been taxed
against the parties in their fee bill which, under the law prior to
the passing of this act, the sheriff or deputy sheriffs would have
been entitled to receive. The clerk of the Superior Court of
Forsyth County shall turn over to the treasurer or authorized
depository of Forsyth County all costs representing the fees for
service of processes by the sheriff or the three deputy sheriffs
mentioned in section two of this act. The fees turned over to the
clerk by the justices of the peace in all cases instituted before
them in townships in Forsyth County where the processes have
been served by deputy sheriffs, other than the three deputy sheriffs
mentioned in section two of this act, shall be turned over by said
clerk to the deputy sheriffs who served said processes.
Sec. 5. The fees for serving processes in any action in any court in Forsyth County shall be taxed in the bill of costs in said action according to the fee bill of Forsyth County for serving processes by the sheriff or deputy sheriffs as existed prior to the passing of this act, and the clerk shall collect said fees and shall turn over same to any deputy sheriff who served said papers, except to the three deputies mentioned in section two of this act. The three deputy sheriffs mentioned in section two of this act shall receive no fees for any processes served by them other than as provided for in section two of this act, and all processes served by the three deputies mentioned in section two of this act in any action instituted in Forsyth County in any court shall be taxed in the bill of costs in said action under the schedule of fees existing in Forsyth County prior to the passing of this act, and shall be collected by the clerk of the Superior Court, and said fees shall be turned over by said clerk to the treasurer or authorized depositary of Forsyth County.

Sec. 6. When the term of office of the sheriff of Forsyth County shall have expired and a new sheriff shall have been elected and qualified, the said sheriff whose term shall have expired shall, as soon as practicable, which shall not be later than the thirteenth of December of the year in which said sheriff's term shall have expired, make a settlement with the county commissioners of Forsyth County for all taxes that he has collected, and upon the said ex-sheriff making said settlement with the county commissioners he shall turn over the tax books to the county commissioners, and the county commissioners, after settling with the said ex-sheriff, shall turn over said books to the incoming sheriff, who shall collect the remainder of the taxes due the county of Forsyth.

Sec. 7. That the sheriff of Forsyth County shall turn over to the treasurer or authorized depositary of Forsyth County, on or before the tenth day of each month, such taxes as he shall have collected during the preceding month.

Sec. 8. That George W. Flynt, ex-sheriff of Forsyth County, is hereby authorized and directed to make a settlement with the county commissioners of Forsyth County for all taxes that he has collected from the tax books now in his possession, and that said settlement be made as soon as practicable after the passing of this act, which settlement shall not be later than thirty days after the passage of said act; and upon the said George W. Flynt making said settlement with the county commissioners, he shall be relieved from any further duties or liabilities as to collecting the taxes due the county of Forsyth from the tax books now in his possession; and after the county commissioners have made settlement with the said George W. Flynt, the said commissioners shall turn over the tax books to the present sheriff of Forsyth County, who shall collect the remainder of said taxes.
CHAPTER 75

AN ACT AUTHORIZING THE COMMISSIONERS OF DURHAM COUNTY TO APPROPRIATE FUNDS FOR THE ERECTION OF A CONFEDERATE MONUMENT IN SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the commissioners of the county of Durham, North Carolina, be and they are hereby authorized to set aside and use out of the funds of said county, for the purpose of erecting on the courthouse square in the said county a monument commemorating the heroes of the Confederate Army, a sum not to exceed fifteen thousand dollars ($15,000).

Sec. 2. That a commission composed of the following five citizens of the said county, to wit, General Julian S. Carr, Major W. T. Redmond, Dr. J. M. Manning, Mrs. J. Harper Erwin, and R. H. Sykes, be and the same is hereby created, to be known as "The Durham County Confederate Monument Commission," whose duty it shall be to select a proper monument, supervise its erection, and audit the bills for the payment of same.

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

Ratified this the 12th day of February, A.D. 1923.

CHAPTER 76

AN ACT TO COMPEL THE CHILDREN OF CHEROKEE INDIANS IN CHEROKEE AND GRAHAM COUNTIES TO ATTEND SCHOOL.

The General Assembly of North Carolina do enact:

SECTION 1. That all tracts of Indian land situated in Cherokee and Graham counties, North Carolina, be and the same are hereby constituted special school districts.

Sec. 2. That all children within said boundaries are hereby compelled to attend school, at least nine months in each calendar year, between the ages of seven and nineteen years: Provided, the Government of the United States shall provide said schools.
either in said counties or adjoining counties: Provided further, that nothing in this act shall compel a sick or otherwise disabled child to attend school, except for medical treatment, or who is the sole means of support and care of a sick or disabled parent, or for other legal or lawful excuse: Provided further, that nothing in this act shall prevent the proper school authorities from excusing any child from the provisions of this act when in their judgment they deem it necessary: Provided further, that this act shall not apply to children in said boundary attending some other school for a like time and period.

Sec. 3. That it shall be unlawful for any parent or guardian to withhold any child from school, and upon conviction he shall be fined or imprisoned in the discretion of the court.

Sec. 4. That the proper authorities of said school or schools shall have authority to take charge of any of said children of said districts wherever found, and place and keep them in said school or schools for the period above expressed: Provided, that nothing in this act shall allow any person to mistreat or abuse said child or children, or use any more force than is necessary to carry this act into force and effect.

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

Ratified this the 12th day of February, A.D. 1923.

CHAPTER 77

AN ACT TO REVISE THE FINANCIAL SYSTEM OF GOVERNMENT FOR THE COUNTY OF BUNCOMBE.

The General Assembly of North Carolina do enact:

Section 1. That it shall be the duty of each and every officer, agent and employee of the county of Buncombe, receiving county funds, to make a daily itemized report, in triplicate, covering all cash receipts belonging to said county and received by said officer from any and all sources during the preceding day; one copy of said report shall be retained by said officer, one copy filed in the office of the county auditor, and the other copy delivered to the county treasurer, together with all cash receipts and moneys called for by said report, for which the said treasurer shall receipt the party so remitting: Provided, however, that deputy township tax collectors, outside of Asheville Township, shall make such reports and turn over all funds collected, belonging to the county, on the fifteenth and thirtieth days of each month (if such day fall on a Sunday or holiday, then the next day thereafter), to the tax collector, who shall report and remit the funds so received by him to the treasurer the following day, as hereinbefore provided.
Treasurer to demand settlements.

Deposit of funds.

County commissioners to select depository bank.

Accounts to be kept.

Monthly reports.

Warrants for disbursements.

County commissioners to select depositories.

Daily deposits.

Depositories to pay interest.

Rate of interest.

Bonds of depositories.

Collection of interest.

Appropriation.

SEC. 2. That it shall be the duty of the treasurer of said county to make demand on all of the officers of said county or other persons having in their custody any moneys or securities belonging to said county, for the surrender to him of such moneys or securities, and to receive and safely keep all such moneys or securities by depositing same, together with the daily receipts, as provided in section one hereof, in a depository bank or banks, to be designated by the board of county commissioners as hereinafter provided; and said treasurer shall keep in books, provided for that purpose, a full and correct account of all moneys and securities so received and disbursed by him, and shall render a statement of his receipts and disbursements, together with a statement of the cash balances in all banks, itemized by funds and banks, to the board of county commissioners on or before the fifth day of each month, and at such other times as may be required by said board; and no moneys belonging to the said county shall be disbursed by said treasurer except on checks or warrants signed by the commissioner of public accounts and finances and countersigned by the county auditor.

SEC. 3. That the board of county commissioners shall select one or more banks doing business in the county of Buncombe, as depository bank or banks for the county of Buncombe, and it shall be the duty of the said treasurer to make daily deposits of such moneys and securities as shall be received by him, from all sources, to the credit of the county of Buncombe in one or more of said bank or banks, according to the direction of said board. Before any such deposits are made therein, said bank or banks shall be required to enter into a written obligation with said board of commissioners to pay into the treasury of said county interest at a rate to be fixed by said board of commissioners, which said interest shall be payable at the end of each month and shall be based on the daily average balances for the month, or if any of said funds are placed on certificates of deposit, then the interest shall be paid at the end of three months or upon said certificates of deposit being cashed.

SEC. 4. That the rate of interest to be paid by any bank may, at any time, be changed by the board of county commissioners, and the said bank or banks may, in the discretion of said board, be required to also execute a good and sufficient bond, signed by an authorized bonding company, individual endorsement or the placing of collateral to be approved by the said board, and conditioned that such bank or banks will safely keep, account for, and pay over said money or moneys on demand of and as ordered by the said board. The interest paid by said bank or banks, as provided hereinbefore, shall be collected by the treasurer of said county, and shall be by him reported in his next statement following said collection, and shall be considered and treated as a part of the fund
of said county on which collected, subject to use for the purpose for which the fund was originally created.

Sec. 5. That the board of county commissioners shall have the power and authority, and it shall be the duty of said board, to devise and require the installation of accounting systems and procedure for said county, its departments and institutions, for the recording in detail of all transactions affecting the acquisition, custodianship and disposition of values, including cash receipts and disbursements, together with such other records as are necessary to enable said board to ascertain, at any time, the assets and liabilities of said county, including uncollected tax balances, assessments and other public charges, and to permit of the recorded facts being presented periodically to the public in such summaries, and analytical schedules in detail support thereof, as may be necessary to show the effect of all transactions upon the finances of the county; to devise and establish a general set of books of accounts with control accounts of all assets and liabilities of the county and its institutions, including the public schools thereof, and such books and accounts generally as are necessary and proper to carry out and put into effect the system of accounting procedure and control of the disbursement of funds for public purposes, and to require all officers, appointees and employees of the county, including the auditor thereof, to put into effect the systems of accounting procedure and control and to use the books and accounts in accordance with the systems devised; and it shall be the duty of each and every officer, agent or employee of said county to accurately keep the accounts and compile the records required by the said board of county commissioners.

Sec. 6. That in addition to the monthly reports hereinafter required, the board of county commissioners may require all officers, agents and employees to make reports from time to time as often as said board may deem it necessary and advisable.

Sec. 7. That it shall be the duty of the auditor of Buncombe County, acting for the board of commissioners, and under the direct supervision of the chairman and commissioner of public accounts and finances, to audit the accounts of every officer or employee who does or may receive, deposit or disburse moneys, and publish or cause to be published quarterly a statement showing the financial condition of the county. It shall be the duty of the board of county commissioners to have all of the books and accounts of every officer, employee or institution of the county annually audited by a public accountant, licensed and certified by the Board of State Accountancy of the State of North Carolina, which certified public accountant shall be selected by the said board of commissioners.

Sec. 8. That the provisions of this act shall apply with full force and effect in every particular to the Buncombe County board of education, whose books and accounts and records shall
be open to the public inspection, at all times, and shall be audited in the same manner as other county books, as hereinbefore provided, and said board of education shall make a quarterly report of all receipts and disbursements, which report, in a consolidated form, shall be published quarterly in a newspaper edited and published in the county of Buncombe.

SEC. 9. That the provisions of this act shall not apply to trust, guardianship, administrator or court funds coming into the hands of the clerk of the Superior Court by virtue of his office.

SEC. 10. That it shall be unlawful for any member of the board of county commissioners, or other officer, appointee, or employee of said county, to become a contractor for work to be done for said county or subcontractor therefor or to be employed or interested therein, directly or indirectly, or for any officer, agent or employee of said county to use any county material or any property of any kind, or convict labor of such county, to do or perform any work in which any such officer or employee is interested, directly or indirectly, other than public improvements.

SEC. 11. That it shall be unlawful for any officer, agent or employee of said county, or other person, with the exception of the county treasurer, as hereinbefore provided, to deposit any moneys or securities in which the said county is interested, directly or indirectly, in any bank or banks in said county either in his name or as an agent of said county; and any officer, agent or employee of said county, or other person, violating any of the provisions of this section shall be guilty of a misdemeanor and subject to a fine and imprisonment in the discretion of the court, and shall, in addition to being liable to criminal prosecution by his or their act, forfeit his or their office or employment, and such violation shall be sufficient cause for the filing of a suit by any interested citizen or taxpayer of Buncombe County, or by the holder of any of the securities of said county, to recover damages against his or their bond.

SEC. 12. That every officer, agent or employee of the county of Buncombe receiving moneys belonging to said county, from any source whatsoever, failing or refusing to turn over daily to the treasurer of said county all funds received within twenty-four hours after the receipt of same, or if the treasurer of said county shall refuse to deposit such moneys belonging to the county of Buncombe received from any source whatsoever, within twenty-four hours after the receipt thereof, except in case of receipts the day preceding a Sunday or a holiday, except any deputy township tax collector outside of Asheville Township reporting and remitting, as hereinafter provided, he or they shall be subject to a penalty of twenty per cent per week, which shall be paid into the county treasury, upon all such sums so unlawfully retained; and it shall be the duty of the chairman and commissioner of public

Quarterly reports.

Funds held by court.

Officers forbidden interest in contract.

Use of county, material or labor.

Deposits by officers other than treasurer.

Misdemeanor.

Punishment.

Forfeiture of office.

Suit on bond.

Penalty for failure to pay over or deposit money.

Enforcement of penalties.
accounts and finances, with the assistance of the county attorney, to enforce the provisions of this section.

Sec. 13. That it shall be the duty of the chief executive or financial officer of all eleemosynary corporations, civic organizations, or other organizations by whatsoever name called, to which or to whom an appropriation or donation of public funds is made from the treasury of Buncombe County for any purpose whatsoever, to make and file monthly with the auditor of said county a verified detailed financial statement showing all receipts and disbursements; also a report of activities during the preceding month, which report in the case of any hospital or sanitarium must show the names of all applicants for admission to such hospital or sanitarium when the applicant or patient was denied, the applicant's or patient's physician, and the reasons for denial to such applicant or patient of entrance into such hospital or sanitarium, which report must be filed with the auditor on or before the tenth day of each month, and the chairman of public accounts and finances and auditor shall not issue a check or warrant in payment of any donation or appropriation as aforesaid until the statement and report aforementioned is filed and of record, which must also contain a declaration that the requirements of the next preceding section are being strictly complied with in every particular.

Sec. 14. The board of county commissioners of Buncombe County shall not make any donation of public funds to any hospital in the management of which hospital, or the conduct thereof, there is any discrimination against any physician licensed to practice medicine within the county of Buncombe, or where any patient is refused admission to the same because of the employment of any physician duly licensed to practice medicine in Buncombe County, or where any patient does not have the absolute right to employ, at his own expense, his own physician, and when the physician so employed does not have exclusive charge of the care and treatment of such patient in the hospital, and the nurses therein shall, as to such patient, be subject to the direction of such physician, subject always to such general rules and regulations as shall be established by the governing board of such hospital; or in which there is any favoritism or discrimination allowed or permitted by such management or any nurse or employee thereof for or against any undertaking establishment in said county of Buncombe, or where the desire of the nearest relatives of a deceased patient is not consulted, if possible, before calling in of any undertaker for the removal of deceased body from such hospital; that it shall be the duty of the register of deeds of Buncombe County, upon the passage of this act, to procure a certified copy of the same at the expense of Buncombe County, and to have prepared therefrom a sufficient number of copies of the same, and to deliver

Reports of corporations receiving appropriations.

Details required of hospital and sanitorium.

Time for filing report.

Appropriation not to be paid before report filed.

Employment of physicians.

Directions of nurses.

Discrimination as to undertakers.

Register of deeds to secure copy of act.

Copies to officers, agents and organizations.
to each officer and agent of the county of Buncombe, and all
organizations to whom a donation of public funds is made from
the county treasury, and to direct the attention of such organiza-
tions to whom a donation or contribution is made to the pro-
visions of sections thirteen and fourteen.

Sec. 15. That it shall be the duty of every officer, agent or
employee of the county of Buncombe to devote at least eight hours
daily, except Sundays and legal holidays, entirely and exclusively
to the duties of his office or employment, and that all officers main-
taining offices at the county courthouse shall keep said offices open
from eight-thirty a.m. until five-thirty p.m. daily except Sundays
and legal holidays: Provided, however, the provisions of this
section shall not apply to the county attorney, coroner or county
surveyor, but each of the last mentioned officers shall devote as
much time and attention as necessary to the proper conduct of
the duties of the respective offices aforementioned; and it shall be
the duty of the chairman and commissioner of public accounts and
finances to see that the provisions of this section are strictly com-
plied with by every officer, agent or employee of said county.

Sec. 16. That any person, firm or corporation violating the pro-
visions of this act shall be guilty of a misdemeanor and subject
to a fine or imprisonment, in the discretion of the court; and any
officer, agent or employee violating the provisions hereof shall be
subject to removal from such office, agency or employment.

Sec. 17. That all laws or clauses of laws in conflict herewith be
and the same are hereby repealed.

Sec. 18. That this act shall be in force from and after its rati-
fication.

Ratified this the 14th day of February, A.D. 1923.

CHAPTER 78

AN ACT TO DEFINE THE DUTIES OF THE BOARD OF
COMMISSIONERS OF HAYWOOD COUNTY, AND FIX
THEIR COMPENSATION.

The General Assembly of North Carolina do enact:

Section 1. That chapter fifty-nine, Public-Local Laws of one
thousand nine hundred and twenty-one, be repealed, amended and
reënacted to read as follows:

Sec. 2. That from and after the first Monday in December, one
thousand nine hundred and twenty-two, the board of commis-
sioners of Haywood County shall consist of three members: the
said members to be elected at the general election to be held on
the first Tuesday after the first Monday in November, one thou-
sand nine hundred and twenty-two. They shall hold office for a
term of two years or until their successors are elected and quali-
fied, and their successors shall be elected at each general election thereafter. Any vacancy on said board shall be filled by appoint-
ment of the clerk of the Superior Court.

Sec. 3. One member of the board shall be known and design-
ned as chairman and shall be voted on as such in the general elections and nominating primaries.

Sec. 4. The chairman shall preside at all meetings of the board, shall be the chief executive officer of the county, and shall per-
form all other duties now prescribed by law for chairman of board of commissioners and any other duties that the board may require of him.

Sec. 5. The other two members of the board shall be known and designated as commissioners and serve with the chairman in the transaction of all county business.

Sec. 6. The board so constituted shall serve as a body and shall have and exercise, in addition to the powers and duties herein conferred, all the power and authority now vested in boards of county commissioners by the Consolidated Statutes and amend-
ments thereto, and also all the power and authority vested in the board of county commissioners of Haywood County in any special acts relating to Haywood County. They shall, in addition to the special duties required herein, perform all other duties required of boards of county commissioners by general statute or by special act relating to Haywood County.

Sec. 7. Any act of any member of said board shall be subject to the control, review, approval or revocation of said board or a majority thereof, but the board may, upon proper resolution, dele-
gate to the different members thereof special or regular duties.

Sec. 8. For transacting the business of the county the said board shall meet regularly, at their office in the courthouse in Waynesville, the first Monday and Tuesday in each month and the third Monday in each month, and at such other times and places as the business of the county may require at the call of the chair-
man.

Sec. 9. That in addition to the regular meetings set forth in the preceding section, the board, or a majority thereof, shall visit once every month all road and convict camps in the county, the county home hospital, jail and all other county buildings and institutions. They shall further personally visit and inspect once every two months the roads and bridges of the entire county, and inspect the maintenance work and outfits in each maintenance district in the county.

Sec. 10. The names of candidates for chairman and commis-
sioners shall appear on separate ballots at all general and primary elections, and each elector shall be entitled to vote for one chairman and two commissioners.

Sec. 11. For the purpose of carrying out the provisions of this act, the present board of county commissioners are hereby reap-

Election of successors.
Vacancies.
Chairman.
Election of chairman.
Chief executive officer of county.
Duties.
Commissioners.
Powers and duties under general law.
Delegation of powers.
Meetings of board.
Inspection of county institutions.
Inspection of roads and bridges.
Ballots for chair-
man and commis-
sioners.
Present board re-
appointed.
pointed, as follows: H. Arthur Osborne, chairman; M. M. Noland, and Asbury Howell, commissioners.

Sec. 12. The chairman shall receive the sum of one thousand dollars per year for his services, and the two commissioners eight hundred dollars each per annum, payable quarterly.

Sec. 13. That any board of county commissioners or any member of such board, who shall willfully neglect and refuse to discharge the duties of said office as heretofore prescribed, shall be guilty of a misdemeanor.

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

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

Ratified this the 14th day of February, A.D. 1923.

CHAPTER 79

AN ACT TO ALLOW THE CLERK OF COURT OF ROCKINGHAM COUNTY EXTRA COMPENSATION FOR EMPLOYMENT OF A DEPUTY CLERK.

The General Assembly of North Carolina do enact:

Section 1. That the clerk of the Superior Court of Rockingham County be and is hereby allowed one thousand dollars ($1,000) per annum for the employment of a deputy clerk of said court, said sum to be paid in equal monthly payments.

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

Ratified this the 14th day of February, A.D. 1923.

CHAPTER 80

AN ACT FOR THE RELIEF OF THE REGISTER OF DEEDS OF FORSYTH COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the salary and compensation of the register of deeds of Forsyth County shall be three thousand dollars ($3,000) per annum, payable in twelve equal installments, and that the sum of three thousand dollars ($3,000) is allowed, and the board of commissioners of Forsyth County is hereby authorized, empowered and directed to pay the said register of deeds of Forsyth County the sum of three thousand dollars with which to employ and pay deputies and clerks to enable him to properly perform the duties of the said office: Provided, that if the business
of said office shall increase to such an extent that the amount herein allowed for clerk hire is insufficient to employ adequate help to perform the duties of said office, then the board of commissioners is hereby authorized, empowered and directed to appropriate additional funds with which to employ and pay the necessary additional deputies and clerks for said office.

Sec. 2. That the said register of deeds shall perform all duties prescribed by the general State law as applying to office of register of deeds, and shall, in addition, serve ex officio as clerk to the board of commissioners without compensation other than herein provided for.

Sec. 3. That the register of deeds shall keep a record of all fees coming into said office, as now required by law, and that he shall make a report and pay over the same to the board of commissioners of Forsyth County at the regular meeting of said board on the first Monday in each month.

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

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

Ratified this the 14th day of February, A.D. 1923.

CHAPTER 81


The General Assembly of North Carolina do enact:

Section 1. That chapter four hundred and thirty-six of the Public Laws of North Carolina, one thousand nine hundred and five, be amended by striking out the words "said officers named" in line one, section three, after the word "the" and before the word "in," and insert in lieu thereof the following: "that the said clerk of the Superior Court and register of deeds."

That section three, chapter four hundred and thirty-six, Public Laws of North Carolina, one thousand nine hundred and five, be amended by striking out the words "the sheriff, three thousand five hundred dollars" in line five and before the word "and" in the sixth line of said section.

That chapter four hundred and thirty-six of the Public Laws of one thousand nine hundred and five be amended by striking out in line five, section five, the words "under the provision of this act as aforesaid."
Sec. 2. That chapter four hundred and thirty-three of Public-Local Laws of North Carolina, one thousand nine hundred and thirteen, be amended as follows: by striking out the words "that the said officers" in section one after the word "there" in line three and before the word "named" in line four, and the following be inserted in lieu thereof, "that the said clerk of the Superior Court and register of deeds." That section one, chapter four hundred and thirty-three of the Public-Local Laws of North Carolina, one thousand nine hundred and thirteen, be amended by striking out in lines eight and nine after the word "dollars" in line eight and before the word "the" in line nine, the following: "the sheriff, three thousand five hundred dollars, and for office clerk five hundred dollars."

Sec. 3. That section one and section two, chapter five hundred and four of the Public-Local and Private Laws of North Carolina, one thousand nine hundred and twenty-one, be and they are hereby repealed.

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

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

Ratified this the 14th day of February, A.D. 1923.

CHAPTER 82

AN ACT TO AMEND CHAPTER 653 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, 1915.

The General Assembly of North Carolina do enact:

Section 1. That section two of chapter six hundred and fifty-three of the Public-Local Laws of North Carolina, one thousand nine hundred and fifteen, be amended as follows: by inserting after the word "month" in line seven, the following: "That the sheriff shall appoint an assistant jailer, who shall receive the sum of one hundred dollars per month, and shall in addition thereto receive his board and lodging at said jail." That section two of chapter six hundred and fifty-three, Public-Local Laws of North Carolina, one thousand nine hundred and fifteen, be amended by striking out in lines seven and eight the following: "to be paid out of the treasury of said county as full compensation for his services," and in lieu thereof inserting the following: "said jailer and assistant jailer are to be paid out of the treasury of said county the sums mentioned in this section as full compensation for their services."

Sec. 2. That this act shall be in force and effect from and after the first Monday of December, one thousand nine hundred and twenty-two.

Ratified this the 14th day of February, A.D. 1923.
CHAPTER 83
AN ACT TO AUTHORIZE THE SERVICE OF PROCESS IN WESTFIELD HIGH SCHOOL DISTRICT BY THE OFFICERS OF SURRY AND STOKES COUNTIES.

The General Assembly of North Carolina do enact:

Section 1. That the sheriffs of Surry and Stokes counties and their lawful deputies are hereby authorized and empowered to execute process within the boundaries of Westfield High School District, embracing parts of each of said counties.

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

Ratified this 14th day of February, A.D. 1923.

CHAPTER 84
AN ACT TO AMEND CHAPTER 437, PUBLIC-LOCAL LAWS OF 1915, RELATIVE TO ROADS OF REYNOLDSON TOWNSHIP, GATES COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section two of said act be repealed and the following substituted therefor: "That for the purpose of working, improving, and maintaining the public roads in Reynoldson Township in Gates County a board of commissioners is hereby created, which said board shall consist of three (3) members, who shall be elected for a period of six years. That T. B. Parker, M. E. Langston, and D. S. Harrell be and they are hereby appointed, and shall constitute a board of commissioners for Reynoldson Township in Gates County, to carry out the provisions of this act. That the term of office of D. S. Harrell shall be for two (2) years or until his successor is elected and qualified; that the term of office of M. E. Langston shall be for four (4) years or until his successor is elected and qualified; and the term of office of T. B. Parker shall be for six (6) years or until his successor is elected and qualified. That the voters of Reynoldson Township shall nominate in the primary successors to those named in the bill under the rules and regulations prescribed under the general primary and election laws of the State, and the nominees shall be placed on the ticket with other township officers and duly elected, and shall serve for a term of six (6) years."

Sec. 2. That section four of said act be amended by inserting in line ten (10) after the word "money" and the word "in" the words "not to exceed five thousand dollars ($5,000)."

Sec. 3. That section five be amended by inserting in line ten (10) after the word "Township" and the word "provided" in line 6—Public-Local.
Limit of tax rate. twelve (12), the words "of not more than twenty-five (25) cents on the one hundred dollars ($100) assessed valuation of property, and not more than seventy-five (75) cents on each taxable poll," and by inserting in line twenty-one (21) after the word "the" and before the word "which" the words "The Citizens Bank, Gates, North Carolina."

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

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

Ratified this the 14th day of February, A.D. 1923.

CHAPTER 85

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF NEW HANOVER COUNTY AND THE BOARD OF COMMISSIONERS OF THE CITY OF WILMINGTON TO APPROPRIATE FUNDS TO THE COMMUNITY HOSPITAL ASSOCIATION, INCORPORATED.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of New Hanover County and the board of commissioners of the city of Wilmington are hereby authorized and empowered to make a joint appropriation from the general funds of the city of Wilmington and the county of New Hanover, respectively, not to exceed the aggregate amount of fifteen thousand dollars ($15,000), to the Community Hospital Association, Incorporated, of Wilmington, North Carolina, such appropriation, if and when made as herein authorized, to be used only for the purpose of paying off and discharging certain mortgage liens now on the property of the Community Hospital Association, Incorporated.

Sec. 2. That the Community Hospital Association, Incorporated, is authorized and empowered to make such conveyance of its property to or contract with the city of Wilmington and county of New Hanover jointly as said city and county may require in order to take charge of and have supervision over said Community Hospital Association, Incorporated.

Sec. 3. That the appropriation hereinabove referred to shall be made in such proportions and amounts as may be mutually agreed on by said boards.

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

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

Ratified this the 14th day of February, A.D. 1923.
CHAPTER 86

AN ACT TO COMPENSATE THE SHERIFF OF AVERY COUNTY FOR THE CAPTURE AND DELIVERY TO THE COUNTY COMMISSIONERS OF ANY STILL.

The General Assembly of North Carolina do enact:

Section 1. That the sheriff and his deputies of Avery County shall receive, for any still captured and delivered to the county commissioners of said county, the sum of ten dollars in full compensation for their services in so doing, and the county commissioners shall pay this amount to either the deputy or sheriff when the still has been presented to the commissioners, and the one capturing the same and delivering it shall be entitled to the ten dollars.

Sec. 2. That the sheriff and his deputies shall not receive any other compensation for the capture, or for the arrest or for the conviction of any person connected with the still, except the fees allowed for the sheriff's serving warrants and subpoenas as now provided by law: Provided, this act shall only apply to Avery County.

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

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

Ratified this the 14th day of February, A.D. 1923.

CHAPTER 87

AN ACT RELATING TO THE BETTER GOVERNMENT OF HERTFORD COUNTY AND REDUCING THE EXPENSES THEREOF.

The General Assembly of North Carolina do enact:

Section 1. That there shall be nominated in the next general primary election, and biennially thereafter, by the voters of Hertford County, and elected by the voters of said Hertford County at the next general election in the year one thousand nine hundred and twenty-four, and biennially thereafter, under the general primary and election laws of the State, a board of county commissioners consisting of six members, one member from each township in said county: Provided, however, that in said general election, in November, one thousand nine hundred and twenty-four, and biennially thereafter, each commissioner must have received a majority of the votes cast in said election in order to be eligible to said office; and in the event any commissioner
fails to receive a majority of the votes cast in the election, the county board of elections shall declare a vacancy to exist in the township of the candidate failing to receive such majority, and shall fill such vacancy by appointment of a commissioner from the township in which the vacancy exists.

SEC. 2. That section five of chapter three hundred and forty-seven, Public-Local Laws one thousand nine hundred and twenty-one, be and the same is amended by striking out the word “shall” in line two, and inserting in its stead and place the word “may.”

SEC. 3. That section eleven of chapter three hundred and forty-seven, Public-Local Laws one thousand nine hundred and twenty-one, be and the same is amended by striking out the word “six” in line thirty-one thereof and inserting in lieu thereof the word “four.”

SEC. 4. That section fifteen of said chapter three hundred and forty-seven be amended by striking out the words “public roads” in line twelve and inserting in lieu thereof the following words, to wit: “main or principal thoroughfares leading from town to town and from township to township.” That said section be further amended by inserting between the word “wide” and the word “and” in line thirteen the following words, to wit: “and all lateral roads or roads intersecting main thoroughfares or connecting with leading highways shall be twenty-four feet wide.”

SEC. 5. That section seventeen of chapter three hundred and forty-seven, Public-Local Laws one thousand nine hundred and twenty-one, be amended by striking out the word “six” in line five thereof and inserting in lieu thereof the word “twelve.”

SEC. 6. That section eighteen of chapter three hundred and forty-seven, Public-Local Laws one thousand nine hundred and twenty-one, be amended by striking out the word “four” in line three and substituting therefor the word “twelve.”

SEC. 7. That section twenty-three of chapter three hundred and forty-seven, Public-Local Laws one thousand nine hundred and twenty-one, be amended by striking out the word “fifteen”; and by inserting between the word “substance” and the word “and” in line six of said section, the following words, to wit: “and may impose, in the months of December, January, February, and March of each year, a license tax not exceeding the sum of ten dollars per month, on each vehicle used and operated, as a business, in hauling logs, lumber or other heavy material.”

SEC. 8. That section twenty-four of chapter three hundred and forty-seven, Public-Local Laws one thousand nine hundred and twenty-one, be amended by striking out the word “same” in line eighteen and inserting in lieu thereof the words “said property tax”; and that said section be further amended by inserting between the words “and” and “be” in line twenty-nine the words “said property tax shall.”
Sec. 9. That the said board of county commissioners, and also the said board of road commissioners, shall publish the proceedings and minutes of each meeting in some newspaper published or circulated in said county: Provided, however, that the contract for such publication shall be made after submission of the same to the lowest bidder, and thereafter entered into with said lowest bidder.

Sec. 10. That the list-takers and assessors, annually appointed by the said board of county commissioners, shall be required and it shall be their duty to each give in and file before the register of deeds of said county a list of all property owned by himself, subject to taxation under the laws of North Carolina; and shall also file with the said register of deeds lists of all other property in his name, or under his control, as agent, guardian, executor, administrator, trustee or otherwise subject to taxation under the laws of this State.

Sec. 11. That section four of chapter five hundred and fifty-eight of the Public-Local Laws of one thousand nine hundred and nineteen be and the same is hereby repealed, and the following inserted in lieu thereof: "The compensation of the said tax collector shall be computed and paid to each at the following rate of compensation, i.e., two and three-fourths per cent on the first twenty thousand dollars collected and paid in, and one and one-half per cent on all collections made and paid to the treasurer in excess of the said twenty thousand dollars."

Sec. 12. That at the next general election in the year one thousand nine hundred and twenty-four, and biennially thereafter, a tax collector for each township shall be nominated and elected by the voters of each township, under the provisions of the general primary and election laws: Provided, however, that nothing herein shall be construed as preventing the board of county commissioners from making appointments of collectors for the collection of one thousand nine hundred and twenty-three taxes, nor from appointing collectors in one thousand nine hundred and twenty-four, to hold their office until their successors are elected at the general election in November, one thousand nine hundred and twenty-four, and until such successors have been duly qualified, and making compensation to such collectors under the provisions of section twelve of this act.

Sec. 13. That chapter one hundred of the Public-Local Laws, Extra Session one thousand nine hundred and twenty-one, is hereby repealed, and chapter thirty-three of the Public Laws of the Extra Session one thousand nine hundred and twenty is hereby reenacted, and the salary of the sheriff of Hertford County shall be as set forth in said chapter: Provided, that nothing in this section shall be construed as impairing or affecting the salary of said superintendent or his assistant prior to the general election in the year nineteen hundred and twenty-four.
Salary of county superintendents.
Limit.
Assistant superintendent.
Limit of total allowance.

Sole compensation.

Sec. 14. That the board of education of said county shall fix and determine the salary for said county superintendent, not to exceed the sum of two thousand dollars per annum. They may also, if in their judgment the duties of the office require it, elect an assistant county superintendent, and in that event the total salary allowance for the said county superintendent and his assistant shall not exceed the sum of twenty-nine hundred dollars. The compensation herein provided for the said county superintendent of public instruction, and his assistant, shall cover and include any and all salary or compensation to the said superintendent and assistant to be paid by the said board of education or by the said county of Hertford, either or both, for any and all duties performed by either or both, as public officers or agents of said board of said county or said State of North Carolina in any other official capacity whatsoever.

Sec. 15. That all laws and clauses of laws in conflict with this act are hereby repealed.

When act effective.

Sec. 16. That this act shall be in force and effect from and after June first, one thousand nine hundred and twenty-three.

Ratified this the 16th day of February, A.D. 1923.

CHAPTER 88

AN ACT TO AMEND CHAPTER 94 OF THE CONSOLIDATED STATUTES, ENTITLED "DRAINAGE."

The General Assembly of North Carolina do enact:

Section 1. That chapter seventy-six of the Public Laws of North Carolina of one thousand nine hundred and twenty-one, entitled "An act to enable the State Highway Commission to initiate proceedings for the digging of a canal and the establishment of a drainage district," be and the same is hereby repealed: Provided, that all proceedings heretofore instituted and now pending under such law may be concluded and shall not be affected by this repealing act.

Sec. 2. That section fifty-three hundred and fourteen (5314) of chapter ninety-four of the Consolidated Statutes of North Carolina, entitled "Drainage," be and the same is hereby amended by striking out the period at the end of said section after the word "improvement" and inserting a colon and by adding the following proviso, to wit: "Provided, that whenever in the establishment, construction, improvement, or maintenance of any public highway it shall be necessary to drain the said highway, and to accomplish such purpose it appears necessary to excavate a canal or canals for carrying the surplus water to some appropriate outlet across the lands of others located in the same or adjoining counties, then
and in such event the State Highway Commission or the county highway commission, or such agency in the county as may have jurisdiction over public highways, may file such petition as the sole petitioner in the office of the clerk of the Superior Court against all the landowners whose lands may be crossed or affected by such drainage canal or canals. The said petition shall further set forth the facts making necessary the drainage of said highway. Subject to the modification in this proviso, the proceeding for the establishment of such drainage district shall conform in all respects to existing law.”

Sec. 3. That section fifty-three hundred and sixty-one (5361) of the Consolidated Statutes of North Carolina be and the same is hereby amended by adding the following at the end thereof: “If the sheriff or tax collector fail to make sale of any lands on the first Monday in February or March in any year because of the lack of bidders or for any other reason, he may sell same upon the first Monday of any subsequent month in the same year or any succeeding year, after giving notice as required by law. No bid at any sale shall be received unless sufficient in amount to discharge all the drainage assessments and other charges due by the delinquent lands or owner thereof, together with all costs and expenses of sale. If no sufficient bid be received, the board of drainage commissioners of the district shall be deemed the purchaser in its corporate capacity at a sum sufficient to pay all assessments which are due and costs as above stated, and shall be entitled to receive a certificate of purchase and deed in the manner provided by law for purchasers at tax sales. The board of drainage commissioners shall only be required to pay to the sheriff the costs and expenses of sale before receiving a certificate of purchase. The board of drainage commissioners of the district in their corporate capacity shall be in like position and have the same rights and be subject to the same duties as the purchaser of lands at any tax sale under the general law. The owner of said lands so sold or any person having an estate therein, or having a lien thereon, may redeem the same in the manner provided by sections eight thousand and thirty-eight (8038) and eight thousand and thirty-nine (8039), Consolidated Statutes, or any amendments thereof; and if the board of drainage commissioners shall have been the purchaser of said lands the amount paid in redemption shall include the sum bid therefor plus the penalty. The board of drainage commissioners shall pay to the sheriff or tax collector the amount representing their bid at the sale of said lands before they shall be entitled to receive a deed therefor, which the sheriff shall pay to the treasurer of the drainage district in the same manner as other funds received by him. The board of drainage commissioners, after acquiring a deed for said lands, may hold the same as an asset of the district, and shall be liable for the payment of all drainage assessments and State and county taxes accruing after
Collection of arrearages.

Sales.

Powers devolved on present officers.

Application of general tax law.

Application of act.

Repealing clause.

the sale at which the district was a bidder, and in all respects be deemed the owner of said lands and subject to the same privileges and liabilities as any other landowner, including the right to convey the said lands for a consideration and pay the proceeds of said sale to the treasurer of the district, which may be distributed by the drainage commissioners for the benefit of the district in the same manner as other district funds."

Sec. 4. If any sheriff or tax collector failed for any reason to collect drainage assessments upon lands in any drainage districts due in one thousand nine hundred and seventeen, or any subsequent years, and further failed to make valid sales of the lands so delinquent in the payment of such assessments, then and in such event the existing sheriff or tax collector is hereby authorized and directed to proceed to collect such unpaid drainage assessments, with interest thereon from the dates when such assessments respectively became due, and in default of payment being made he is further authorized to make sales of such lands as may be in default at any time hereafter, at the times and in the manner authorized by law as amended herein; and the purchaser at said sales shall acquire title to such lands in the manner provided by law. If the sheriff or tax collector in office at the time such assessments were in default has since died or gone out of office, the powers herein given shall be exercised by the existing sheriff or tax collector.

Sec. 5. Except as herein or otherwise modified or amended, the existing general tax law in force when sales of land are made for drainage assessments shall fully apply to the collection of drainage assessments and the sales of lands and in all other respects.

Sec. 6. That this act shall not apply to the counties of Hyde, Nash, Franklin, and Wilson.

Sec. 7. That all laws or clauses of laws in conflict with this act are repealed.

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

Ratified this the 16th day of February, A.D. 1923.

CHAPTER 89

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF PITTS COUNTY TO ISSUE BONDS IN THE SUM OF $100,000 FOR THE PURPOSE OF REIMBURSING THE BRIDGE FUND.

Whereas the general bridge fund of Pitt County has been expended in the sum of one hundred thousand dollars ($100,000) in excess of the proceeds of the taxes of the county for said purpose, and there is at this time an outstanding indebtedness due said

Preamble: excess of expenditures.
bridge fund in the above amount, which said sum has been used in the construction of bridges; and whereas said county has no available funds with which to liquidate said indebtedness: Therefore,

The General Assembly of North Carolina do enact:

Section 1. That the board of commissioners of Pitt County be and it is hereby authorized and directed to issue bonds of Pitt County to an amount not exceeding one hundred thousand dollars ($100,000), of denominations to be determined by said board of commissioners, bearing interest at a rate not to exceed five per cent per annum, payable semiannually, at such times and places as may be deemed advisable by said board of commissioners; said 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 commissioners of said county may determine, which bonds shall be numbered, and shall be signed by the chairman of said board and countersigned by the clerk thereof, and shall have the county's seal impressed thereon.

Sec. 2. That for the purpose of paying the accrued interest on said bonds, and to provide a sinking fund for the payment of the principal thereof when due, the board of commissioners of Pitt County, in the event that the general tax levies of said county shall be insufficient for such purpose, shall levy and cause to be collected annually as other taxes are levied and collected a special tax upon all subjects of taxation sufficient in amount to pay said interest and create said sinking fund to pay the principal of said bonds at maturity thereof.

Sec. 3. That the proceeds derived from the sale of said bonds shall be used only for the purpose of reimbursing the said bridge fund. And the bonds issued and sold under this act shall not be sold for less than par.

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

Ratified this the 16th day of February, A.D. 1923.

CHAPTER 90

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF STANLY COUNTY TO ISSUE BONDS FOR A COUNTY HOME.

Whereas, in one thousand nine hundred and twenty, the board of commissioners of Stanly County borrowed from the road commissioners of said county, out of the road fund belonging to said county, the sum of fifty thousand dollars ($50,000) for the purpose
The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of repaying to the road fund of the county of Stanly the sum of fifty thousand dollars ($50,000) borrowed from said fund, for the purpose of building a county home, the board of commissioners of Stanly County be and they are hereby authorized, empowered, and directed to issue coupon bonds of said county to an amount not exceeding fifty thousand dollars ($50,000), and to be in denominations of one thousand dollars ($1,000) each, said bonds to be payable serially as follows: two thousand dollars ($2,000) in five (5) years after date of issue and two thousand dollars ($2,000) annually each year thereafter, until the whole of said bonds are paid. Said bonds to bear interest from date of issue until maturity at the rate of not exceeding six (6) per cent per annum, payable semiannually. Said semiannual payments to be represented by coupons attached to each of said bonds, and to be identified by proper numbers and such other means as said board may determine. Said bonds shall be signed by the chairman of the board of commissioners of Stanly County and attested by the clerk to said board, and sealed with the seal of the county, and the coupons attached to said bonds shall bear the facsimile signature of the clerk to said board.

SEC. 2. No bonds issued under the provisions of this act shall be sold or otherwise disposed of for less than par and accrued interest, and shall be sold to the highest bidder after public advertisement as required by law. And the proceeds of the sale of said bonds shall be paid to the treasurer of the board of road commissioners of Stanly County in payment of the money so borrowed for building a county home. Said bonds shall be known as "County Home Bonds for Stanly County."

SEC. 3. That in order to pay the interest on said bonds as it may accrue, and for the principal thereof as it becomes due, the board of commissioners of Stanly County shall annually levy a special tax sufficient to meet the interest accruing on said bonds, and to meet the principal of same as it becomes due. Said tax shall be levied and collected as other county taxes are levied and collected, and shall be imposed upon all such property and other subjects of taxation as are now or may hereafter be subject to taxation in the county under the laws of the State, and it shall be collected as other taxes in the county are collected.

SEC. 4. That the purchasers or holders of any of said bonds shall not be required to see to the application of the proceeds of the same.
Sec. 5. That the board of county commissioners of Stanly County be and it is hereby empowered, authorized, and directed to pay back to the board of road commissioners of Stanly County, or its treasurer (out of the special fund levied and collected to pay interest on road and bridge bonds), the sum of twelve thousand dollars ($12,000), one year’s interest on two hundred thousand dollars ($200,000) road and bridge bonds of Stanly County, issued or caused to be issued by the board of road commissioners of Stanly County, series “A” and “B,” dated on or about July twenty-first, one thousand nine hundred and twenty-one, which interest was paid by the said board of road commissioners when under the law it should have been paid by the board of county commissioners.

Sec. 6. This act shall be in force from and after its ratification. Ratified this the 16th day of February, A.D. 1923.

CHAPTER 91

AN ACT REQUIRING THE COUNTY COMMISSIONERS OR ROAD AUTHORITIES OF MADISON COUNTY TO BUILD A ROAD FROM BIG PINE CREEK ROAD INTO THE ROAD LEADING FROM REDMON TO EBBS GARDNER STORE, CONNECTING WITH SAID ROAD IN FREEZELAND GAP, AND TO PUT IN REPAIR THE ROAD LEADING UP BIG IVY TO JUPITER, AND THE ROAD LEADING FROM BENNY GUNTER’S UP BIG LAUREL TO C. W. CODY’S STORE; TO PUT RURAL MAIL ROUTES IN REPAIR, TO REGULATE THE DISBURSEMENT OF MONEY PAID IN LIEU OF WORK ON PUBLIC ROADS, AND THE WORKING OF CARTWAYS AND PRIVATE ROADS, AND TO REQUIRE MONEY COLLECTED BY SPECIAL TAX FOR MAINTENANCE OF ROADS TO BE SPENT IN TOWNSHIP OR VOTING PRECINCT IN PROPORTION TO THE AMOUNT OF TAXES PAID IN THE RESPECTIVE TOWNSHIP OR PRECINCT.

The General Assembly of North Carolina do enact:

Section 1. That the commissioners or road authorities for Madison County are directed and required, as soon as practicable, to build a road from the road leading up Big Pine Creek to connect with the road in Freezeland Gap, to be built from Redmon to the Ebbs Gardner store on Spring Creek, which road is provided for in another act, and to repair road up Big Pine Creek.

Sec. 2. That the commissioners or road authorities for Madison County are directed and required, as soon as practicable, to build and put in order the road leading from Benny Gunter’s on or near Big Laurel, up Big Laurel to C. W. Cody’s store in Number Sixteen Township, which road is to be located by an engineer in the most appropriate place.
Further repairs ordered.

Further repairs ordered.

Survey and location.

General repairs ordered.

Use of commutation money.

Orders for expenditures.

Use of special road tax.

Accounts.

Proviso: other moneys.

Work and funds for cartways.

Proviso: work and expenditures required.

Sec. 3. That the commissioners or road authorities of Madison County are required and directed, as soon as practicable, to repair and put in good condition the road leading up Big Ivy to Jupiter.

Sec. 4. That the commissioners or road authorities of Madison County are required and directed, as soon as practicable, to repair and put in good condition, and to amend and make new where necessary, a road from the Seth Freeman place on the road leading from Marshall to Dr. Crisly Roberts' on Sandy Mush, to the Buncombe County line in Sandy Mush, Number Six Township. That the said road shall be surveyed and located by a competent engineer.

Sec. 5. That the said commissioners or road authorities of Madison County are directed and required, as soon as practicable, to put all roads not now maintained by the State, and which are United States mail rural delivery routes, in good repair, and the said authorities are hereby required to keep all such roads in good repair and safe traveling condition.

Sec. 6. That where persons of road age are assigned by the proper authorities to work on certain roads, and pay the cash as is now provided by law in lieu of work, that such money shall be turned in to the auditor of the county and kept as a separate fund, and shall be paid out for labor on the identical road or roads where such persons would have worked if they had not paid the money in lieu of work. The said money shall be paid out for labor upon the order of the overseer of the road where the party or parties paying the money were assigned to work.

Sec. 7. That money collected by special tax for maintenance and upkeep of roads shall be spent in the townships and voting precincts from which the said money is collected, and the auditor shall keep an account of the money for each township and voting precinct thus collected: Provided, however, the provisions of this section shall not apply to money raised and provided by the commissioners of said county by other ways and means for the construction and building of new roads.

Sec. 8. That where a person of road age resides on a cartway or private road which is not worked or repaired under the general road laws he shall have deducted from the number of days he is required to work on public roads one-fourth of the time for the purpose of working and putting in good repair the said cartway or private road, and if he pays money in lieu of work, he shall be entitled to have one-fourth of the money so paid by him for the purpose of spending same in repairing and putting in order the said cartway or private road: Provided, that any person of road age residing on a cartway or private road as hereinbefore mentioned shall not be allowed one-fourth of his time, or one-fourth of the money which he pays in lieu of work on public roads, to work on the said cartway or private road, unless he actually performs the work or spends the money as herein provided.
Sec. 9. That all laws or clauses of laws in conflict with this Repealing clause, act be and the same are hereby repealed.

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

Ratified this the 16th day of February, A.D. 1923.

CHAPTER 92

AN ACT RELATING TO THE FEES OF THE CLERK OF THE SUPERIOR COURT OF CHOWAN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That in addition to the fees provided in section three thousand nine hundred and three of the Consolidated Statutes, the clerk of the Superior Court of Chowan County shall receive for his services in writing up the minutes of a term of the Superior Court the sum of fifteen dollars for each week or part thereof during which said court is in session and transacting business.

Sec. 2. The compensation provided for in section one hereof shall be paid by the county commissioners out of the general county fund.

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

Ratified this the 17th day of February, A.D. 1923.

CHAPTER 93

AN ACT TO EMPOWER THE BOARD OF COUNTY COMMISSIONERS OF PAMLICO COUNTY TO ISSUE BONDS IN AN AMOUNT NOT TO EXCEED $200,000 FOR ROADS AND BRIDGES IN PAMLICO COUNTY, AND FOR THE GENERAL COUNTY PURPOSES.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Pamlico County is hereby authorized and empowered to issue bonds, in an amount not to exceed one hundred and fifty thousand dollars, for hard-surface roads and bridges in Pamlico County, and not to exceed twenty-five thousand dollars for soil roads in said county, and not to exceed twenty-five thousand dollars for general county purposes, making a total not to exceed two hundred thousand dollars. Said bonds shall be serial coupon bonds of the denomination of one thousand dollars, one-fortieth of which amount shall mature ten years from date of issue, and one-fortieth of which Maturity.
amount shall mature annually thereafter, so that the last of said bonds shall mature fifty years from date of issue. Said bonds shall bear not exceeding six per cent interest.

SEC. 2. In order to provide for the payment of said bonds, together with interest, the said board of county commissioners of Pamlico County is hereby authorized and empowered to levy and collect annually, at the same time and in the same manner that the other county taxes are levied and collected, a special tax on all real and personal property in Pamlico County not to exceed twenty cents on the hundred dollars valuation of said property.

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

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

Ratified this the 16th day of February, A.D. 1923.

CHAPTER 94

AN ACT TO FIX THE COMPENSATION OF THE COUNTY COMMISSIONERS OF GRAHAM COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the compensation of members of the board of county commissioners of the county of Graham shall be for each member five dollars per day for each day he shall be employed as such commissioner, together with mileage at the rate of five cents per mile traveled in the performance of such duties.

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

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

Ratified this the 17th day of February, A.D. 1923.

CHAPTER 95

AN ACT TO REGULATE AND MAKE UNIFORM THE FEES OF THE CLERK OF MOORE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one, chapter two hundred and forty-nine, of the Public-Local Laws of the Extra Session one thousand nine hundred and twenty-one be and the same is hereby amended by striking out the word “and” before the words “Lee County” in line two, section one, and adding the words “and Moore County” after the words “Lee County” and before the word “whether” in line two of section one.
Sec. 2. That all laws and clauses of laws providing for the fees to be collected by the clerk of the Superior Court of Moore County which are in conflict with the provisions of this act are hereby expressly repealed.

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

Ratified this the 17th day of February, A.D. 1923.

CHAPTER 96

AN ACT TO AMEND CHAPTER 276 OF THE PUBLIC-LOCAL LAWS OF 1913, AND ALL SUBSEQUENT AMENDMENTS THERETO, RELATING TO THE RECORDER'S COURT OF LEXINGTON.

The General Assembly of North Carolina do enact:

That chapter two hundred seventy-six (276) of the Public-Local Laws of North Carolina, session one thousand nine hundred and thirteen, chapter one hundred and seven of the Public-Local Laws of North Carolina, Extra Session one thousand nine hundred and thirteen, and chapter six hundred and forty-three of the Public-Local Laws of North Carolina, session one thousand nine hundred and fifteen, be and the same are hereby amended.

Section 1. Amend section fourteen, page six hundred and eleven of said chapter two hundred and seventy-six, by striking out in lines eight and nine of said section the words “one dollar” and the words “two dollars” and insert in lieu thereof the words “two dollars” and the words “two dollars,” respectively. Also amend said section by striking out in lines thirteen and fourteen the words “one dollar” and the words “two dollars” and insert in lieu thereof the words “two dollars” and the words “four dollars,” respectively.

Sec. 2. Amend section sixteen, page six hundred and twelve of said chapter two hundred and seventy-six, by inserting in line one thereof between the word “fines” and the word “collected” the following: “and costs.”

Sec. 3. Amend section seventeen, page six hundred and twelve of said chapter two hundred and seventy-six, by striking out in lines seven and eight of said section the words “and receive the emoluments.”

Sec. 4. Amend said chapter two hundred and seventy-six by adding Section Nineteen-A to said chapter, to read: “The clerk of the Superior Court shall receive the sum of twelve hundred dollars annually, to be paid monthly, for his services as clerk of the recorder’s court of Lexington, which said amount shall be paid from the cost fees received from said court.”
Sec. 5. Strike out section twenty-one, page six hundred and thirteen of said chapter two hundred and seventy-six, and substitute therefor the following: "The judge of said court shall receive for his services the fees provided by this act, and the fees shall be full fees in all cases, regardless of decision or whether final or binding over jurisdiction."

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

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

Ratified this the 17th day of February, A.D. 1923.

CHAPTER 97

AN ACT TO AMEND CHAPTER 235 OF THE PUBLIC-LOCAL LAWS OF THE SESSION OF THE GENERAL ASSEMBLY OF 1919, ENTITLED "AN ACT TO CREATE A HIGHWAY COMMISSION FOR SURRY COUNTY."

The General Assembly of North Carolina do enact:

Section amended.

Section 1. Strike out all of section twenty-two after the words "treasurer of the" in line eight and insert in lieu thereof the following: "Surry County Highway Commission."

Sec. 2. That the sheriff of Surry County shall settle all taxes levied for roads with the Surry County Highway Commission, and said settlement shall be made on the first Monday in October of each year.

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

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

Ratified this the 17th day of February, A.D. 1923.

CHAPTER 98

AN ACT TO AMEND CHAPTER 369 OF THE PUBLIC-LOCAL LAWS OF THE SESSION OF 1921.

The General Assembly of North Carolina do enact:

Section amended.

Section 1. That section twelve of chapter three hundred and sixty-nine of the Public-Local Laws of the session of one thousand nine hundred and twenty-one be and the same is hereby amended as follows: in line one of said section, by inserting after the word "persons" the following words: "between the ages of twenty-one and forty-five," and by striking out the word "six" in line ten of
said section and inserting in lieu thereof the word "ten," and after the word "receipt" in line twelve of said section by inserting the following words: "Provided, that the amount to be paid for a receipt for one year's road work by persons residing within the corporate limits of cities and towns may be fixed in the discretion of the governing bodies of said cities and towns at not less than six dollars nor more than ten dollars."

Sec. 2. That section fifteen of chapter three hundred and sixty-nine of the Public-Local Laws of the session of one thousand nine hundred twenty-one be and the same is hereby amended by inserting between the words "books" and "to" in line three of said section the words "and report blanks," and inserting after the word "labor" in line four of said section the following: "and shall also Road laws. furnish each overseer a copy of the road laws of Swain County."

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

Sec. 4. That this act shall be in force from and after May When act effective. first, one thousand nine hundred and twenty-three.

Ratified this the 17th day of February, A.D. 1923.

CHAPTER 99

AN ACT TO AMEND CHAPTER 184, PUBLIC-LOCAL LAWS OF 1909.

The General Assembly of North Carolina do enact:

Section 1. That chapter one hundred and eighty-four, Public-Local Laws, session one thousand nine hundred and nine of the General Assembly of North Carolina, be and the same is hereby amended as follows: That any corporation engaged in the manufacture of cotton or woolen goods in Rutherford County may apply to the board of county commissioners of said county to appoint such person or persons as the said board of commissioners may select to act as policemen for said corporation.

Sec. 2. That said policeman, when so appointed, before entering upon the discharge of his duties as said officer, shall take and subscribe the oath of office and give the bond prescribed for rural policemen in said county, which shall be filed with the register of deeds; and said policemen, when so appointed, shall hold their office for a term of two years, and until their successors are appointed and qualified, and shall have and possess the same powers and authority anywhere in Rutherford County, and shall receive the same compensation, as is provided by law for rural policemen in said county, and shall be required to meet the same requirements as to character and fitness for office as is required by law for rural policemen for said county.

7—Public-Local
Repealing clause.

Sec. 3. That all laws and clauses of laws in conflict herewith are hereby repealed, but all provisions of chapter one hundred and eighty-four, Public-Local Laws, session one thousand nine hundred and nine, not in conflict with this act are not repealed, but shall remain in full force and effect.

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

Ratified this the 17th day of February, A.D. 1923.

CHAPTER 100

AN ACT PROVIDING FOR THE BUILDING AND KEEPING IN REPAIR THE BRIDGES IN SURRY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That on and after the first Monday in October, one thousand nine hundred and twenty-three, the Surry County Highway Commission is to take over the building, repairing, and keeping up of the bridges in Surry County, conferring upon the said commissioners the same authority over the bridges of the county as is now exercised by the board of county commissioners.

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

Sec. 3. That this act shall be in force from and after the first Monday in October, one thousand nine hundred and twenty-three.

Ratified this the 17th day of February, A.D. 1923.

CHAPTER 101

AN ACT TO REGULATE THE COMPENSATION OF THE SHERIFF AND TREASURER OF TRANSYLVANIA COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the sheriff or tax collector shall receive for collection of all ad valorem and poll taxes levied in Transylvania County, or any subdivision thereof, except such as may be levied by municipal corporations during any fiscal year, three per cent for the first fifty thousand dollars ($50,000), and two per cent on all the remainder: Provided, he still receive the same fees for executing papers and collecting license and privilege taxes: Provided further, this section shall not apply to the levies made prior to the first Monday in December, one thousand nine hundred and twenty-four.

Sec. 2. The treasurer for Transylvania County shall receive fifteen hundred dollars per annum, payable monthly in twelve
equal installments; one-half of said annual salary shall be paid out of the general school funds, and the other half out of the general county funds: Provided, this salary shall be in lieu of all compensation heretofore received by the said treasurer.

Sec. 3. This act shall be in force and effect on and after the first Monday in December, one thousand nine hundred and twenty-four.

Ratified this the 17th day of February, A.D. 1923.

CHAPTER 102

AN ACT TO REPEAL CHAPTER 234, PUBLIC-LOCAL LAWS 1911, AND CHAPTER 50, PUBLIC-LOCAL LAWS 1919, AND TO PLACE PUBLIC ROADS OF FORNEYS CREEK TOWNSHIP IN SWAIN COUNTY UNDER THE CONTROL OF THE BOARD OF COUNTY COMMISSIONERS OF SWAIN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That chapter two hundred and thirty-four, Public-Local Laws one thousand nine hundred and eleven, be and the same is hereby repealed.

Sec. 2. That chapter fifty, Public-Local Laws one thousand nine hundred and nineteen, be and the same is hereby repealed.

Sec. 3. That the board of road commissioners of Forneys Creek Township, appointed under the provisions of chapter two hundred and thirty-four, Public-Local Laws of one thousand nine hundred and eleven, shall make settlement with the chairman of the board of county commissioners of Swain County at the date this act goes into effect, or as soon thereafter as possible, of all road funds remaining in their hands to the credit of Forneys Creek Township, which said funds shall be used by the board of county commissioners for the repair and maintenance of the highways in said township which are tributary to the highway leading through said township, now under construction.

Sec. 4. That the board of county commissioners of Swain County shall have full control and supervision over all public roads in Forneys Creek Township from the date this act takes effect.

Sec. 5. That from and after the date this act becomes effective, the public roads and bridges in Forneys Creek Township, exclusive of the main highway now being constructed, shall be managed and controlled by the board of county commissioners under and in accordance to the provisions of chapter three hundred and sixty-nine, Public-Local Laws one thousand nine hundred and twenty-one, except as the same are hereby modified or changed.
Sec. 6. That the board of county commissioners of Swain County are hereby authorized and directed to levy, at the same time other taxes are levied, in the year one thousand nine hundred and twenty-three, and annually thereafter, for the purpose of extending, maintaining, and constructing the roads and bridges in Forneys Creek Township, a special tax, not exceeding twenty cents on the one hundred dollars worth of property, real or personal, in the said district. That the said special tax, when thus assessed, shall be collected by the tax collector of said county, under the penalties and regulations laid down for the collection of other taxes in said county, and the same shall be used exclusively for the purposes provided in this act.

Sec. 7. That this act shall in no way affect the construction of the highway now being built in Forneys Creek Township out of the proceeds of a four-hundred-thousand-dollar bond issue or the levying of the annual tax to pay the interest on said bonds.

Sec. 8. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

Sec. 9. That this act shall be in full force and after the fifth day of May, one thousand nine hundred twenty-three.

Ratified this the 17th day of February, A.D. 1923.

CHAPTER 103

AN ACT TO AUTHORIZE AND EMPOWER THE BOARD OF COMMISSIONERS OF GREENE COUNTY TO LEVY A SPECIAL TAX.

The General Assembly of North Carolina do enact:

Section 1. That the board of commissioners of Greene County are hereby authorized and empowered, for the purposes herein-after named, to levy a special tax for the year one thousand nine hundred and twenty-three and the year one thousand nine hundred and twenty-four, respectively, at the time for levying the general taxes for said county, which special tax shall be levied upon the taxable property and polls, and all other subjects of taxation in said county, at a rate of taxation not to exceed fifty cents on the one hundred dollars valuation of property.

Sec. 2. That said special tax is authorized and is to be levied and collected for the purpose of constructing, building, and repairing county bridges, highways, and public buildings of said county; to pay off any indebtedness heretofore contracted for the construction of county bridges, highways, and public buildings of said county; to make necessary provision to keep and maintain the same in good condition and repair; to pay off any existing indebtedness contracted by said board of commissioners for general
county purposes; and to aid and assist in meeting the current expenses of said county for said two years.

Sec. 3. That all laws and parts of laws in conflict with the Repealing clause, provisions of this act are hereby repealed.

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

Ratified this the 17th day of February, A.D. 1923.

CHAPTER 104

AN ACT TO REQUIRE THE OFFICIAL BOND OF COUNTY OFFICERS OF UNION COUNTY TO BE EXECUTED BY A SURETY COMPANY, AUTHORIZED TO DO BUSINESS IN NORTH CAROLINA, AND REQUIRING THE COUNTY COMMISSIONERS TO PAY THE PREMIUM THEREON FROM THE GENERAL FUNDS OF THE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That all official bonds required by law to be given Surety on bonds, to the State of North Carolina by the sheriff, the clerk of the Superior Court, the register of deeds of Union County, shall be executed by some surety company authorized to do business in North Carolina, and the premiums thereon shall be paid by the county commissioners of said county from the general fund.

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

Ratified this the 17th day of February, A.D. 1923.

CHAPTER 105

AN ACT RELATING TO THE PAY OF COUNTY COMMISSIONERS, ROAD COMMISSIONERS, AND MEMBERS OF THE BOARD OF EDUCATION OF CHOWAN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That each county commissioner, road commissioner, Per diem, and member of the board of education of Chowan County shall receive for his services and expenses in attending meetings the sum of four dollars per day and mileage to and from their respective places of meeting at five cents per mile.

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

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

Ratified this the 17th day of February, A.D. 1923.
CHAPTER 106

AN ACT TO AMEND CHAPTER 96, PUBLIC-LOCAL LAWS OF 1921, WHICH IS AN ACT TO PROVIDE FOR THE CONSTRUCTION AND MAINTENANCE OF PUBLIC HIGHWAYS IN ALAMANCE COUNTY, AND TO DISCONTINUE THE HIGHWAY COMMISSION PROVIDED FOR IN SAID ACT, AND VEST THE DUTIES DEVOLVING UPON SAID COMMISSION UPON THE CHAIRMAN AND BOARD OF COUNTY COMMISSIONERS OF SAID COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section seven of chapter ninety-six, Public-Local Laws of one thousand nine hundred and twenty-one, be stricken out and the following inserted in lieu thereof: "The said good roads construction fund shall be administered by the chairman and board of commissioners of Alamance County."

Sec. 2. That section eight of said chapter ninety-six, Public-Local Laws of one thousand nine hundred and twenty-one, be stricken out.

Sec. 3. That section nine of said chapter ninety-six, Public-Local Laws of one thousand nine hundred and twenty-one, be stricken out and the following inserted in lieu thereof: "It shall be the duty of the chairman and board of county commissioners to construct a system of public highways throughout Alamance County as contemplated by this act, in accordance with the public needs. The chairman of said board of county commissioners, with the consent and approval of the board of county commissioners, shall employ such competent engineers, foremen and supervisors as may be deemed necessary by said board of commissioners to carry out the provisions of this act and of all other laws providing for the construction, building, and maintaining of roads and bridges in Alamance County. Compensation to be paid such engineers, foremen and supervisors shall be fixed by the chairman and board of commissioners, and such engineers, foremen and supervisors may be employed for such term as said board of commissioners may see fit, but in no event shall they be employed for a longer time than the term of office of the chairman and board of commissioners employing such engineers, foremen, and supervisors.

Sec. 4. That sections ten, eleven, twelve, and thirteen of said chapter ninety-six of the Public-Local Laws of one thousand nine hundred and twenty-one be amended by striking out the words "county highway commission" wherever they shall appear in said sections and inserting in lieu thereof the words "chairman and board of commissioners of Alamance County."

Sec. 5. That said chairman and board of county commissioners of Alamance County shall provide for and meet all legal obligations incurred by the county highway commission previous to the
date of the ratification of this act, and they shall carry out all contracts legally made by said county highway commission previous to the ratification of this act.

Sec. 6. That all laws or parts of laws in conflict with this act are hereby repealed.

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

Ratified this the 17th day of February, A.D. 1923.

CHAPTER 107

AN ACT TO AMEND CHAPTER 348 OF THE PUBLIC-LOCAL LAWS OF 1913, ENTITLED "AN ACT TO PROVIDE FOR THE DRAINAGE OF CERTAIN PORTIONS OF MUDDY CREEK AND SOUTH MUDDY CREEK IN BURKE AND MCDOWELL COUNTIES."

The General Assembly of North Carolina do enact:

Section 1. That the Muddy Creek Drainage Commission, hereinafter called the commission, created by chapter three hundred and forty-eight of the Public-Local Laws of one thousand nine hundred and thirteen (1913), shall be deemed and construed, for the purposes of this act, to be and include the present members of the Muddy Creek and South Muddy Creek Drainage Commission now residing in Burke, Catawba, and McDowell counties and serving on the said commission.

Sec. 2. That said commission shall prepare a statement and report, which shall contain a summary of all of the personal property of said commission, a summary of all funds and money collected by said commission and the sources from which said funds and moneys were derived, a summary of all expenditures made by the said commission and the purposes for which the same were made, a summary of all assessments which have heretofore fallen due and which remain unpaid, together with the date or dates when said assessments became due and the person or persons liable therefor and the land or lands subject thereto, and a summary of any and all unpaid and outstanding debts of said commission, together with the person or persons to whom such debts are due and owing and the date or dates of the maturity of the same. That said statement and report, when made, shall be posted at the courthouse door in the town of Morganton and at the courthouse door in the town of Marion for, the information of the public.

Sec. 3. That it shall be the duty of the collector hereinafter mentioned to collect all past-due assessments and to assemble all of the personal property of the said commission as soon as practicable at some suitable place, and to sell the said property, at either public or private sale, after twenty days notice posted at the Notice of sale.
Assessments

Payment

Assessments for payment of debts.

Collection of assessments.

No further obligations to be in-curred.

Final report.

Date.

Details.

Appointment of collector.

Collector to give bond.

Compensation.

courthouse door in the town of Marion and at the courthouse door in the town of Morganton, and to apply the proceeds of such sale and the assessments so collected as far as may be to the discharge of the debts of said commission.

Sec. 4. That in case the proceeds of sale of said personal property and the amount collected on past-due assessments are insufficient to pay off and discharge the debts of said commission, then the said commission is hereby directed and empowered, for the purpose of paying and discharging said debts, to make levies on the property owners within said drainage district and assess said property such amount per acre as may be necessary, having in mind the benefits received by such property and property owners from the work of drainage already done, according to the machinery and provisions of the act of its incorporation and as therein provided, and to have such assessment and levies collected from year to year as to the said commission may seem just and proper, and to apply the same to the discharge of the said debts and obligations of the said commission which may have been lawfully contracted in the prosecution of the drainage of said Muddy Creek and South Muddy Creek prior to the passage of this act. But the said commission is hereby prohibited from contracting further debts and obligations in the prosecution of the said work or drainage of said streams.

Sec. 5. That the said commission shall make a report to the clerks of the Superior Courts of Burke and McDowell counties as soon as convenient, in no event later than the first day of January, one thousand nine hundred and twenty-four, containing a complete accounting of the affairs of the said commission, which report shall include the matters set forth in paragraph two hereof and a statement of the lands assessed, the amount of each assessment, the number of acres assessed, and the property owners assessed.

Sec. 6. That, for the purpose of carrying out the provisions of this act, the said commission shall have the power and it shall be its mandatory duty to appoint a collector with authority to sell all of the property of the said commission and to collect all past-due assessments heretofore made by the said commission in the prosecution of this work and all assessments necessary to be made under the provisions of this act, such collections of assessments to be made in the manner provided in the original act of incorporation of said commission. That prior to entering upon the discharge of his duties the collector so appointed by said commission shall be required to give bond in a sum to be payable to and fixed by said commission, conditioned upon the faithful accounting to said commission in the performance of his trust as collector, and the said collector shall receive such compensation for his services as may be allowed him by such commission, which compensation shall not exceed the commission allowed sheriffs in the collection of taxes.
SEC. 7. That the clerks of the Superior Courts of Burke and McDowell counties are hereby directed and empowered to receive and pass upon such reports as are required of said commission by this act, and for their services the said clerks shall receive the same fees as are allowed them for passing upon reports of administrators.

SEC. 8. That when the final reports of the commission shall have been made and allowed the said commission and commissioners shall be discharged, and the said chapter three hundred and forty-eight of the Public-Local Laws of one thousand nine hundred and thirteen and this amendment thereto shall have no further future force or effect.

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

Ratified this the 17th day of February, A.D. 1923.

CHAPTER 108

AN ACT TO FUND, THE FLOATING INDEBTEDNESS OF DAVIDSON COUNTY.

Whereas the board of county commissioners of Davidson County find that the county has a floating debt in the sum about eighty-five thousand dollars, and that this debt has been contracted over a period of several years; and that the said indebtedness is in the form of short-term notes, and that said notes are held by banks and individuals, and that said notes are drawing interest at the rate of six per cent per annum; and whereas it is the earnest desire of the board of county commissioners of Davidson County to reduce the expense of carrying this debt: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of David- son County be and is hereby authorized to issue notes in the sum of not over one hundred thousand dollars, and that said notes may be issued for the term of not more than ten years, and that said notes may be coupon interest-bearing notes.

SEC. 2. That said notes shall not be sold for less than par, and shall not bear a greater rate of interest than five per cent.

SEC. 3. That the said board of county commissioners of David- son County shall not sell said notes in excess of the amount of indebtedness that exists at the time of the ratification of this act unless it is for the purpose of running the public schools for six months as required by the Constitution.

SEC. 4. All laws or parts of laws in conflict herewith are hereby repealed.

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

Ratified this the 17th day of February, A.D. 1923.
CHAPTER 109

AN ACT TO PROVIDE FOR PROTECTION OF PLATS, MAPS, OR OTHER TRACINGS OF LAND NOW ON FILE AND TO BE FILED IN THE OFFICE OF THE REGISTER OF DEEDS OF DURHAM COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the register of deeds of Durham County be and he is hereby directed, authorized, and empowered to replace the blue-prints of maps, plats, or other tracings of land now on file in his office with original linen or tracing cloth in each case wherever same may be had or found, and in case the original of said plat, map, or tracing cannot be found or is lost or destroyed, then the register of deeds is directed to employ some competent surveyor or draftsman to reproduce said blue-prints of maps, plats, or tracings of lands on a substantial linen or tracing cloth and reduce the scale of same to meet and conform to the sizes hereinafter prescribed, the cost of same to be paid by the county commissioners of said county.

SEC. 2. That in order to make uniform some system of filing maps, plats, or tracings of land, and to permanently preserve such maps, plats, or tracings of lands as may be desired or required to be recorded as a part of the records in the office of the register of deeds of Durham County, all persons desiring to file said maps, plats, or tracings of land for record shall have said maps, plats, or tracings of land prepared upon some substantial linen or tracing cloth with tracing ink, and said maps, plats, or tracings of land shall be of either of the following sizes: (1) Seven inches by nine inches; (2) nine inches by fifteen inches; (3) twelve inches by eighteen inches; (4) eighteen inches by twenty-four inches; (5) twenty-four inches by thirty-six inches. The register of deeds shall charge the sum of twenty-five cents for filing one and two sizes, fifty cents for three and four sizes, and one dollar for five sizes.

SEC. 3. That the register of deeds of Durham County shall not receive or file any blue-print of any map, plat, or tracing of land or any original map, plat, or tracing of land of sizes other than prescribed herein.

SEC. 4. That the register of deeds of Durham County is directed, authorized and empowered to use such books, cabinets, or other filing devices which may be necessary to keep, protect and preserve said maps, plats, or tracings of land which may be filed as herein provided, the cost of same to be paid by the county commissioners of Durham County.

SEC. 5. That the register of deeds of Durham County may remove any original linen map, plat, or tracing of land now on file from any book or rack in his office now used for maps, plats.
or tracings of land to other books, cabinets or other filing devices when in his judgment it is best to do so to preserve said original map, plat, or tracing of land, and the register of deeds shall make reference in the old book to book number and page number of the new book to which said map, plat, or tracing of land has been transferred, and such change shall not in any way affect the validity of any title in those cases where deeds have been filed with reference to lot and block number of maps, plats, and tracings of land on file in the office of the register of deeds of Durham County.

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

Ratified this the 17th day of February, A.D. 1923.

CHAPTER 110

AN ACT TO AUTHORIZE PRESENT REGISTER OF DEEDS OF CATAWBA COUNTY TO PERFORM CERTAIN DUTIES THAT SHOULD HAVE BEEN PERFORMED BY HER PREDECESSORS IN OFFICE.

Whereas, H. Eugene Sigmon and Klutz B. Clippard, former registers of deeds of Catawba County, negligently failed to sign the records of numerous deeds, deeds of trust, real and chattel mortgages, and other instruments registered in the office of register of deeds for Catawba County during their respective terms of office:

Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the present register of deeds for Catawba County is hereby authorized and empowered to sign the name of any former register of deeds for Catawba County to the record of the registration of any deed, deed of trust, real or chattel mortgage, or other instrument registered in the office during his term, in those cases where such former officer failed to sign said record; and the present register of deeds shall, when she so signs any such record, underneath the signature place the word "by" and her initials.

Sec. 2. That when such record is signed as authorized under section one hereof, it shall have the same force and effect as if the record had been properly signed immediately after the making thereof.

Sec. 3. That the board of county commissioners of Catawba County is authorized and empowered to employ such clerical assistance as it shall deem necessary to enable the present register of deeds to diligently and promptly perform the duties authorized
under section one hereof; and that the said board may recover the amount so expended from the former registers of deeds and their bondsmen.

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

Ratified this the 17th day of February, A.D. 1923.

CHAPTER 111

AN ACT REGULATING THE DUTIES AND FEES OF SPECIAL DEPUTY SHERIFFS IN THE COUNTY OF BUNCOMBE.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be the duty of the sheriff of Buncombe County, upon the appointment or deputizing of any special deputy sheriff for said county, to make a complete record of the same, which shall be kept on file in the office of said sheriff and open for public inspection at all times, and in addition thereto such special deputy sheriff shall swear and subscribe to an oath of office before an officer authorized to administer oaths, a copy of which oath shall be filed in the office of the register of deeds for Buncombe County upon the appointment of said special deputy sheriff, and it shall be the duty of said sheriff to immediately make a written report thereof to the board of county commissioners, who shall incorporate such report in the minutes of their proceedings at the next regular meeting of said board after such appointment, and such appointment shall expire on the first day of January, the succeeding year thereafter, and all authority vested in such special deputy sheriff shall expire on said date.

SECTION 2. That the sheriff of Buncombe County, except in cases of special emergency, shall not appoint any person a special deputy sheriff except upon such person or applicant presenting said sheriff a certificate of good character, sworn to and subscribed before an officer authorized to administer oaths, by three responsible citizens and taxpayers of said county, and such statement must contain the reasons of necessity for the appointment of such special deputy sheriff, which recommendation and statement must be filed with the oath of office of such special deputy sheriff in the office of the register of deeds as hereinbefore provided. and in the case of the appointment of special deputy sheriffs in times of exigency or emergency, the appointment thereof shall expire within seventy-two hours after the swearing in of such special deputy sheriff.

SECTION 3. That it shall be unlawful for any deputy sheriff not regularly employed on a salary by the county of Buncombe to receive or be given any costs for the service of any paper or
process, either civil or criminal, which is served in Asheville Township, nor shall any such deputy sheriff receive any fees for the service of any paper or the performance of any duty through any justice of the peace or otherwise in Asheville Township, except witness fees which said deputy sheriff may be lawfully entitled to under the laws of the State of North Carolina: Provided, however, the game wardens, who are legally appointed, may receive the fees allowed by law for service of criminal process, in cases involving the violation of game laws, and none other.

Sec. 4. The provisions of this act shall not apply to the regular policemen of the city of Asheville, and the said sheriff shall have the power and authority to appoint all or any of said policemen: Provided, however, no policeman so appointed shall be entitled to fees. any costs for any arrest made or any paper served, either civil or criminal, by virtue of such appointment.

Sec. 5. That all laws or clauses of laws in conflict herewith be Repealing clause. and the same are hereby repealed.

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

Ratified this the 17th day of February, A.D. 1923.

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CHAPTER 112

AN ACT TO CREATE THE OFFICE OF COUNTY SUPERINTENDENT OF ROADS FOR THE COUNTY OF IREDELL.

The General Assembly of North Carolina do enact:

SECTION 1. That the office of superintendent of roads is hereby created for the county of Iredell.

Sec. 2. That the board of commissioners of Iredell County shall elect an all-time road superintendent for said county, and fix his salary, whose duties shall be the upkeep, repairing and building of roads and bridges in the county of Iredell, and that the said superintendent of roads shall not be a member of the board of commissioners of the county; he shall have an office in the courthouse and shall work every working day in the performance of his duties.

Sec. 3. It shall be the duty of the road superintendent to visit every road-working force in the county at least once a week, and to go over the work done by each of the said road forces with a view of seeing that the said road force are doing proper road work and working full time. He shall also keep note of the number of employees and the machinery employed by each of the said road-working forces and require the foreman of each of said forces to make a daily report of the number of employees working and the number of days that each of the employees were
working during each week and the number of hours per day that said force was engaged in work and the amount paid each of said employees.

Sec. 4. That it shall be the duty of the road superintendent to go over all the roads in the county at least once a month and take note of the places needing sand-clay and other repairs, and to proceed at once to put on necessary sand-clay and make such repairs as will keep said roads in a good and passable condition. He shall also examine each bridge in the county at different times in the year and have such repairs made on the same as may be necessary and keep the said bridges properly painted.

Sec. 5. That it shall be the duty of the said officer to ascertain where sand and top-soil can be procured near and adjacent to any of the public roads of the county, and to have the same hauled and piled on the side of the roads in the county by the road-working forces at such times as said road forces are not employed or cannot be employed in more profitable work; and if the sand and top-soil cannot be found near said roads he shall procure some wherever it can be found and haul same to the roads as above directed.

Sec. 6. That it shall be the duty of the road superintendent to keep all road machinery not in use on the roads of the county in some building to protect the same from weather conditions. He shall also purchase all necessary food and materials used by the various road forces in the county and keep an account of the same, and approve all bills of the various road forces in said county before the same are ordered paid by the commissioners, and file a copy with the county auditor and tax commissioner.

Sec. 7. That the road superintendent shall keep the board of commissioners informed as to any machinery necessary to keep the roads in the county in good and passable condition, and it shall be the duty of the board of commissioners to purchase all necessary road machinery for road building and road upkeep in the said county.

Sec. 8. That said superintendent shall have signs placed at each cross-roads in the county with proper directions on the same.

Sec. 9. That the county commissioners shall purchase a sufficient number of road drags to drag the roads of the county, and it shall be the duty of the road superintendent to drag the said roads of the county at the proper time after each rain so as to keep said roads in a good and passable condition, and shall also drag the snow from the roads immediately after every snowfall.

Sec. 10. That the commissioners of the county shall elect a superintendent of roads on the first Monday in April, one thousand nine hundred and twenty-three, who shall hold office until the first Monday in December, one thousand nine hundred and twenty-four,
and on this latter date his successor shall be elected for two years and biennially thereafter on the first Monday in December.

Sec. 11. That if the road superintendent shall fail to perform any of the duties required of him in this act it shall be cause for removal, and it shall be the duty of the board of commissioners on its own motion to remove said officer and elect his successor.

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

Ratified this the 17th day of February, A.D. 1923.

CHAPTER 113

AN ACT TO ABRIDGE THE METHOD OF TERMINATING RECORDER'S COURT IN JACKSON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section one thousand five hundred and eighty-two of the Consolidated Statutes be amended by striking out the period at the end of said section and insert in lieu thereof a semicolon, and add the following words: "Provided, the commissioners of Jackson County may rescind any order made by them establishing a recorder's court, and terminate the said court without restrictions, by first giving thirty days notice by an order duly recorded at a regular meeting of said board."

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

Ratified this the 17th day of February, A.D. 1923.

CHAPTER 114

AN ACT TO AMEND AN ACT TO ABOLISH THE OFFICE OF COUNTY TREASURER OF RANDOLPH COUNTY AND TO PERMIT THE BOARD OF COUNTY COMMISSIONERS TO EMPLOY BANKING AND TRUST COMPANIES IN LIEU THEREOF.

The General Assembly of North Carolina do enact:

Section 1. That "An act to abolish the office of county treasurer of Randolph County and to permit the board of county commissioners to employ banking and trust companies in lieu thereof," be and the same is hereby amended by striking out the period at the end of section two thereof, inserting a colon in its place, and adding the following at the end of said section, to wit: "Provided, the board of commissioners be and the same is hereby authorized and empowered to accept of such banking or trust companies as
may be employed to handle school funds, a bond or bonds in such amount as it may deem sufficient, not less, however, than the sum of twenty thousand dollars ($20,000). The said board of county commissioners is hereby authorized and empowered, in case it shall deem necessary or expedient, to pay the premiums on such bond and on any and all other official bonds of county officers when given in bonding companies, out of the general county funds."

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

Ratified this the 17th day of February, A.D. 1923.

CHAPTER 115

AN ACT TO AUTHORIZE AND PERMIT THE USE OF PUBLIC SCHOOL BUILDINGS IN THE COUNTY OF BUNCOMBE FOR PUBLIC PURPOSES.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of education of Buncombe County, all governing boards of special incorporated school districts, and school committees in said county, the board of commissioners and the school board of the city of Asheville, be and are hereby authorized, directed and empowered to permit the use of all public school buildings within the limits of Buncombe County to be used by responsible persons for the purpose of holding public gatherings and assemblies when such gatherings and assemblies will not conflict with school hours and the proper conduction thereof, in the daytime, of the public schools of said county, and that whenever the same is practicable, upon said governing boards being satisfied that the school property will be properly taken care of and protected and will not conflict with the proper conduction of the school, that all public school buildings and grounds in the county may be used for a community center where the public may gather for the purpose of education, recreation and amusement.

Sec. 2. That the Buncombe County board of elections be and are hereby authorized and empowered to use any school building in said county for the purpose of holding the general primaries and elections and municipal primaries and elections, and the conduction of the necessary registration at and in any public school building in the county of Buncombe that said board of elections may deem necessary and advisable, and it shall be the duty of the Buncombe board of education, the governing board of any special school district or the board of commissioners of the city of Asheville, upon ten days notice from the board of elections that it desires to use any public school building, to permit and allow said board of elections to conduct the elections or primaries, hereinbefore men-
tioned, at any schoolhouse in said county, and for said boards to arrange for the making up of such time so lost by the children attending such schools at which an election is to be held.

Sec. 3. That any person committing any depredation or injuring any school property, when the same is being used for such purposes as hereinbefore provided, shall be guilty of a misdemeanor, and shall be fined not less than five hundred dollars nor more than one thousand dollars or imprisoned not less than thirty days nor more than two years.

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

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

Ratified this the 17th day of February, A.D. 1923.

CHAPTER 116

AN ACT TO ALLOW THE REGISTER OF DEEDS OF DAVID-SON COUNTY TO EMPLOY A TAX CLERK.

The General Assembly of North Carolina do enact:

Section 1. That chapter four hundred and twenty-one of the Public-Local Laws be and the same is hereby amended by adding at the end of section two the following: “Also the county commissioners of Davidson County may employ, under the supervision of the register of deeds, such clerk hire as is necessary for computing and making out tax receipts.”

Sec. 2. All laws and parts of laws in conflict herewith are hereby repealed.

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

Ratified this the 17th day of February, A.D. 1923.

CHAPTER 117

AN ACT TO AMEND CHAPTER 129; PUBLIC-LOCAL LAWS 1917, AND TO LIMIT AMOUNT OF TAX TO BE LEVIED FOR ROADS IN DAVIDSON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That chapter one hundred and twenty-nine, Public-Local Laws be and the same is hereby amended as follows: That there be added to section two of said chapter
act the following: "Provided, that the amount of taxes to be
levied shall not exceed thirty-five cents on each one hundred
dollars of valuation of taxable property."

Sec. 2. That the board of county commissioners of Davidson
County shall levy each year, at the time of levying taxes for road
purposes as provided by law, such an amount as the board of
road commissioners of said county shall in writing request for
such year, however, not to exceed thirty-five cents on each one
hundred dollars of taxable property in said county.

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

Ratified this the 17th day of February, A.D. 1923.

CHAPTER 118

AN ACT TO CREATE A SPECIAL ROAD DISTRICT, INCLUD-
ING HOT SPRINGS AND SPRING CREEK TOWNSHIPS IN
MADISON COUNTY, AND FOR OTHER PURPOSES.

The General Assembly of North Carolina do enact:

Section 1. That the townships of Hot Springs and Spring Creek,
also known as numbers Nine and Eight Townships, in Madison
County, be and the same are hereby constituted a special road
district under the name and style of "Hot Springs-Spring Creek
Road District."

Sec. 2. That B. C. Meadows, Thomas Frisbee, and G. C. Myers
be and they are hereby appointed a board of highway commis-
ioners, who shall have supervision and control over all the public
highways, roads, cartways, mill and church roads within the above
designated special road district, which commissioners shall hold
office for a term of four years from and after the date of the rati-
fication of this act, and until their successors are appointed and
qualified; and at the expiration of their term of office their suc-
cessors shall be appointed for a like term by the General Assembly
of North Carolina. All vacancies in said board caused by death,
resignation, or removal from said road district shall be filled for
the unexpired term by the remaining members of said board.

Sec. 3. That the said highway commissioners named in section
two of this act, and their successors, shall be and they are hereby
constituted a body corporate under the name and style of "The
Board of Highway Commissioners of Hot Springs-Spring Creek
Road District," and by that name may sue and be sued, plead and
be impleaded, make contracts, acquire real and personal property
by gift, purchase, or donation; hold, exchange and sell the same,
and exercise such other rights and privileges are are incident to
other municipal corporations, for the purposes of this act.
SEC. 4. That said highway commissioners shall have the same supervision, powers and rights in respect to all the public roads and ways in the said special road district as have heretofore been vested in the board of county commissioners of Madison County or the Madison County Highway Commission or any township highway commission of the townships constituting said special road district. Said board of commissioners shall have full power and authority to order the laying out of all public roads in said district, where necessary in its judgment, and to discontinue such as shall be found useless, and alter, change, and improve the same, so as to make them more useful. Said board shall also have power and authority to lay out cartways, public paths, church and mill roads, and to alter or discontinue the same in the way and manner provided in the general law, except as such laws are herein modified.

Sec. 5. Said board of highway commissioners shall meet within ten days after the ratification of this act or as soon thereafter as may be practicable, in the town of Hot Springs, and after qualifying before some officer authorized to administer oaths, shall organize by electing one of their number chairman, who shall preside at all meetings of said board. They shall also elect one of their number secretary, who shall keep a record of the proceedings of said board, and shall deliver the same to his successor in office. They shall also elect a suitable person as treasurer of said board, but who need not be a member thereof, who shall enter into a surety bond in the sum of not less than five thousand dollars, and which shall be increased from time to time by the order of said board as funds may come into the hands of said treasurer, so that said bond or bonds shall at all times be sufficient to fully cover the total amount of road funds in the hands of said treasurer; which bonds, upon approval by the said commissioners, shall be recorded by the register of deeds of Madison County in the book of official bonds filed in his office. The said board of commissioners shall further have the right to require said treasurer to keep the funds in his hands on deposit in some bank or banks to be designated by said board, and shall also have authority to require said depositary or depositaries to execute a surety bond, covering such deposits, in addition to the bond required of the treasurer. Said board of commissioners shall require said depositary or depositaries to pay to the treasurer interest at the rate of four per cent per annum upon all daily balances.

Sec. 6. The treasurer of said board shall make payments out of the road funds belonging to said district only upon the written order of the board of commissioners, signed by the chairman and countersigned by the secretary; and a strict record of each order shall be kept, showing the object for which issued.

Sec. 7. That all funds in the hands of the sheriff, tax collector, treasurer or any other official of Madison County, and in the

Power and rights vested.

Power to lay out, discontinue and alter roads.

Cartways, church and mill roads.

Commissioners to meet and organize.

Chairman.

Secretary.

Treasurer.

Treasurer to give bond.

Bond to be recorded.

Deposit of funds.

Bond of depositary.

Interest on deposits.

Orders on road funds.

Record of orders.

Road funds to be turned over to treasurer.
hands of any road boards or other officials of the townships constituting the above special road district, and belonging to the road funds of said townships, and such funds belonging to said townships as shall hereafter come into the hands of any such officers, shall be turned over to the treasurer of the board of highway commissioners above provided for, upon demand, as soon as such treasurer shall have been appointed and shall have made bond as above provided.

Sec. 8. That the said board of commissioners shall employ a competent road engineer, whose duties shall be to locate all roads to be constructed under this act, fix his compensation, and prescribe his duties: Provided, the State Highway Commission of North Carolina may furnish at the expense of the State a competent road engineer to locate roads that have been adopted and approved by said State Highway Commission. The term of employment of any engineer appointed by said board of commissioners shall be during the pleasure of said board. Said board of commissioners shall also have the power to employ such other employees, and to purchase such supplies as in their judgment may be necessary to carry this act into effect. They may purchase such machinery, tools, blasting material, drain pipe, lumber, and any and all other material that may be necessary to build or repair any road under their control, and they may construct all necessary drains, culverts, railings, etc., necessary to the same.

Sec. 9. The board of commissioners shall, within thirty days after their qualification, divide the roads in said road district into sections and appoint an overseer and assign hands liable for road service to said section, fix the compensation of each overseer and prescribe his duties. The term of employment of any overseer so appointed shall be during the pleasure of said board. But the said board of commissioners, if they deem it advisable, may provide for the working and maintenance of all roads in said district by a road superintendent, in which event the superintendent shall be given all the powers and be subjected to all the liabilities and penalties imposed upon the section overseer as herein provided.

Sec. 10. All persons now liable under the general road law to road duty shall work on the public roads of said district to which they are assigned for five days in each year at the call or summons of the overseer of their district or section, or in lieu thereof they may pay two dollars for each day they fail to work when summoned. All moneys collected under the above provision by the road overseer or superintendent shall be turned over within ten days to the treasurer of the board of commissioners. In case of special damage to any road by storms or freshets all road hands shall be liable to perform such additional work as may be necessary to repair the same. Any road hand failing to respond to the summons of the road overseer or superintendent shall be guilty of a misdemeanor, and upon conviction thereof before a justice
of the peace shall be fined five dollars, or imprisoned not exceeding ten days for each and every offense. It shall be the duty of the several road overseers or superintendent in charge of road hands to file a list, verified by his oath, of all hands failing or refusing to work or pay the cash commutation in lieu thereof, with some justice of the peace of said district as often and in such manner as the board of highway commissioners shall direct; and the said justice of the peace shall thereupon issue his warrant for all such delinquents and have them brought before him for trial; but the said overseer or superintendent may make individual complaint before any justice of the peace of his township against any delinquent at any time he may see fit and have him brought before said justice for trial. When any road engineer or superintendent shall desire the attendance of any of the hands assigned to his section for road service, it shall be sufficient if he shall give to said road subject two days notice, personally or by leaving a written notice at his usual place of abode, designating in said notice time and place where the attendance of such road subject is desired, and such tool or tools as he desires said road subject to furnish: Provided, that the provisions of the above section shall not apply to the maintenance and working of the streets, alleys, and roads in incorporated towns in said boundary, where a different method of working and maintaining the same is now provided by law.

Sec. 11. It shall be the duty of the respective road overseer or superintendent to keep the public roads within said boundary in good repair; and if said overseer or superintendent willfully fails or omits to discharge any of their duties, they shall be guilty of a misdemeanor.

Sec. 12. The board of commissioners shall serve without compensation, except actual traveling expenses, and each member of said board of commissioners shall be allowed not more than one hundred and fifty dollars annually for said traveling expenses.

Sec. 13. The board of commissioners shall have the right and authority to macadamize or otherwise improve any roads in said district. They may relocate any road in order to make it more useful, or they may establish any new public road in the manner hereinafter provided. Whenever it shall appear to said board that any public road ought to be improved or relocated, or that any new public road ought to be established, constructed, and improved, the board of commissioners shall have the right by their superintendent, engineer, or other employees to enter upon the lands of any person residing within said boundary, or owning land therein, and make such surveys as they may deem necessary to ascertain the most practicable route. On receiving the reports of any such surveys, together with an estimate of the cost of construction or improvement, accompanied by the engineer's profiles and such other specifications as may be desired, such reports,
together with the maps, profiles, and specifications, if the same have been required, when considered, approved, and adopted by the board of commissioners, and a record thereof made upon their minutes, the public road or improvement described in said report shall thereby become established, and the necessary right of way for said road or improvement shall thereby become condemned for the public use.

SEC. 14. Any person who shall obstruct or interfere with the road superintendent or any engineer or other employee of the board of commissioners in making any survey as aforesaid, or who shall interfere or obstruct the road superintendent or any engineer or other employee, or any contractor or his employees, in the construction or the improvement of any road 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 for each offense; and the board of commissioners may employ an attorney to prosecute any such offender.

SEC. 15. The road engineer, any overseer or superintendent of the board of road commissioners, may enter upon the lands of any person in said road district and open any quarries, and take away any stone, earth or gravel, or cut and remove any timber from any place most convenient, accessible, or desirable, on account of the quality of the material desired, except trees planted or left for ornamental purposes; and the rights and privileges granted in this section to the employees of the board of commissioners shall be given to any contractor working for the commission and to any of his employees.

SEC. 16. Any landowner feeling himself aggrieved by the relocation or construction of any new public road, or by the taking of any material from his land for road construction as herein provided, in case that he and said board of commissioners cannot agree upon the compensation to be paid, within sixty days after the grading of said road is completed or such material taken, shall make application to the board of commissioners for assessment of damages and benefits caused by the taking of his property for the construction and improvement aforesaid. In case such application is not made within sixty days from the completion of the grading of said road or from the taking of such material, the same shall be deemed to have been donated, and the owner thereof shall be barred from any right to request such assessment.

SEC. 17. Within thirty days after the application for the assessment of damages as above provided has been made to the board of commissioners, said board shall order the sheriff or other lawful officer to summon a jury of three disinterested freeholders residing in said special road district, who, after having given notice to the landowner, his tenant or agent in charge, and after being duly sworn, shall go upon the land and take into consideration the damages claimed or done, as well as the benefits accruing
to the said property by reason of the construction or improvement of the public roads leading over the same, and the difference between the two sums shall be their award. If the damages awarded for right of way shall exceed the benefits, it shall be the duty of the board of commissioners of said special road district to pay the same. Damages awarded for road material taken shall be paid by the board of commissioners: Provided, however, that if either party be dissatisfied with the verdict of the jury, they shall have the right of appeal to the Superior Court in Madison County.

Sec. 18. In acquiring any right of way for the relocation or establishment of any public road, not less than thirty feet nor more than sixty feet in width shall be taken. But said commissioners shall only be required to use such part of said right of way for present construction as they deem necessary.

Sec. 19. It shall be the duty of the engineer employed by the board of commissioners to prepare full and complete specifications covering the improvement or construction of any road, dividing said work into sections, said specifications being subject to the approval of the board of road commissioners.

Sec. 20. After the approval of specifications as aforesaid it shall be the duty of the board of commissioners to advertise for and to receive bids for the work to be done; and they shall have the right to let the work to the lowest responsible bidder or, if no satisfactory bid is received, they shall have the right to have the work done by an employee of said board, or they may employ some responsible person or persons to do said work subject to their advice and approval from time to time.

Sec. 21. If any work shall be let to contract it shall be the duty of the contractor to furnish a bond, conditioned for the faithful performance of the work as specified. Said bond shall be made by some surety company authorized to do business in North Carolina, and the premium for said bond shall be paid by the contractor. In case any of said construction work is done by contract, no portion thereof provided for in any one contract shall be accepted by the board of commissioners or its agent until the entire contract is completed, but monthly estimates may be made from time to time for the purpose of making partial payments to the contractor, but said estimates shall in no event be construed an acceptance of work.

Sec. 22. That for the purpose of providing sufficient funds from time to time for the necessary expenses of the board of highway commissioners of said road district in the building, construction, grading, surveying, or otherwise improving the public roads under their jurisdiction, or to assist the State Highway Commission of North Carolina in the building and constructing a system of State highways in said road district, the said board of highway commissioners is hereby authorized, empowered and directed to at once proceed to the issuing coupon bonds, as hereinafter provided,
Amount.
Issuance.

Order for issue of bonds.

Sale of bonds.
Sale below par forbidden.

Interest.

Denominations.
Authentication.

Corporate seal.

Obligation of bonds.
Maturity.
Payment for bonds.

Specific appropriation of proceeds.

Proviso: obligation of purchaser devolved.
Commission not allowed.

Special tax.

for a sum not to exceed the amount of fifty thousand dollars ($50,000). Said bonds shall be issued in such amounts and at such times as may be deemed advisable by the board of highway commissioners.

Sec. 23. Whenever a portion of the bonds herein authorized are issued, the board of commissioners shall cause a resolution passed by them to be spread upon the minutes stating the amount of the bonds to be issued, the rate of interest, the time of maturity, and any other particulars in connection therewith.

Sec. 24. Said bonds when issued shall be sold at public or private sale, as may appear to the best advantage, at not less than their par value.

Sec. 25. Said bonds shall bear a rate of interest to be fixed by the board of highway commissioners not exceeding six per cent per annum, payable semiannually; the principal and interest shall be payable at such place or places as the board of highway commissioners shall determine.

Sec. 26. Said bonds shall be issued in such denominations as said board of highway commissioners shall determine, and they shall be signed by the chairman of the board of highway commissioners and countersigned by the secretary thereof, and have the corporate seal of the board affixed thereto.

Sec. 27. The board of commissioners of said road district is hereby authorized and empowered to adopt and use a corporate seal, which seal shall remain in the custody of and shall be used and affixed to all instruments requiring it by the secretary of said board.

Sec. 28. That said road bonds when issued and sold shall become a valid debt of said special road district, and shall fall due and become payable at such time or times as may be provided, not exceeding thirty years from the date thereof. When any of the bonds authorized by this act shall be disposed of, the proceeds thereof shall be paid by the purchaser to the treasurer of the board of commissioners, and the proceeds thereof shall not be used for any other purpose than those authorized by this act: Provided, however, that the purchaser of said bonds shall not be required to see to the application of said funds. The said treasurer of the board of commissioners shall not be allowed any commission on the proceeds of the bonds issued or for paying out any amount from time to time from said funds.

Sec. 29. For the purpose of paying the interest coupons on said bonds as they respectively fall due and the principal of said bonds at maturity, the board of county commissioners of Madison County are hereby authorized and directed to levy annually, at the same time other taxes are levied, a sufficient special tax on all the taxable property and polls within said special road district to pay the interest on all of said bonds that will become payable dur-
ing each year, and to create a sufficient sinking fund for the
payment of such bonds when the same shall fall due.

Sec. 30a. The sheriff or tax collector of Madison County is Collection.
hereby authorized and directed to annually collect the special
taxes, as aforesaid, at the same time and in the same manner as
other taxes are collected; and he is hereby required and directed

Settlement.
to keep such special taxes separate from any other funds in his
hands and to pay over and to settle for the same with the treas-
urer of the board of commissioners for said special road district.
The said sheriff or tax collector shall be required to make monthly
settlements of all road funds in his hands with said treasurer,
until final settlement of the annual taxes is made, which shall not
be later than the first day of June following the year in which
said tax is levied.

Sec. 30b. That in order to anticipate the construction of such
roads in said district as are now designated as a part of the
State’s system of roads, or such roads as may hereafter be taken
over by the State Highway Commission, and in order to provide for
the construction of such roads at an early date, the board of com-
missioners herein appointed is hereby authorized and directed to
enter into contract with the State Highway Commission, whereby
said board of road commissioners may construct said roads or
any part thereof from funds coming into their hands under the
provisions of this act, and be reimbursed by the State Highway
Commission in due course. The said roads so constructed shall
be constructed in accordance with said contract and according
to the specifications and under the direction of the State Highway
Commission.

Sec. 30c. That the Madison County Highway Commission, or the
board of county commissioners of Madison County, or the treas-
urer of Madison County, or any one or all of said officers who may
have in their possession or under their control any moneys belong-
ing to numbers Eight and Nine townships, under the provisions of
any former act, applicable to the roads of Madison County, are
authorized and empowered and hereby directed to forthwith turn

Direction of con-
struction.

over same to the board of road commissioners of the road district
hereby established, for use by said board in accordance with the
provisions of this act. And the said board of road commissioners
hereby appointed are hereby authorized and empowered and
directed to recover any and all moneys rightfully belonging to the
said numbers Eight and Nine townships in Madison County, and
to apply the same on the roads of said district in accordance with
the provisions of this act.

Sec. 31. It shall be the duty of the treasurer receiving the

Recovery of dues.
special taxes levied to pay the interest on the bonds herein au-
thorized to keep the same separate and apart from any other

Special taxes kept
separate.
Specific appropriation.

Funds turned over to State Highway Commission.

Main line highway.

Other roads.

Petition for reduction or omission of general road tax.

Details of petition.

Land tax in other townships.

Settlement of general tax.

Use of convict labor.

Construction of roads by county.

Assistance in construction of main line.

Funds he may have on hand, and to use the same wholly for paying off the interest coupons and the principal of said bonds as they may respectively mature.

Sec. 32. It shall be the duty of said board of highway commissioners, if they deem it advisable, before they apply any of the funds derived from the sale of bonds provided for in this act to the building or improvement of any branch roads within said district, to assist, cooperate and turn over the proceeds of the sale of bonds authorized under this act or any other road funds having been paid to the treasurer of said board of commissioners to the State Highway Commission of the State of North Carolina to assist the State in providing a main trunk-line highway passing through said road district and extending from the Tennessee line in Greene County near Paint Rock, North Carolina, to the Dixie Highway, which leads to Hot Springs and thence up Spring Creek to the top of the Haywood Mountain; said route to be determined and settled upon by the engineers of the State Highway Commission of the State of North Carolina.

Sec. 33. That after said main trunk-line highway is laid out and constructed by the State Highway Commission of the State of North Carolina, that said board of commissioners shall apply the remainder of any funds in their hands toward the building, repairing, and relocating of any other roads within said road district as they may deem advisable.

Sec. 34. That upon a written petition signed by a majority of the board of commissioners of said special road district the county commissioners of Madison County shall reduce or cause no general road tax to be levied in said special road district. Said petition shall set forth the rate of general road tax desired by the said board of commissioners, and the entire road tax as now levied by the county commissioners of Madison County in said road district may be revoked annually by a petition of said board of commissioners. However, it is not the intent or purpose of this act to prevent the county commissioners of Madison County from levying a general road tax in the other townships of Madison County. In case a general road tax is levied in said road district, as set forth herein, the net proceeds of all road taxes so collected shall be turned over from time to time according to the provisions of this act to the treasurer of said board of commissioners.

Sec. 35. That the board of commissioners is authorized to employ convict labor in said road district or to cooperate with the board of commissioners of Madison County in the working of the convicts of said county in said road district. The board of county commissioners of Madison County is also given authority to build or construct any roads in said district upon the approval of said board of commissioners of said special road district at the expense of the county commissioners of said county, and nothing in this act shall be so construed as to prevent the county commis-
sioners of said county from assisting the State Highway Commis-
mission of North Carolina and the board of commissioners of said
special road district in building and constructing the main trunk-
line road as described herein.

Sec. 36. That this act shall not be affected by any condition,
limitation or restriction contained in any other act, either general
or special or private. The powers conferred by this act shall be
construed in addition to and not in substitution of those con-
ferred by any other such acts, and that all laws and parts of laws
in conflict with the provisions of this act are hereby repealed.

Sec. 37. That this act shall be in force from and after its rati-
ification.

Ratified this the 17th day of February, A.D. 1923.

CHAPTER 119

AN ACT TO BUILD AND MAINTAIN A SYSTEM OF ROADS
IN HAYWOOD COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That for the purpose of carrying out the provisions
of this act the board of county commissioners of Haywood County
is hereby created the road governing body of said county.

Sec. 2. That in addition to all powers vested in boards of com-
missioners as road governing bodies by the Consolidated Statutes
and amendments thereto, or by special acts relating to Haywood
County, the board of county commissioners is hereby given all
necessary power and authority to lay out, build, maintain and
protect a county system of roads and bridges; to alter, change
and amend any part or parts of the said road system, or to dis-
continue any part of the same; to acquire by purchase or con-
demnation proceedings all necessary rights of way or road material,
with right of egress or ingress thereto; to employ and discharge
any and all road employees in the county, fix their compensation
and prescribe their duties.

Sec. 3. The board of county commissioners at their regular
meeting in April, one thousand nine hundred and twenty-three,
shall define, determine and publish what shall constitute the
county road system as of that date, and shall cause a map to be
made of the same, which map with explanatory notes shall be
recorded by the register of deeds as a part of the records of
Haywood County, and any alterations, changes or additions to or
discontinuations of any part of said system shall also become,
when authorized, a matter of record, and shall be so recorded by
the register of deeds and indicated on the county road map.

Sec. 4. That the board of county commissioners at this meeting
shall classify all the roads of the county into four classes, as
Definitions.
State highways.
County highways.
Community roads.
Cartways.

Maintenance districts.

Equipment.

Maintenance force.

Supervision.

Superintendent of construction.
Superintendent of maintenance.

Term, compensation and duties.

Duties of superintendent of construction.

Duties of superintendent of maintenance.

Distribution of funds.

Assistants and foremen.

Road budget.

Interest and sinking fund.

follows: (a) State highways, (b) county highways, (c) community roads, (d) cartways. That for the purposes of this act the roads designated as State highways are the roads now designated or which may hereafter become part of the State highway system. County highways are those roads of next greatest importance, and shall be maintained by the county under the patrol system. Community roads by reason of location and extent of traffic may be considered of lesser importance, but shall be worked at regular intervals and kept in a state of repair either by the county or the community or both. Cartways are private roads; and shall be maintained by the parties using the same.

SEC. 5. For the purpose of better maintaining the roads of the county, the board shall at their meeting in April, one thousand nine hundred and twenty-three, and annually thereafter, divide the county into maintenance districts not to exceed six in number. A maintenance district may include one or more townships or parts thereof, and the board of county commissioners shall equip and maintain in each district, with the necessary power, machinery and tools, a maintenance unit, and it shall be the duty of the maintenance force to work continuously on the roads in that district under the general supervision of the county maintenance superintendent as provided in section six of this act.

SEC. 6. The board of county commissioners at this meeting, and annually thereafter, shall employ two competent road men, one of whom shall be known as the superintendent of construction and the other the superintendent of maintenance. They shall serve at the pleasure of the board, who shall fix their compensation and prescribe their duties other than herein set forth. The superintendent of construction shall have charge of the convict camps and have general supervision over the road construction work of the county, and when not so engaged shall assist in maintenance work. The superintendent of maintenance shall be a full-time official who shall devote his entire time to supervising the maintenance work of the county, as authorized under section five, with the advice and approval of the board. He shall see that the maintenance funds belonging to each district are properly spent and that such funds are fairly distributed over the roads of each district. He may employ such assistants or foremen as he may deem necessary, and fix their pay, subject to the approval of the county board of commissioners.

SEC. 7. The board of county commissioners at their meeting in April, one thousand nine hundred and twenty-three, and annually thereafter, shall make up a road budget for the current year of their proposed expenditures. They shall consider:

(a) The amount necessary to pay the interest on and establish sinking funds for the retirement of the outstanding bonded indebtedness of the county for road and bridge purposes.
(b) The amount necessary to maintain the different maintenance units in the county as set forth in section five of this act.

(c) Any proposed improvements or new construction work or repairs not covered by the maintenance forces, any material, equipment or supplies necessary to purchase, overhead expenses, claims for damage, etc. They shall, at their regular time for levying taxes, levy a sufficient tax on all the taxable property in the county to create a fund sufficient to meet their budget, which fund shall be kept separate and apart from the other funds of the county and shall be used for no other purposes, and the funds created under this levy shall be used in the order named in this section under subsection a, b, and c. This levy shall be not less than twenty-five cents on the one hundred dollars valuation of property and shall not exceed fifty cents, based on a total valuation of nineteen and one-half million dollars ($19,500,000).

Sec. 8. Whenever any landowner or lessee, agent or any person legally authorized to act for the owner of said land, shall claim damages by reason of the construction, improving, changing, altering or maintaining any public road or bridge or by the removal from their property of any kind of road material, or by reason of rights of way over these lands to remove said material or to provide necessary detours or for any other cause for damage on account of road work in Haywood County, the proceedings for determining same shall be as follows: The claimant shall, not earlier than three months after the work was completed and not later than six months, file with the board of county commissioners an itemized statement of the nature and extent of such damage; and shall make oath to the same before the clerk of the court. Within twenty days from the filing of such report the board of county commissioners or a majority thereof shall personally inspect the premises. If unable to agree with the claimant as to the amount of damage, the matter shall be arbitrated as follows: The board of commissioners shall name one person, who may be a member of their board, the claimant shall name one, and the clerk of the court shall name the third, who shall be a citizen in good standing, a freeholder and a disinterested party. This jury, after being duly sworn by the clerk of the court, shall proceed to assess the damage, taking into consideration the special benefit, if any accruing to the landowner by reason of said road construction, and if the benefits shall exceed the damages then the amount of such excess shall be assessed against the landowner and shall constitute a lien upon the land adjoining such road, and shall be collected by the sheriff in the same way as public taxes: Provided, that either party may appeal to the Superior Court for the amount of benefits and damages, where the matter may be heard by the court and jury de novo: Provided further, that where the damage claimed is claimed only for the land taken and occupied by said
road, then the jury shall not in any case allow more for said land than the assessed value of the same for taxation.

Sec. 9. That it shall be unlawful for any person, firm, corporation or company to operate or cause to be operated any truck, trailer, tractor, engine, logging machinery, or any other machine or vehicle of any kind whatsoever, where and when the operation of the same is a damage to the roads or bridges of the county exceeding that of the ordinary travel. And any person so doing shall be guilty of a misdemeanor and shall be fined not less than five dollars nor more than fifty dollars for each and every offense or imprisoned not exceeding thirty days: Provided, that in addition to the above penalty any person violating this act shall also become liable to the county for any damage he may have caused to the said road or bridges.

Sec. 10. It shall further be unlawful for any person to fill up, obstruct or divert any water, ditch, drain or culvert, and any one so doing shall be guilty of a misdemeanor and punished as in section nine. It shall further be unlawful for any person to pile or pack any lumber, wood or other obstruction over or on said water ditches of any public highway or to leave any wagon, truck, engine or machine or any other obstruction within ten feet of the center of said highway at night without a light.

Sec. 11. That the board of county commissioners are hereby fully authorized and empowered and directed to make, from time to time, and publish the same, such other traffic rules and regulations as they may deem necessary for the protection of the roads and bridges of the county or the traveling public, and any one violating such rule or ordinance shall be guilty of a misdemeanor and punished as in section nine.

Sec. 12. That if any person or persons shall desire a private road or cartway opened up over the lands of others he shall file a written request for the same with the board, who shall within ten days either personally or through their representatives determine whether or not such request is a reasonable one. If such decision is favorable to the applicant, then the said board shall proceed at once to notify all parties over whose land such road would pass and appoint a time and place for a hearing. If at such hearing it is decided to grant the request of said applicant, then the board shall immediately send the county superintendent of construction or any engineer they may select, and two disinterested freeholders, who shall lay off such cartway of such width and grade as they may deem necessary, assess the damages, if any, to the owner of such land, which damage, together with the cost of constructing such cartway and securing the same, shall be borne by the petitioner. Upon the report of said jury the commissioners shall declare the said cartway to be open for the public travel and shall spread the same upon their minutes and also cause the same to be entered on the county highway map as set forth in section three:
Provided, that the landowners over whose land such cartway is laid off may place gates where necessary and shall keep the same in repair: Provided further, that cartways may be established and discontinued by order of the board of commissioners without jury procedure where urgent relief is necessary or advisable.

Sec. 13. That all able-bodied men, who are residents of the county, between the ages of twenty-one and forty-five, unless otherwise exempted and excepting residents of incorporated cities and towns, shall be required to work on the public roads of the maintenance districts in which they live six days of nine hours each, or pay to the county superintendent of maintenance or his authorized agents on or before June first of each year, the sum of six dollars, which shall constitute his road dues for that year. All moneys so collected shall revert to the maintenance fund for such district. Any person who shall refuse to work such road after being legally warned to do so, two days being considered legal notice, or shall fail to do so without good and sufficient excuse, shall be guilty of a misdemeanor, and, upon conviction in any court having jurisdiction, be fined not less than five dollars for each and every offense. That it is hereby made the duty of the county superintendent of maintenance and his agents and appointees to strictly enforce the provisions of this section, and they shall immediately bring action against any person who shall refuse or fail to comply with the same: Provided, however, that if at an election to be held for the purpose as authorized under a separate act, it shall be voted by the voters of the county to abolish the free labor system, then this section (thirteen) of this act shall become inoperative, otherwise to be in full force and effect.

Sec. 14. That all previous county road laws or amendments thereto enacted for the county of Haywood are hereby repealed.

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

Ratified this the 17th day of February, A.D. 1923.

CHAPTER 120

AN ACT SUPPLEMENTAL TO AN ACT ENTITLED "AN ACT RELATIVE TO THE ROADS OF MACON COUNTY." RATIFIED ON THE SECOND DAY OF FEBRUARY, 1923.

The General Assembly of North Carolina do enact:

Section 1. That the bill entitled "An act relative to the roads of Macon County," ratified on the second day of February, one thousand nine hundred and twenty-three, be and the same is hereby amended by inserting in section three of said act after the
words “not less than ten cents per one hundred dollars valuation of property,” the words “and not more than twenty cents on the one hundred dollars valuation.”

Sec. 2. This act shall be in force from and after its ratification. Ratified this the 17th day of February, A.D. 1923.

CHAPTER 121

AN ACT TO AUTHORIZE THE COUNTY OF HAYWOOD TO ASSUME AND PAY THE BONDS ISSUED BY BEAVER DAM AND EAST FORK TOWNSHIPS IN SAID COUNTY FOR ROAD IMPROVEMENT.

Whereas under chapter three hundred and twenty-five, Public-Local Laws of one thousand nine hundred and fifteen, the board of commissioners of Haywood County issued fifty thousand dollars ($50,000) bonds for the improvement of the public roads in Beaver Dam Township in said county, pursuant to an election held in said township as authorized by said act; and

Whereas the board of commissioners of Haywood County issued ten thousand dollars ($10,000) of bonds for the improvement of the public roads in East Fork Township in said county, under chapter one hundred and twenty-two, Public Laws of one thousand nine hundred and thirteen, pursuant to an election held in said township as authorized by said act; and

Whereas the board of commissioners of said county of Haywood under authority of law have taken over the public roads in the said township as a part of the county system of roads and has issued bonds of the said county for road improvement, and has levied taxes upon all of the property in said county, including the property in said two townships, to pay the interest of said county bonds and to provide for the payment of said bonds at their maturity: Now, therefore,

The General Assembly of North Carolina do enact:

Section 1. That the board of commissioners of the county of Haywood are hereby authorized and directed to assume and pay out of the county levy of taxes for road bonds and road improvement the interest as it accrues on the road bonds issued for Beaver Dam and East Fork townships in said county as recited in the preamble of this act, and the said board of commissioners of Haywood County are authorized and directed to provide a sinking fund out of the county levy for taxes for road bonds and road improvement, and to assume and pay when they mature the principal of said bonds in accordance with the terms and provisions of the two several acts under which said township bonds are issued as recited in the preamble of this act.
Sec. 2. Until default shall be made by the county of Haywood to pay the interest on said township bonds and until default shall be made by the said county to pay the principal of said bonds at their respective maturities, then no levy of taxes shall be made in said townships as required by the respective acts under which said bonds were issued.

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

Ratified this the 17th day of February, A.D. 1923.

CHAPTER 122

AN ACT TO AUTHORIZE AND EMPOWER THE BOARD OF COMMISSIONERS IN SWAIN COUNTY TO ISSUE BONDS FOR THE PURPOSE OF PAYING OFF CERTAIN INDEBTEDNESS INCURRED PRIOR TO JULY 1, 1921.

Whereas prior to the first of July, one thousand nine hundred and twenty-one, the county board of education of Swain County incurred indebtedness for building new school buildings, paying teachers and other necessary expenses in connection with the operation of the public schools of Swain County; and

Whereas the said county board of education of Swain County has been carrying said indebtedness through loans from various banks and individuals; and

Whereas it has been deemed advisable to issue short-term bonds to pay off the said indebtedness: Therefore,

The General Assembly of North Carolina do enact:

Section 1. That the board of commissioners of Swain County be and it is hereby authorized and empowered to issue bonds to an amount not exceeding twenty-five thousand dollars ($25,000), in denominations of five hundred dollars each, bearing date January first, one thousand nine hundred and twenty-three, and bearing interest from date at a rate not exceeding six per cent per annum, with interest coupons attached, payable semiannually on the first day of January and the first day of July, at such place as may be deemed advisable by the said board of county commissioners. The said bonds shall be of even date, and shall run severally from one to ten years, the principal thereof to be paid as follows: One-tenth in one year from and after date, and one-tenth payable each year thereafter until the whole issue has been paid. Said bonds to be made payable at such place or places as the said board of commissioners of Swain County shall determine.

Sec. 2. That the proceeds from the sale of said bonds shall be used in payment of the indebtedness incurred by said board of education prior to the first day of July, one thousand nine hundred and twenty-one.

9—Public-Local
Sec. 3. That the said bonds shall be signed by the chairman of the board of commissioners of Swain County, and attested by its secretary, who shall affix the corporate seal of the said board of commissioners thereto; and the interest coupons attached to said bonds to bear lithograph facsimile signature of the said chairman of said board of commissioners. Said bonds in all other respects shall be of such form and tenor, not inconsistent with the provisions of this act, as the board of commissioners of Swain County shall by resolution determine and prescribe.

Sec. 4. No bonds issued under this act shall be sold for less than par. The said board of commissioners may sell or dispose of said bonds either by public or private sale, or by sealed bids, as to them may seem best, and in case they sell at public sale they shall give notice thereof in one or more newspapers published in the State and may also advertise without the State.

Sec. 5. That when said bonds are issued and sold, the proceeds thereof shall be deposited with the treasurer of Swain County, and the same shall be expended in paying off the indebtedness of the said county board of education created prior to July first, one thousand nine hundred and twenty-one.

Sec. 6. When said bonds have been issued and sold the board of county commissioners shall levy annually, on the first Monday in June of each and every year, on all property, real and personal, in Swain County, a special tax not exceeding five cents on the one hundred dollars valuation, for the purpose of paying off and discharging the principal and interest of said bonds as the same may become due and payable. Said tax shall be collected by the tax collector of Swain County, under the same terms and penalties as other taxes, and the sum realized from said special tax shall be kept in a separate fund by the treasurer of said county and used for no other purposes than those provided for in this act.

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

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

Ratified this the 17th day of February, A.D. 1923.

CHAPTER 123

AN ACT TO BUILD AND MAINTAIN A SYSTEM OF ROADS IN YANCEY COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That for the purposes of carrying out the provisions of this act, the board of county commissioners of Yancey County are hereby created the road governing body of said county.
Sec. 2. That in addition to all powers vested in boards of county commissioners as road governing bodies by the Consolidated Statutes and amendments thereto, or by special acts relating to Yancey County, the board of county commissioners are hereby given all necessary power and authority to lay out, build, maintain and protect a county system of roads and bridges; to alter, change and amend any part or parts of said road system, or discontinue any part of same; to acquire by purchase or condemnation proceedings all necessary rights of way or road material, with rights of egress or ingress thereto; to employ and discharge any and all road employees in the county at the pleasure of the commission or a majority thereof, fix the compensation and prescribe the duties of said employees.

Sec. 3. That the board of county commissioners at their regular meeting the third Monday in March, one thousand nine hundred and twenty-three, shall define, determine and publish what shall constitute the county road system as of that date, and shall cause a map to be made of the same, which map with explanatory notes shall be recorded by the register of deeds as a part of the records of Yancey County; and any alterations, changes or additions to or discontinuations of any part of said system shall also become, when authorized, a matter of record, and shall be so recorded by the register of deeds.

Sec. 4. That the board, at its said meeting the third Monday in March, shall classify all the roads of the county into four classes, as follows: (a) State highways, (b) county highways, (c) community roads, (d) cartways. That for the purposes of this act the roads designated as State highways are the roads now designated or which hereafter become part of the State highway system. County highways are those roads of next greatest importance, and shall be maintained by the county under the patrol system. Community roads, by reason of location and extent of traffic, may be considered of lesser importance, but shall be worked at regular intervals and kept in a state of repair either by the county or community, or both. Cartways are private roads, and shall be maintained by the parties using the same.

Sec. 5. For the purpose of better maintaining the roads of the county, the board shall at their regular meeting, the third Monday in March, one thousand nine hundred and twenty-three, and annually thereafter, divide the county into maintenance districts, not to exceed five in number. A maintenance district may include one or more townships or parts thereof, and the board of county commissioners shall equip and maintain in each district, with the necessary power, machinery and tools, a maintenance unit, and it shall be the duty of the maintenance force to work continuously on the roads in the district under the general supervision of the board of county commissioners or any one under its direction.
Sec. 6. That said board of commissioners may employ a county maintenance supervisor and prescribe his duties and fix his salary.

Sec. 7. The board of county commissioners shall, at its regular meeting in March, one thousand nine hundred and twenty-three, appoint proper persons to constitute a maintenance squad, with one in authority in charge for the purpose of carrying out the provisions of section five of this act, and patrolman or person in charge of a maintenance force shall be employed at the pleasure of the commission, who shall fix their compensation to not exceed three dollars and fifty cents per day.

Sec. 8. The said commissioners of Yancey County may elect or designate a competent person or persons to act as road engineer or engineers or consulting engineers in locating, relocating, constructing, improving and maintaining any and all public roads or bridges of said county, or in laying out or discontinuing any of said public roads or cartways. Said commissioners may elect said person or persons to serve stated periods or they may designate some person or persons to act as engineer or engineers in each particular case as it may arise.

Sec. 9. That it shall be unlawful for any person, firm or corporation to operate or cause to be operated any truck, trailer, tractor, engine or logging machinery, or any other machine or vehicle of any kind whatsoever where the operation of the same is a damage to the roads or bridges of the county exceeding that of ordinary travel. Any person so doing shall be guilty of a misdemeanor and shall be fined not less than five dollars nor more than fifty dollars for each and every offense or imprisoned not exceeding thirty days: Provided, that in addition to the above penalty, any person, firm or corporation violating this act shall become liable to the county for any damages caused by reason of such violation.

Sec. 10. That it shall be unlawful for any person, firm or corporation to drag logs over or along or obstruct the public roads or bridges of the county of Yancey by throwing or wasting or dropping dirt, sand, débris or timbers upon same, or to fill or cause to be filled any drainage, drain pipes, ditches, side drains or under drains with leaves, trash, rock, dirt or other obstruction which shall in any manner obstruct the free passage of water, or to drain water into or upon said roads from any field or adjacent lands, or in any manner to injure or damage the said public roads or bridges of said county. It shall be unlawful for any person to pile or pack any lumber, wood or other obstruction over or on said water ditches of any public highway, or to leave any wagon, truck, engine or machine or any other obstruction within ten feet of the center of said highways at night without a light. Any person violating the provisions of this act shall be guilty of a misdemeanor and be punished as provided in section nine of this act.
Sec. 11. It shall be the duty of patrolman in charge of any maintenance district, under the direction of the county maintenance superintendent or chairman of board of county commissioners, to drain or cause to be drained any public road or part of such road in his charge, and in doing so he shall make such waterways, ditches and drains as will cause the water to run its natural course, and the water from such roads shall be conducted through ditches to or over the lands of abuting landowners in such a manner as will best drain the road, with due regard to the interest of the landowner. If it be necessary, in order to properly drain any road, said patrolman shall dig such ditch or ditches as may be necessary over the adjoining lands, doing as little damage as possible. Whenever it shall be necessary in the opinion of said patrolman that such ditch or drain is required, the landowner shall permit said patrolman and his assistants to go upon his land and dig such ditches and make such drains as may be necessary to conduct the water through same, and if any landowner or other person refuses to permit or allow such ditches or drains he shall be guilty of a misdemeanor, and upon conviction be punished in the discretion of the court: Provided, when necessary in the opinion of the commissioners all ditches so dug shall be covered at the expense of the county.

Sec. 12. That the board of county commissioners are hereby fully authorized and empowered and directed to make, from time to time, and publish the same, such other traffic rules and regulations as they may deem necessary for the protection of the roads and bridges of the county or the traveling public, and any one violating such rule or rules shall be guilty of a misdemeanor and be punished as provided in section nine of this act.

Sec. 13. The board of commissioners at their regular time for making the county tax levy for taxes, and annually thereafter, shall, in addition to levying any amount necessary to pay the interest on and establish a sinking fund for the retiring of the outstanding bonded indebtedness of the county, and in addition to any proposed improvements or new construction work, or repairs not covered by the maintenance forces, any material, equipment or supplies necessary to purchase, overhead expenses, claims for damages, etc., shall proceed to levy a sufficient tax on all taxable property of the county to create a fund sufficient to carry on and keep up the maintenance forces as provided in this act, which fund shall be kept separate and apart from the other funds of the county and shall be used for no other purposes than the maintenance of the public roads of the county, a levy of not less than fifteen cents on the one hundred dollars valuation of property and shall not exceed thirty-five cents.

Sec. 14. That all able-bodied men who are residents of Yancey County, between the ages of twenty-one and forty-five, unless otherwise exempted, shall be required to pay the maintenance fund of
Yancey County the sum of three dollars per annum, which said three dollars per head per annum is to be collected by the tax collector of the county as other taxes are now collected, and the commissioners are directed to direct the register of deeds or other person whose duty it is to prepare the tax books for each and every year to include this three dollars on the tax receipt of each male citizen of the county as aforesaid in this section, which shall be kept by the treasurer as a separate fund and to be used for maintenance purposes only: Provided, however, that should any male person before described in this section elect to work on the public roads of the maintenance district in which he resides under the direction of the patrolman of said maintenance district four full days, it shall be the duty of said patrolman to give such person a receipt to this effect, which receipt the tax collector is hereby authorized and directed to accept in payment of the three dollars, which he shall use in his annual settlement with the county commissioners.

Sec. 15. That whereas the tax authorized and directed to be levied and collected for the present year is not available for the immediate use of said county commissioners for the prompt and proper application of this act, the county commissioners of Yancey County are hereby authorized, empowered and directed to borrow money sufficient to carry out the provisions of this act, in anticipation of the tax to be levied and collected, to an amount not less than twenty thousand dollars. These funds to be borrowed on short time and to mature when in the opinion of the commissioners or a majority thereof the taxes to pay same off will have been collected.

Sec. 16. That the taxes levied and collected for the year nineteen hundred and twenty-two, under a former road law for Yancey County, is directed by the commissioners to be kept in a separate fund and to go into and be kept in what is to be known as the maintenance fund of the county.

Sec. 17. That whenever any landowner, lessee, agent, or any person legally authorized to act for owner of said lands, shall claim damages by reason of the construction, improving, changing or altering any public road or bridge, or by the removal from their property of any kind of road material or by reason of rights of way over these lands to remove said material, or to provide necessary detours or for any other cause for damage on account of road work in Yancey County, the proceedings for determining same shall be as follows: the claimant shall, not earlier than sixty days after the road work is completed, and not later than six months, file with the board of county commissioners an itemized statement of the nature and extent of such damage, and shall make oath to the same before the clerk of the court. Within twenty days from the filing of such report, the board of county commissioners or a majority thereof shall personally inspect the premises.
If unable to agree with the claimant as to the amount of damage, the matter shall arbitrate as follows: The board of commissioners shall name one person, who may be a member of this board, the claimant shall name one, and the clerk of the court shall name the third one, who shall be a citizen of good standing, a freeholder and disinterested party. This jury, after being duly sworn by the clerk of the court, shall proceed to assess the damages, taking into consideration the special benefits, if any, accruing to the landowner by reason of said road construction, and if the benefits shall exceed the damages, then the amount of such excess shall be assessed against the landowner, and shall constitute a lien upon the lands adjoining such road, and shall be collected by the sheriff in the same way as public taxes: Provided, that either party may appeal to the Superior Court for the amount of benefits and damages, where the matter may be heard by the court and jury de novo: Provided further, that where the damage claimed is claimed only for the land taken and occupied by said road, then the jury shall not in any case allow more for said land than the assessed value of the same for taxation: Provided further, that no costs shall be awarded against Yancey County upon appeals when the recovery awarded through such appeal is not more favorable to appellant than the award of the jury of view, or offer by board of county commissioners to appellant.

Sec. 18. That if any person or persons shall desire a private road or cartway opened up over the lands of others, he shall file a written request for same with the board of county commissioners, who shall within ten days either personally or through their representative determine whether such a request is a reasonable one. If such a decision is favorable to the applicant, then the said board shall proceed at once to notify all parties who would be affected by said road, and appoint a time and place for such hearing. If at such hearing it is decided to grant the request of said applicant, then the board shall immediately send to the patrolman of the maintenance district in which said road is located or any engineer they may select, and two disinterested freeholders, who shall lay off such cartway of such width and grade as they may deem necessary, assess the damages, if any, to the owner of the land, which damage, together with the cost of constructing such cartway and securing the same, shall be borne by the petitioner. Upon the report of said jury the commission shall declare the said cartway open for public travel, and shall spread the same upon their minutes, and also cause the same to be entered on the county highway map, as set forth in section three of this act: Provided, that the landowners over whose land such cartway is laid off may place gates when necessary and keep the same in repair: Provided further, that there shall be no appeal on behalf of either party from the finding of the board as to the fact of the necessity of opening such cartway, but either party
Acceptance of Federal aid. may appeal, upon giving bond for the costs of such appeal, as to the question of compensation for the lands taken for such cartway.

Sec. 19. The board of county commissioners are fully authorized to accept any Federal aid that may be extended through the State Highway Commission, or from any other source, and to appropriate the necessary funds for securing same.

Sec. 20. As it is necessary for the State Highway Commission to know as accurately as possible the number of miles and type of construction of the roads in each county in order to enable the State Highway Commission to supply the Secretary of Agriculture of the United States with information he desires in connection with operation of the Federal-Aid Road Act. and to enable the State Highway Commission to carry on its work most efficiently and effectively, the chairman of the board of commissioners is hereby authorized and directed to furnish to the State Highway Commission, upon blanks to be provided by said State Highway Commission, the number of miles of each type of road constructed, amount of bonds issued, and the amount of tax levied, and such other information and statistics regarding the road work of the county as the State Highway Commission may deem necessary.

Sec. 21. That chapters two hundred and forty-three and four hundred and ninety-nine of the Public-Local Laws, acts of one thousand nine hundred and seventeen of North Carolina, be and are hereby repealed, and all other laws and clauses of laws in conflict with this act.

Sec. 22. That in case any section, paragraph, clause or portion of this act shall be held to be unconstitutional, this act shall not thereby be invalidated, and the remainder thereof shall remain in full force and effect.

Sec. 23. That this act shall be in full force and effect from and after its ratification.

Ratified this the 17th day of February, A.D. 1923.

CHAPTER 124

AN ACT TO REPEAL CHAPTER 374, PUBLIC-LOCAL LAWS 1921, RELATIVE TO THE CONSTRUCTION AND REPAIR OF THE PUBLIC ROADS FROM THE TOWN OF BANNER ELK TO THE CORPORATE LIMITS OF THE TOWN OF ELK PARK IN AVERY COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That chapter three hundred and seventy-four, Public-Local Laws of one thousand nine hundred and twenty-one, entitled "An act to provide for the construction and repair of the public
roads from the town of Banner Elk to the corporate limits of Elk Park in Avery County, and to levy a special tax therefor," be and the same is hereby repealed.

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

Ratified this the 17th day of February, A.D. 1923.

CHAPTER 125

AN ACT TO AMEND CHAPTER 158, PUBLIC-LOCAL LAWS, EXTRA SESSION 1921, RELATIVE TO AUTOMOBILES FOR BUNCOMBE COUNTY OFFICIALS.

The General Assembly of North Carolina do enact:

Section 1. That section one of chapter one hundred and fifty-eight, Public-Local Laws, Extra Session one thousand nine hundred and twenty-one, be and the same is hereby amended by inserting in line seven after the word "automobiles" and before the word "said," the words "and the county superintendent of roads with one automobile"; and by inserting in line nine after the word "institutions" and before the period the words "and county superintendent of roads"; and by inserting in line ten after the word "commissioners" and before the word "in" the words "and county superintendent of roads."

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 effect from and after its ratification.

Ratified this the 17th day of February, A.D. 1923.

CHAPTER 126

AN ACT TO ALLOW THE COMMISSIONERS OF COLUMBUS COUNTY TO BORROW FROM ONE COUNTY FUND FOR THE USE OF ANOTHER COUNTY FUND.

The General Assembly of North Carolina do enact:

Section 1. That the board of commissioners of Columbus County is hereby authorized and empowered in their discretion to borrow money from one fund for the benefit of another fund from time to time, giving notes for the same to the fund from which the money is borrowed.

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

Ratified this the 17th day of February, A.D. 1923.
AN ACT TO DEFINE THE DUTIES OF THE BOARD OF COMMISSIONERS OF YANCEY COUNTY AND FIX THEIR COMPENSATION.

The General Assembly of North Carolina do enact:

SECTION 1. That hereafter the position of chairman of the board of county commissioners of Yancey County shall be a distinct office and shall be so designated and voted on as such in the primary and general elections, and each elector at all primary and general elections shall be entitled to vote for one chairman and two commissioners; that J. W. Wheeler be and he is hereby appointed and named as chairman of said board of county commissioners, his term of office to begin on the date of the ratification of this act and to expire on the first Monday in December, one thousand nine hundred and twenty-four.

SEC. 2. The chairman shall preside at all meetings of said board, shall be the chief executive officer of the county, and shall perform all other duties now prescribed by law for the chairman of boards of county commissioners, and other duties that the board may require of him, or such laws as may hereafter be enacted as to his duties, and he shall be employed for all his time and known as an all-time chairman of the board of county commissioners.

SEC. 3. Any act of any member of said board shall be subject to the control, review, approval and revocation of said board or a majority thereof, but the board may, upon proper resolution, delegate to the different members thereof special or regular duties.

SEC. 4. For transacting the business of the county the said board shall meet regularly at their office in the courthouse in Burnsville the first and third Mondays in each month, and at such other times and places as the business of the county may require at the call of the chairman.

SEC. 5. That in addition to the regular meetings set forth in the preceding section, the board, or a majority thereof, shall visit every month the county home, jail and all other buildings and institutions. The chairman shall personally visit and inspect at least once every two months the main roads and bridges of the entire county, and inspect the maintenance work and outfits in each maintenance district in the county.

SEC. 6. That the chairman of said board shall receive as full compensation for his whole-time services the sum of twelve hundred dollars ($1,200) per annum and his traveling expenses incurred in going in, out of, or about the county on his official business. The commissioners shall receive the sum of five dollars ($5) per day and actual and necessary expense for the time actually employed in the performance of their duties, said payments to be made quarterly.
SEC. 7. That the board of said county commissioners or any member thereof who shall willfully neglect and refuse to discharge the duties of said office as heretofore prescribed shall be guilty of a misdemeanor.

SEC. 8. That the chairman of the board of county commissioners shall be required to give a bond in the sum of twenty-five hundred dollars ($2,500), to indemnify the said county against any loss that might be sustained by virtue of any wrongful or illegal act of said chairman of board of county commissioners. The said bond made by any solvent or qualified surety company, or by two or more individuals, and if given by individuals, must be a justified bond. The said bond must be approved by the remaining members of the board of county commissioners, and if said bond be made through a surety company, then the county shall pay the premium on said bond.

SEC. 9. That all laws or clauses of laws in conflict with the provisions of this act are hereby repealed.

SEC. 10. This act shall be in full force and effect from and after its ratification.

Ratified this the 19th day of February, A.D. 1923.

CHAPTER 128

AN ACT TO PROHIBIT THE USE OF PUBLIC AUTOMOBILES BELONGING TO THE COUNTY OF BUNCOMBE, OR ANY POLITICAL SUBDIVISION THEREOF, OR THE CITY OF ASHEVILLE, FOR PRIVATE PURPOSES.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any officer, agent or employee of the county of Buncombe, or any political subdivision thereof, or of the city of Asheville, to use for any private purposes whatsoever, either directly or indirectly, proximately or remotely, any motor vehicle of any type or description whatsoever belonging to the said county or said city.

SEC. 2. That it shall be unlawful for any officer, agent or employee of the county of Buncombe, or a political subdivision thereof, or of the city of Asheville, to use any automobile owned by said county, subdivision thereof, or of the city, for the purpose of transporting any such officer, agent or employee or other person to or from any convention or assembly.

SEC. 3. That it shall be unlawful for any officer, agent or employee to have any private automobile repaired at any county or municipal garage, or to use any tires, oils, gas or other accessories purchased by the county of Buncombe, a political subdivision thereof, or of the city of Asheville, on any such private car.
Use of private car for public work.

SEC. 4. That it shall be unlawful for any officer, agent or employee of the county of Buncombe, or any political subdivision thereof, or of the city of Asheville, using a private car a portion of the time for public purposes, to use any gasoline, oil, tires or accessories or supplies whatsoever in said car, when same is being used for private purposes, which may have been purchased by or belong to said county, political subdivision thereof, or the city of Asheville, and that no such person shall be permitted to use a license issued by the State of North Carolina for a public car upon such car so used for both private and public purposes.

Use of license tag.

SEC. 5. That it shall be the duty of the governing bodies of the county of Buncombe or any political subdivision thereof, or of the city of Asheville, to have painted upon all motor vehicles owned by or to which the county of Buncombe, or a political subdivision thereof, or the city of Asheville, contributes any funds for the part use thereof for public purposes, in a conspicuous place in letters not less than three inches in height a statement that the car is an official car and to which department of government it is assigned: Provided, however, the provisions of this section shall not prohibit the regular members of the sheriff's or police departments of said county from temporarily concealing such statement, but this exception contained herein shall not apply to special deputies or policemen.

Identification marks on official cars.

SEC. 6. That immediately upon the passage of this act it shall be the duty of the register of deeds of the county of Buncombe and the secretary-treasurer of the city of Asheville, respectively, to furnish a copy of the same to each and every officer and agent of the county of Buncombe and of the city of Asheville operating or in any way having in their control any motor vehicle used in any manner for public purposes.

Proviso: officers allowed to conceal marks.

SEC. 7. That it shall be the duty of the chairman and commissioners of public accounts and finances of the county of Buncombe, the mayor, commissioner of public accounts and finances of the city of Asheville, and the executive head of any political subdivision of said county to see that the requirements of this act are complied with and to report any violations thereof to the solicitor of the Nineteenth Judicial District.

Copies of act to be furnished.

SEC. 8. That any person, firm or corporation violating any of the provisions hereof shall be guilty of a misdemeanor, and any officer, agent or employee, hereinbefore mentioned, shall, in addition to the punishment hereinbefore provided, by their act forfeit his right to hold office or employment in the county of Buncombe or any political subdivision thereof, or of the city of Asheville.

Enforcement of law.

SEC. 9. That all laws or clauses of laws in conflict with this act are hereby repealed.

Report of violations.

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

Violation of act misdemeanor.

Ratified this the 19th day of February, A.D. 1923.
AN ACT TO REPEAL CHAPTER 523, PUBLIC-LOCAL LAWS OF 1921; TO FIX THE SALARIES AND BONDS OF THE OFFICERS OF CHEROKEE COUNTY, INCLUDING THE COMPENSATION OF COUNTY COMMISSIONERS, AND TO ABOLISH THE OFFICE OF COUNTY TREASURER.

The General Assembly of North Carolina do enact:

Section 1. That chapter five hundred and twenty-three, Public-Local Laws of one thousand nine hundred and twenty-one (1921), be and the same is hereby repealed.

Sec. 2. That the board of county commissioners of said county shall, at their first meeting held after the ratification of this act, notify all county officers inducted into office on the first Monday in December, one thousand nine hundred and twenty-two, and whose bonds have been paid for by Cherokee County under section five of said chapter, to execute their bonds on or before the next regular meeting of the board at their own proper expense, under penalty of forfeiting their offices for failure to do so; and to return all bonds theretofore given in a surety company or companies, and to demand and collect from such the unearned premiums thereon, and to return said premiums to the county treasury. All bonds heretofore given by any of the said officers without expense to the county are hereby validated.

Sec. 3. That the clerk of the Superior Court and register of deeds for Cherokee County shall collect, receive and account for all the fees to which they are entitled by virtue of their respective offices, and pay the same on the first Monday of every calendar month into the treasury of Cherokee County; and they shall be responsible for and chargeable with all moneys of every kind which are to be or by law should be paid into their respective offices, and shall be held to strict account therefor; and the moneys so paid in shall be kept by the treasurer of said county in a separate fund, to be known as the salary fund.

Sec. 4. That the said officers shall faithfully collect all fees, commissions, profits and emoluments of all kinds now belonging or appertaining to, or which may hereafter by any law belong or appertain to their respective offices; and they shall receive as compensation for their services only such salaries as are herein-after provided; and for any abstraction, concealment, or misapplication of the moneys payable into their respective offices, or which any of them may have collected, any one of them so abstracting, concealing or misapplying the same shall be guilty of a felony, and upon conviction shall forfeit their offices and be punished as is now provided by law in cases of embezzlement by public officers.
Account books.  

Itemized accounts.

Books open for inspection.

Safe keeping.

Monthly transcripts of accounts.

Verification.

Salary of sheriff for collecting taxes.

Proviso: fees and emoluments.

Taxes to be collected.

Final settlement.

Salary of clerk of Superior Court.

Clerk hire.

Office hours.

Salary of register of deeds.

Allowance for making tax books.

Office of treasurer abolished.

Banks as financial agent.

Financial agent to serve without compensation and give bond.

Sec. 5. That each and all of said officers shall open and keep a set of account books, consisting of a journal and a ledger, in which shall be truly, correctly and accurately entered itemized accounts of all moneys collected or received by them and which by law are or may be paid into their respective offices, and all of said books shall at all times be open to the inspection of the public upon demand, and same shall be kept in a safe and secure place.

Sec. 6. That on the first Monday in each and every calendar month a true and accurate transcript of such books for the preceding month shall be transmitted by each of said officers to the board of county commissioners of Cherokee County, which shall contain and show in detail all of the entries made in said book during the preceding calendar month, which shall be duly verified by the oath of the officer making the same.

Sec. 7. That the sheriff of Cherokee County shall receive a salary of two thousand dollars per annum as full compensation for his services as tax collector, which salary shall be in lieu of all commissions now allowed for collecting taxes: Provided, this provision shall not deprive said sheriff of the fees and emoluments of the office of sheriff now or hereafter allowed by law. Said sheriff and tax collector shall collect all taxes levied by the county commissioners of said county, all corporation and privilege taxes, or any other taxes now or hereafter levied for collection. All taxes must be collected and settled for by said sheriff and tax collector on or before the first day of May succeeding the year in which the same was listed.

Sec. 8. That the clerk of the Superior Court of Cherokee County shall receive a salary of eighteen hundred dollars per annum, and a sum not exceeding five hundred dollars per annum may be allowed by the county commissioners for clerk hire, and said clerk shall keep his office open every day, except Sundays and holidays, from eight o'clock a.m. until four o'clock p.m. for the transaction of business.

Sec. 9. That the register of deeds of Cherokee County shall receive a salary of sixteen hundred dollars per annum: Provided, however, that the county commissioners may pay not exceeding four hundred dollars per year for making out the tax books, as same are now required to be made out. Said register of deeds is required to keep his office open for the transaction of public business as is required of the clerk in the preceding section.

Sec. 10. That the office of treasurer of Cherokee County is hereby abolished, and the board of county commissioners of Cherokee County are authorized, empowered and directed to employ one or more banks or trust companies to act as the financial agent or agents of said county, which shall serve as such agent or agents without compensation, and shall give bond, in an amount to be fixed by said board of commissioners, to honestly and faithfully account
for and pay over all moneys which may come into its or their hands, and to honestly and faithfully discharge all duties devolving upon it or them as such financial agent or agents: Provided further, that this section shall not go into effect until the first day of December, one thousand nine hundred and twenty-four.

Sec. 11. That the board of commissioners of Cherokee County may, at such times and for such terms as they may designate, appoint some person to audit and approve the accounts and reports of said officers; and it shall be his duty to act as accountant for the county in settling with the county officers as aforesaid; to supervise and examine as often as said board of county commissioners may direct all books, accounts, receipts, and vouchers, and other records of all officers of Cherokee County which show fees and commissions collected and received by them; to examine whenever directed, the dockets of justices of the peace of said county, and of the mayors of any incorporated town; to administer oaths and verification of claims which may be filed against the county; to open a set of account books, in which shall be shown the total monthly receipts of fees and commissions of all the officers of said county, in an expert and intelligent manner; and generally to do and perform all such acts and things pertaining to the matters aforesaid as may be directed by said board of commissioners, who shall also determine the compensation to be paid to such auditor and accountant.

Sec. 12. That all salaries herein provided shall be paid by the financial agent of Cherokee County to the person entitled to receive the same, in monthly installments, upon warrants drawn by the board of county commissioners and countersigned by the chairman and clerk of said board.

Sec. 13. That the officers hereinbefore mentioned shall diligently and faithfully perform all the duties of their several offices which are now or hereafter may be imposed upon them by law, and shall receive no other compensation or allowance of any kind whatsoever for any extra additional service rendered to the county or State or governmental agencies; and shall be liable to all the pains and penalties now or hereafter provided by law for failure to perform the duties of their several offices.

Sec. 14. That any surplus accumulating under section three of this act may be used by the county commissioners of Cherokee County in defraying the general expenses of said county.

Sec. 15. That any officer or assistant herein mentioned who shall willfully fail or refuse to collect all fees, commissions or emoluments belonging to his said office shall be guilty of a misdemeanor and upon conviction thereof shall be removed from office.

Sec. 16. That the county commissioners of Cherokee County shall each receive five dollars per day for their services as county
Allowance for business away from county-seat.

Repealing clause.

When act effective.

Commissioners, in addition to the mileage now allowed by law, for not to exceed four days in any one month. They or any one of them shall receive actual expenses and five dollars per day while inspecting bridges or attending to other business of the county at any place other than the county-seat.

Sec. 17. That all laws and clauses of laws in conflict with this act are hereby repealed.

Sec. 18. That with the exception of section ten of this act, this act shall be in force from and after its ratification.

Ratified this the 20th day of February, A.D. 1923.

CHAPTER 130

AN ACT TO PROHIBIT THE USE OF HAUL SEINES IN THE WATERS OF NORTHEAST OR THE NORTHEAST PRONG OF NEW RIVER IN ONSLOW COUNTY, FROM THE FIRST DAY OF FEBRUARY TO THE FIRST DAY OF MAY IN EACH AND EVERY YEAR.

The General Assembly of North Carolina do enact:

Use of haul seines.

Waters affected.

Close season.

Misdemeanor.

Punishment.

Sec. 1. That it shall be unlawful for any person, persons, firm or corporation to use haul seines in the waters of the Northeast or the Northeast prong of New River in Onslow County, from the first day of February to the first day of May in each and every year.

Sec. 2. That any person, persons, firm or corporation violating the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be fined not exceeding fifty dollars or imprisoned not exceeding thirty days, or both, in the discretion of the court.

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

Ratified this the 20th day of February, A.D. 1923.

CHAPTER 131

AN ACT TO VALIDATE CERTAIN ACTS OF ASSISTANTS IN THE OFFICE OF THE REGISTER OF DEEDS OF JOHNSTON COUNTY.

Preamble: acts performed as deputies.

Whereas Mildred Young and John W. Ives have been assistants in the office of the register of deeds of Johnston County during part of the last administration of Sam T. Honeycutt, and during the administration of Will T. Adams, register of deeds of Johnston County, and have done and performed acts and things from time
1923—Chapter 131—132

CHAPTER 132

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF STOKES COUNTY TO ISSUE BONDS, AND RELATING TO PUBLIC ROADS AND BRIDGES IN STOKES COUNTY, AND TO PROVIDE FOR THE CONSTRUCTION AND MAINTENANCE OF PUBLIC ROADS IN SAID COUNTY BY A COUNTY SYSTEM IN LIEU OF A TOWNSHIP SYSTEM, AND SUPPLEMENTAL TO CHAPTER 41 OF PUBLIC-LOCAL LAWS OF 1913, AND ACTS AMENDATORY THEREOF, AND CHAPTERS 196, 356, AND 363 OF PUBLIC-LOCAL LAWS OF 1919, AND ACTS AMENDATORY THEREOF, OF THE GENERAL ASSEMBLY OF NORTH CAROLINA, AND AN ACT TO REPEAL CHAPTER 448, PUBLIC LAWS OF 1893, CHAPTER 131, PUBLIC LAWS OF 1895, AND CHAPTER 781, PUBLIC LAWS OF 1907, OF THE GENERAL ASSEMBLY OF NORTH CAROLINA, WHICH RELATE TO THE APPLICATION OF CERTAIN TAXES IN SAURATOWN, MEADOWS, AND DANBURY TOWNSHIPS IN STOKES COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That for the proper and more efficient construction and maintenance of the public roads of Stokes County, and for the purpose of making the improvement of public roads within the county a county system in lieu of a township system, there is hereby created a body politic and corporate to be known and designated as "Stokes County Highway Commission," and shall have all powers and authority granted to corporations of like nature by the laws of North Carolina, and by that name may sue and be sued, make contracts, acquire real and personal property by gift or devise, or otherwise, exchange and sell the same, and

Ratified this the 20th day of February, A.D. 1923.

Ratified this the 20th day of February, A.D. 1923.
exercise such other rights and privileges as are incident to other municipal corporations of like nature, such as the condemnation of land for the construction, widening, or changing of any public roads in Stokes County, and such other powers as are necessary to carry out any and all of the provisions of this act. The said Stokes County Highway Commission shall use the funds derived from the sale of bonds or by levy of special or other taxes, or whatever way derived, as authorized by this act; to locate, construct, reconstruct, surface, repair, improve, and maintain the public roads and bridges of Stokes County; shall purchase such materials, and purchase and hold or contract for the use of such tools, machinery, implements, and teams as they may deem necessary for carrying on the road work of Stokes County, and perform such other duties as are hereinafter provided for and may be from time to time provided for by law.

Sec. 2. That until the times hereinafter set forth, S. P. Christian, C. E. Davis, C. D. Smith, T. G. New, and John D. Smith shall constitute the said Stokes County Highway Commission: C. E. Davis and John D. Smith to hold office until the first Monday in April, one thousand nine hundred and twenty-nine, and until their successors are elected and qualified; S. P. Christian and T. G. New to hold office until the first Monday in April, one thousand nine hundred and twenty-seven, and until their successors are elected and qualified; C. D. Smith to hold office until the first Monday in April, one thousand nine hundred and twenty-five, and until his successor is elected and qualified. Successors to all of said members of the Stokes County Highway Commission shall be appointed by the General Assembly of North Carolina, at its biennial sessions, for a term of four years. If for any reason, by failure to qualify, death, resignation, or otherwise, a vacancy shall occur in said Stokes County Highway Commission, the remaining members of said Stokes County Highway Commission shall fill such vacancy by appointing thereto a competent and discreet qualified elector of Stokes County, and said appointee shall hold the office for the unexpired portion of the term for which he was appointed, and until his successor is appointed and qualified. At no time after the end of the term of C. D. Smith shall more than three members of said Stokes County Highway Commission belong to or be affiliated with the same political party; and in filling vacancies the remaining members shall appoint a person thereto of the same party affiliation as the one whose vacant place is thus filled.

Sec. 3. Each and every member of said Stokes County Highway Commission appointed by this act, and his successors in office, before acting as a member of said commission, shall take and subscribe to an oath, before the clerk of the Superior Court of Stokes County, to faithfully and impartially discharge the duties of his office as a member of said commission.
Sec. 4. That all rights, powers, and privileges heretofore conferred upon and now vested in the board of county commissioners of Stokes County and the board of road supervisors, the permanent roads commissions of the several townships, or any other road authority in Stokes County, as to laying out, constructing, altering, repairing, improving, and maintaining the public roads and bridges, and the ordering the laying out of cartways in Stokes County, be and the same hereby are transferred to and conferred upon and vested in the Stokes County Highway Commission herein created; and the said Stokes County Highway Commission shall have and exercise as full and complete control and management of all the public roads and bridges, and the ordering the laying out of cartways in Stokes County, in as full and complete manner as have heretofore been or may hereafter be vested or conferred upon the board of county commissioners of Stokes County, or any of the said various township boards above mentioned.

Sec. 5. That as soon after the passage of this act as is practicable, the said Stokes County Highway Commission shall meet in the town of Danbury, North Carolina, for the purpose of taking the necessary oaths and for organizing, and for the purpose of electing such officers and transacting such other business as they may deem advisable; and when so organized, they shall assume entire control, supervision, and management of the public roads and bridges, and the ordering the laying out of cartways in Stokes County; and in such supervision and management they shall have all of the authority, rights, and powers now or hereafter conferred upon similar bodies or road commissions by the laws of the State of North Carolina; that after the passage of this act, any and every board of permanent roads commission, or roads commission hereafter appointed or elected, or acting in, for, or on behalf of any township of Stokes County in the management or supervision of public roads, by whatever name designated or known, shall on such day or days and at such place as the Stokes County Highway Commission may name, meet with the said Stokes County Highway Commission to the end that the books and accounts of the said township boards or road commissioners, by whatever name designated, shall be audited and the amount of road machinery and financial condition of each township ascertained; that after such ascertainment, said township boards and road commissioners shall transfer and turn over and deliver to said Stokes County Highway Commission all tools, machinery, stock, and every other thing or appliance, of whatever nature, and said Stokes County Highway Commission shall thereupon assume entire control and management of all public roads and public bridges in the several townships of Stokes County; and the powers, rights, and authority of said township boards or commissions, by whatever name designated, shall immediately cease and determine, and likewise all compensation for services as members of said township boards or

Rights, powers and privileges transferred.

Full and complete control.

Meeting for organization.

Entrance on duty.

Authority and power.

Existing commissions to turn over records and effects.

Audits and inventories.

Transfer of equipment.

Powers and compensation to cease and determine.
commissions: Provided, that the permanent roads commission of Big Creek Township, composed of J. C. Frans, J. K. Smith, and A. A. Jefferson, and their successors in office, be allowed to expend in said township the moneys realized from the sale of the thirty-five thousand dollars ($35,000) bond issue of said township, and loaned to the State Highway Commission, when same is collected and said loan is approved and validated, the said township being thus allowed to expend their bond money on account of the fact that all other townships in said county have already expended theirs; and the said members of the said permanent roads commission of Big Creek Township are hereby continued in office, with their per diem compensation as heretofore, until said fund is expended by them, which fact shall, when consummated, be reported to said Stokes County Highway Commission, and they are to continue in office for no other purpose than the expenditure of said money, which is to be expended with the advice and consent of said Stokes County Highway Commission; and the remaining members of said permanent roads commission of Big Creek Township shall fill all vacancies occurring in their commission.

Subject to the above proviso, as to the bond money of Big Creek Township, from and after the organization of the Stokes County Highway Commission, as hereinbefore provided, all moneys on hand to the credit of any township road commission, permanent roads commission, or township road authority, by whatever name designated, whether the proceeds of taxes collected or otherwise collected from any source whatever, shall be delivered to said Stokes County Highway Commission, and that all special taxes levied upon any of the townships for a maintenance or improvement fund for roads, or for the payment of interest and creating a sinking fund for the payment of road bonds or other liabilities of any of the said townships, shall likewise be paid over by any custodian of said funds to the Stokes County Highway Commission in consideration of the transfer of said roads, road machinery and moneys, and evidence of debt; shall assume and pay off and discharge as a county obligation all the road obligations of each township wherever existing, including road bonds issued by the board of county commissioners upon the various and several townships in Stokes County, and the interest thereon; open accounts, outstanding notes and all binding, just and legally enforceable obligations of all kinds outstanding and unpaid, and the said payment to be made, either out of the funds derived from the sale of bonds now or hereafter or herein authorized, or out of funds derived from taxation or from any other source.

Sec. 6. That the said Stokes County Highway Commission shall, biennially from its day of organization, elect a chairman and secretary, who shall hold office for a term of two years and until their successors are elected and qualified. The said Stokes County Highway Commission are authorized to elect biennially a compe-
tent, skillful, and experienced person, having practical experience in modern methods of road building, who shall be known and designated as the superintendent of roads, and he may also perform all duties required to be performed as road engineer, or the said commission may in their discretion elect some other person as road engineer. The said superintendent and engineer, if one be elected, shall be paid a just and reasonable compensation for their services, to be fixed by said commission, the same for both positions not to exceed the sum of twenty-five hundred dollars ($2,500) per annum, the said superintendent to be employed and dismissed at the discretion of said Stokes County Highway Commission: Provided, however, that the present county engineer and superintendent of road construction, N. S. Mullican, shall be retained by the Stokes County Highway Commission for the remainder of the year one thousand nine hundred and twenty-three, at the salary already agreed upon between said N. S. Mullican and board of county commissioners of Stokes County. And the said Stokes County Highway Commission are also authorized to elect a treasurer, biennially, to serve until his successor is elected and qualified, who shall give bond, as may be required by said Stokes County Highway Commission, and the said commission shall fix the salary of the treasurer not to exceed the sum of three hundred dollars ($300) per annum, which treasurer may be or may not be a member of the Stokes County Highway Commission, but shall be a bona fide resident of Stokes County and a qualified elector therein.

Sec. 7. That the board of county commissioners of Stokes County shall be and they are hereby authorized, empowered, and directed, and it is made mandatory upon them, upon written demand of said Stokes County Highway Commission, signed by a majority of the members of said Stokes County Highway Commission, to have prepared and issued, at such time or times and in such amounts as the said Stokes County Highway Commission may deem best and as the work herein provided for may from time to time require, bonds of Stokes County in denominations not less than one hundred dollars ($100) and not exceeding one thousand dollars ($1,000), the total amount in any one year not to exceed the sum of sixty thousand dollars ($60,000), the time in which they can be issued not more than five years from the ratification of this act, and the total amount that can be issued under this act not to exceed three hundred thousand dollars ($300,000), the said bonds to bear interest not to exceed six per centum per annum, with interest coupons attached payable semiannually, and during the time of their running the principal thereof shall be payable or redeemable, at such time or times, not exceeding forty years from the date of their issue, as the board of county commissioners of Stokes County may determine and direct. The bonds provided for in this act shall be signed by the chairman of said
board of county commissioners of Stokes County, and counter-
signed by the clerk of said board, and shall have upon them the
corporate seal of Stokes County, and shall be styled "Stokes
County Road Improvement Bonds," and issued as such. The
coupons shall bear the real or lithographed signature of the chair-
man of the board of commissioners of Stokes County. That none
of the bonds issued under authority of this act shall be disposed
of by sale, exchange, hypothecation or otherwise, for less than
their face value and accrued interest, nor shall said bonds or the
proceeds of same be used for any other purpose than those declared
in this act: Provided, however, that the purchaser of said bonds
shall not be required to see to the application of said funds.
When said bonds are issued they shall be numbered consecutively
and the interest coupons attached. The bonds and coupons shall
state on their face when they are due and payable, and shall show
by what authority they are issued. The board of county com-
misioners of Stokes County shall sell said bonds, and deliver the
proceeds to the treasurer of said Stokes County Highway Com-
mission.

Sec. 8. That at the time of the next annual levy of taxes made
by the board of county commissioners of Stokes County, and at
the time of each annual levy of taxes made by said board of county
commissioners of Stokes County thereafter, it shall be the duty
of said board of county commissioners of Stokes County to levy a
special road tax in lieu of all township special taxes for payment
of interest on road bonds and provide a sinking fund for all road
bonds of said townships, and for repair and maintenance of roads,
upon all property, both real and personal, and subjects of taxation,
sufficient to provide an adequate fund for the payment of said
interest on said bonds and for providing a sinking fund to pay
the principal thereof according to the provisions of law authoriz-
ing each issue of said bonds, and for repairing and maintaining
the public roads of Stokes County; and at all of said levies it shall
be the duty of said board of county commissioners of Stokes
County to levy upon all property, both real and personal, and
subjects of taxation, a special further road tax to pay off the
interest and provide a sufficient sinking fund to pay off the prin-
cipal of any bonds issued for road purposes under the provisions
of this act. It shall be the duty of the said Stokes County High-
way Commission, before the times for making said levies, to deliver
to the board of county commissioners of Stokes County a written
statement of their estimate of the amount to be raised by said
levy, and the rate of taxation that will be required to raise same,
and the levies that are then next made by said board of county
commissioners of Stokes County shall not be at a less rate than
the rate estimated by said Stokes County Highway Commission to
be necessary to raise said amount so estimated to be needed.
The said taxes shall be levied and collected at the same time and
in the same manner as other taxes are levied and collected, and shall be kept separate and apart from all other funds, and paid to the treasurer of said Stokes County Highway Commission, to be disbursed by said Stokes County Highway Commission in accordance with law and the provisions of this act; and likewise all moneys derived from the sale of "Stokes County Road Improvement Bonds" shall be delivered to the treasurer of said Stokes County Highway Commission, to be disbursed by said Stokes County Highway Commission in accordance with law and the provisions of this act.

Sec. 9, That for the purpose of carrying out the provisions of this act, the said Stokes County Highway Commission, their superintendent, engineer, agents, and employees and servants, are authorized and empowered to enter upon any land in Stokes County and locate and build public roads. If the Stokes County Highway Commission and the owner of the lands cannot agree as to the damage, if any, the said Stokes County Highway Commission shall, after sixty days after said road is completed across the lands of said landowner, cause to be summoned three disinterested freeholders of said county, who shall go upon said lands and assess the damages and benefits under the general law as it now exists: Provided, however, that before entering upon lands as authorized by this section, it shall be the duty of said Stokes County Highway Commission to notify said owner or owners, verbally or in writing, that the road is to be located on said land under authority of this act; and Provided further, that in assessing the damages sustained by any landowner, the freeholders or the jury shall take into consideration the special benefits, if any, accruing to the landowner, and in determining such benefits, consideration shall be given to the benefits the landowner has derived from the fact, if such be the fact, that any old right of way has reverted back to said landowner by reason of the relocation of said road and construction of the same; and if such benefits shall exceed the damages, then the amount of such excess of benefits shall be assessed against the landowner, and shall constitute a lien upon the land adjoining the road, and shall be collected by the sheriff in the same way as other taxes; and it is Provided further, that no suits shall be instituted by the landowner for damages on account of location of the road under this act or the taking of timber, soil, top-soil, dirt, or other material, until after sixty days after the completion of the road across the lands of such landowner, and no suit shall be brought by any landowner unless the same is commenced within six months after the completion of the road by or across the lands of such claimant; and Provided further, that either party may appeal to the Superior Court of Stokes County for the assessment of damages and benefits, where the matter shall be heard de novo. No costs shall be awarded against said Stokes

Fund kept separate.
Settlements.

Funds from sales of bonds.

Disbursements.

Entry on land for location and construction.

Procedure for condemnation of land.

Proviso: notice to owner.

Proviso: benefits to be considered.

Excess of benefits a lien on lands.

Time for bringing suit for damages.

Proviso: right of appeal.

Costs on appeal.
County Highway Commission upon appeals where the recovery awarded through such appeal is not more favorable to the appellant landowner than the award of the freeholders hereinbefore provided for as referee.

Sec. 10. The Stokes County Highway Commission or the State Highway Commission is hereby authorized, through its agents, to enter upon any land in Stokes County, to cut and carry away any timber, except trees or groves planted or left for shade or ornament, dig or cause to be dug and carry away any gravel, sand, clay, stone or dirt which may be necessary for the proper repair or construction of public roads in Stokes County, and make or cause to be made such drains or ditches upon any land adjoining or lying near any road in Stokes County that the said commission or the superintendent or engineer may deem necessary for the better condition of the public road; and the drains and ditches so made shall not be obstructed by the occupants of such land or other person, and that any person obstructing such drains or ditches, willfully and intentionally, shall be guilty of a misdemeanor: Provided, however, that before entering upon land authorized by this act, it shall be the duty of said Stokes County Highway Commission, its superintendent, engineer, or employee or agent, to notify said owner verbally or in writing that certain material authorized to be taken by this section is required for the road work.

Sec. 11. That the said Stokes County Highway Commission or the State Highway Commission, through its agents, is hereby authorized to enter upon any land adjoining or bordering on any public road in Stokes County and cut the trees on such land, for a distance in width of not over thirty feet from the outer edge of the right of way of said road: Provided, that this is necessary for the maintenance of said road; and Provided further, that they shall not cut trees or groves on improved land, planted or left for shade or ornament: Provided, that due compensation shall be made for any damages sustained by the landowner, to be ascertained under the same rules and regulations provided for in the other sections of this act.

Sec. 12. That all public roads laid out or opened by virtue of any act of the General Assembly of North Carolina, or pursuant to an order of any court having jurisdiction of the subject-matter, or by resolution or order of the board of county commissioners of Stokes County, or otherwise lawfully made and used as a public road in said county, are hereby declared to be public roads, and the said Stokes County Highway Commission shall have full power and authority to order the laying out of public roads of said county where they may deem necessary, and to appoint where bridges shall be located and built, to order the laying off of cartways to the same extent that the boards of road supervisors of
Stokes County, or other road authority, have heretofore been authorized to lay them off in Stokes County; to discontinue such public roads or part of public roads as may be deemed unneccessary by said Stokes County Highway Commission, and to alter public roads so as to make them more useful to the public.

Sec. 13. That said Stokes County Highway Commission is hereby empowered to coöperate with and to delegate such reasonable authority as it shall deem necessary or advisable to such agents or agencies of the Government of the United States or of the State of North Carolina, or both, as shall be engaged in the construction or maintenance of public roads in Stokes County.

Sec. 14. The members of the Stokes County Highway Commission shall each receive as compensation for their services the sum of five dollars per day and the same mileage as the members of the board of county commissioners of Stokes County are now allowed by law, but they shall not be allowed pay for more than eighteen days in any one year, but can meet as often as they may deem advisable. They can pay their secretary such additional sum as they may deem just for his duties as secretary, not to exceed the sum of two hundred dollars per year; and they can, instead of electing one of their own members as secretary, elect some person other than a member of said commission to fill said office; and they can, if they deem it best, elect one person, either a member or not a member of their commission, as secretary-treasurer, at a salary not to exceed the sum of five hundred dollars per annum.

Sec. 15. No graveyard or cemetery or inhabited dwelling-house shall be interfered with, unless so directed by the State Highway Commission.

Sec. 16. The Stokes County Highway Commission shall have the right to require all telephone and telegraph poles and wires to be removed from the public roads of Stokes County or from the lands whereon same are to be constructed.

Sec. 17. The right of way of the public roads in Stokes County shall be of such width as shall be prescribed by the State Highway Commission, but when not so prescribed it shall be thirty feet in width.

Sec. 18. The secretary shall keep or cause to be kept a complete record of all acts and meetings of the said Stokes County Highway Commission, and a record of all moneys received and disbursed by the said commission, and shall give vouchers, signed by the chairman and secretary, for all claims allowed by said Stokes County Highway Commission, which claims shall not be paid by the treasurer except upon proper voucher, and shall annually, by the end of each year, make out and certify, and cause to be published in a newspaper published in Stokes County, a full and complete statement of the current year, showing the

Discontinuance and alteration of roads.

Coöperation with and delegation of powers to Federal and State authorities.

Pay of road commissioners.

Limit.

Pay of secretary.

Eligibility of secretary.

Secretary-treasurer.

Graveyards and dwelling-houses.

Telephone and telegraph poles and wires.

Width of right of way.

Records of commission.

Record of receipts and disbursements.

Vouchers.

Annual statements to be published.
Audit of prisoners

Prisoners assigned to road work.

Lands to be plowed.

Proviso: lands not subject to entry for material.

Audit of township accounts.

Laws repealed.

Funds to be taken over by highway commission.

Contracts to be fulfilled.

Obstruction of work misdemeanor.

Receipts and disbursements of said commission, and he shall make a similar report to the board of county commissioners of Stokes County on the first Mondays of April, July, and October of each year.

SEC. 19. That all prisoners confined in the county jail of Stokes County under final sentence of the court for crimes, or imprisoned for nonpayment of costs or fines, shall, upon request of said Stokes County Highway Commission, be assigned to work on the public roads of Stokes County, under the direction of the said Stokes County Highway Commission.

SEC. 20. That whenever the Stokes County Highway Commission, through its servants, agents, and employees, or otherwise, shall enter upon lands for the taking of material in the construction of public roads as herein provided for, they shall require of the contractor or contractors to plow or break up the barren land from which the top-soil has been taken for road purposes: Provided further, that no yard in front of an inhabited residence, or used as a garden or orchard, shall be entered upon by said Stokes County Highway Commission or their servants, agents, employees, or contractors, for the purpose of obtaining sand, stone, gravel, or any other road material.

SEC. 21. The said Stokes County Highway Commission shall have the right to have the financial condition of the various township commissions audited by a competent auditor, to be selected by them, whenever they may deem it necessary, before taking over the books and funds of said township boards, and to pay such auditor for his services such amount as they may deem reasonable and just.

SEC. 22. That chapter four hundred and forty-eight, Public Laws of one thousand eight hundred and ninety-three, chapter one hundred and thirty-one, Public Laws of one thousand eight hundred and ninety-five, and chapter seven hundred and eighty-one, Public Laws of one thousand nine hundred and seven, of the General Assembly of North Carolina, be and the same hereby are repealed, which laws referred to in this section relate to the application of certain funds derived from certain taxes in Sauratown, Meadows, and Danbury townships in Stokes County.

SEC. 23. That the Stokes County Highway Commission, created by this act, shall immediately take charge of all moneys in the hands of the board of commissioners for Stokes County derived from the sale of bonds or otherwise, for road purposes, and shall assure and carry out at its election all outstanding contracts for road work in said county.

SEC. 24. It shall be a misdemeanor, with fine or imprisonment in the discretion of the court, to willfully and unlawfully obstruct the said Stokes County Highway Commission, or any of its agents, servants, or employees, in the lawful discharge of their duties set forth in this act.
Sec. 25. That any member of the Stokes County Highway Commission, superintendent or engineer, secretary or treasurer, who shall make or cause to be made any fraudulent order or report, whereby money is paid out of the road and bridge funds herein provided for, shall be guilty of a misdemeanor, and fined or imprisoned, or both, in the discretion of the court, and shall be removed from office.

Sec. 26. That this act is intended to be amendatory of and supplemental to chapter forty-one of Public-Local Laws of one thousand nine hundred and thirteen, and acts amendatory thereof, and chapters one hundred and ninety-six, three hundred and fifty-six, and three hundred and sixty-three of Public-Local Laws of one thousand nine hundred and nineteen of the General Assembly of North Carolina, all of which relate to public roads in one or more of the several townships in Stokes County.

Sec. 27. That all laws and clauses of laws in conflict with this act are hereby repealed.

Sec. 28. That this act shall be in force and effect from and after its ratification.

Ratified this the 20th day of February, A.D. 1923.

CHAPTER 133

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF MOORE COUNTY TO ISSUE BONDS FOR BUILDING AND REPAIRING BRIDGES IN MOORE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That for the purpose of constructing, building, installing, and repairing bridges and culverts on the public roads of Moore County, the board of commissioners of Moore County is hereby authorized and empowered to issue coupon bonds of the county of Moore for an amount not to exceed fifty thousand dollars ($50,000), the said board to prescribe the form and denomination of said bonds, and when the same shall become due and payable. The interest on said bonds shall not exceed the rate of six per centum per annum and shall be payable semiannually at such time and place as the board of commissioners shall designate. The issue of said bonds is hereby declared to be the lawful exercise of the power of the board of commissioners of the county of Moore, and the purpose for which they are issued are hereby declared to be a county necessity.

Sec. 2. That said bonds and their coupons shall be numbered, and the bonds shall be signed by the chairman of the board of commissioners of Moore County, and countersigned by the clerk of the said board, and shall have the seal of the office of register
of deeds of Moore County impressed thereon, and the coupons thereto attached shall bear the facsimile signature of the chairman of the board of county commissioners of said county engraved or lithographed thereon. Said bonds shall be denominated “Moore County Bridge Bonds.”

Sec. 3. That a record of said bonds shall be kept showing the numbers and the denominations thereof, when the same will mature, the interest-bearing rate thereof, the amount received from the sale of the same, the date of paying the proceeds to the county treasurer, and such other data in relation to the same as the said board of commissioners may direct kept.

Sec. 4. That the bonds hereby authorized to be issued shall not be sold for less than par and accrued interest, and shall not be delivered to the purchaser thereof until the purchase money shall be paid in full. Said bonds shall be advertised and sold upon sealed proposals or at public auction. Whenever bonds are to be sold pursuant to advertisement there shall be published at least once a notice containing a description of the bonds to be sold, the manner and place of sale, and the time of the sale, or the time limited for the receipt of proposals, which shall not be less than ten days after the first publication of notice. Said notice may be published in a paper or papers published within the State or without the State, or both, as the board of commissioners of said county may determine. The notice shall state that bidders must deposit with the board of county commissioners before making their bids, or present with their bids, a certified check drawn to the order of Moore County, or to such financial officer of the county as said board may direct, upon an incorporated bank or trust company, or a sum of money for or in amount equal to two per centum of the face amount of the bonds bid for, to secure the county against any loss resulting from failure of the bidder to comply with the terms of his bid. Proposals for bonds required to be advertised shall be opened in public at a regular meeting of the said board, and the bonds shall be awarded to the highest bidder, unless all bids are rejected. The board of commissioners shall have the right to reject all bids. The board of commissioners may delegate its power to sell bonds to a committee thereof, but every sale of bonds shall be confirmed by the board before the same shall be completed and the delivery of the bonds made.

Sec. 5. That the proceeds realized from the sale of said bonds shall be known as the “Moore County Bridge Fund.” and the same shall be paid over to the treasurer of the county, and said treasurer shall receive all moneys realized from the sale of said bonds in his official capacity, and shall keep the same separate and apart from all other funds of the county; and said funds shall be placed in the said bridge fund to be used by the Moore County Highway Commission only for the purposes of constructing, installing, building, and repairing bridges and culverts on the public roads and
highways of the county: Provided, that the purchaser of said bonds shall not be held responsible for the application of said funds.

Sec. 6. That it shall be lawful for the board of commissioners of said county to issue notes of said county in anticipation of the issuance of the bonds under this act. Such notes may run for periods not exceeding one year, and may be renewed from time to time by the issuance of new notes. The board of commissioners may, if it deem advisable, retire such notes, or any part of them, by means of taxation or any other available funds of the county, and the board of commissioners of said county is hereby authorized to levy and collect in any year, in addition to all other taxes levied and collected in said county, a special tax ad valorem on all taxable property in the said county for the special purpose of paying said notes. In case any such notes are retired by any means other than the issuance of bonds as aforesaid, the amount of such bonds which may be issued under this act shall be reduced by the amount of notes so retired.

Sec. 7. That to provide for the payment of the interest falling due upon said bonds and to create a sinking fund to pay off the respective bonds as they mature, the board of county commissioners of Moore County shall, in addition to other taxes levied upon real and personal property, compute and levy annually, at the time of levying other taxes upon property in Moore County, a special tax upon all taxable property in the county of Moore for the special purpose of paying the interest accruing on said bonds as it falls due, and to provide a sinking fund sufficient to pay off the principal of such bonds as they fall due, until the whole amount of said bonds be paid, which tax shall be in an amount sufficient for said purpose. Said taxes shall be annually collected by the sheriff or such officer as may be designated by the board of commissioners of said county; and the money paid to the treasurer received from taxes levied and collected under this act shall be kept separate and apart from all other county funds, and shall be appropriated for the payment of said bonds and coupons, and for no other purpose whatsoever: Provided, that all moneys in the hands of the treasurer belonging to said fund after all the aforesaid bonds and coupons shall have been redeemed shall be transferred by order of the board of commissioners of Moore County to the general highway fund of said county.

Sec. 8. That it shall be the duty of said board of commissioners to cause to be invested any and all moneys of the sinking fund in the purchase of bonds issued under this act, if said bonds can be secured at a price deemed advantageous to the county, but in case said bonds cannot be purchased as aforesaid, the board of commissioners shall invest said sinking fund upon approved security and upon terms deemed advantageous to the county, or they may deposit the said sinking fund, or any part thereof, from time to
Investment of interest.

Control of investment.

Account of bonds.

time in any solvent banking institution or trust company of North Carolina, at the prevailing rate of interest for such deposits. The interest that shall accrue on the sinking fund shall be invested in like manner as the principal, and shall become a part of the sinking fund. The purchases, investments, and deposits authorized by this section shall be made by the treasurer of Moore County under the direction of the board of commissioners of said county.

Sec. 9. It shall further be the duty of the said treasurer to keep an account with each bond issued under this act, showing what coupons and what bonds have been paid off, and to whom and when.

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

Ratified this the 20th day of February, A.D. 1923.

CHAPTER 134

AN ACT TO AMEND CHAPTER 191 OF THE PUBLIC-LOCAL LAWS, EXTRA SESSION 1920, ENTITLED “AN ACT TO FIX THE SALARIES OF THE OFFICERS OF NASH COUNTY.”

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter one hundred and ninety-one, Public-Local Laws of North Carolina, enacted at the extra session of the General Assembly of one thousand nine hundred and twenty, be and the same is hereby amended by adding after the figures “($300)” and before the semicolon in line nine the words “each per annum.”

Sec. 2. That this act shall be in force from and after December first, one thousand nine hundred and twenty.

Ratified this the 20th day of February, A.D. 1923.

CHAPTER 135

AN ACT TO FIX THE FEES OF THE CONSTABLES OF DURHAM COUNTY TO CONFORM TO THAT OF OTHER OFFICERS FOR SIMILAR SERVICES.

The General Assembly of North Carolina do enact:

SECTION 1. That the fees of the constables of Durham County shall be one dollar and fifty cents in all cases of arrest.

Sec. 2. That the fees of the constables of Durham County for service of subpoenas shall be fifty cents.

Sec. 3. That the fees of the constables of Durham County shall be one dollar in each case when a witness in any court in Durham County.
1923—Chapter 135—136—137

Sec. 4. That this act shall apply to all courts in Durham Application of
County.

Sec. 5. That all laws or parts of laws in conflict with the pro-
visions herein are hereby repealed and annulled.

Sec. 6. This act shall be in full force on and from its rati-
fication.

Ratified this the 20th day of February, A.D. 1923.

CHAPTER 136

AN ACT RELATING TO THE COMPENSATION OF COUNTY
COMMISSIONERS OF ANSON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. The board of county commissioners of Anson County
Pay of county shall receive as compensation for their services five dollars ($5)
commissioners. per day, and mileage not to exceed five cents (5c.) per mile to and
Per diem. from the county-seat, for each regular and special meeting attended
Mileage. by them.

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

Sec. 3. That this act shall be in force from and after its rati-
fication.

Ratified this the 20th day of February, A.D. 1923.

CHAPTER 137

AN ACT TO PLACE THE SHERIFF OF WATAUGA COUNTY
ON A SALARY.

The General Assembly of North Carolina do enact:

Section 1. That the sheriff of Watauga County shall receive a Salary.
salary of twenty-five hundred dollars per annum, payable monthly,
Process fees. and in addition thereto process fees, and for performing his serv-
ices said sheriff shall receive no other compensation whatsoever.

Sec. 2. That all fees, excepting process fees, commissions, profits
Fees to be collected and emoluments received by the sheriff of Watauga County in
paid over. performing his duties shall be faithfully collected by him and
delivered to the board of commissioners of Watauga County.

Sec. 3. All laws and clauses of laws in conflict with the pro-
Repealing clause. visions of this act are hereby repealed.

Sec. 4. That this act shall be in force from and after the expira-
When act effective. tion of the term of office of the present sheriff of Watauga County.

Ratified this the 20th day of February, A.D. 1923.
CHAPTER 138

AN ACT TO FIX THE SALARIES OF THE CLERK OF THE SUPERIOR COURT AND OF THE REGISTER OF DEEDS OF McDOWELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the clerk of the Superior Court of McDowell County shall receive, as his only compensation for services as clerk of such court, a salary of two thousand dollars ($2,000) per year, payable out of the general county fund in equal monthly installments: Provided, that for the year ending December the first, one thousand nine hundred and twenty-three, the compensation shall be at the rate of such annual salary for the portion of year remaining after this act becomes effective; and Provided further, that said clerk may employ a deputy or assistant to assist during the terms of the Superior Court, the compensation not to exceed five dollars ($5) per day during the time the court is actually in session.

Sec. 2. That the register of deeds of McDowell County shall receive as his only compensation for services as register of deeds, clerk to the board of county commissioners, and any and all other services required of him by law by virtue of such office, the sum of two thousand dollars ($2,000) per year, payable out of the general county fund, in equal monthly installments: Provided, that for the year ending December the first, one thousand nine hundred and twenty-three, he shall receive compensation at the rate of such annual salary for the portion of year remaining after this act becomes effective; and Provided further, that the board of commissioners of McDowell County, when it shall be made to appear that an assistant is needed by such register of deeds to do the work required of him as such register of deeds and as clerk to the board of commissioners, may, in its discretion, authorize the necessary assistance and pay for the same out of the general county fund to an amount not to exceed five hundred dollars ($500) in any one year.

Sec. 4. That in addition to the duties now required by law for the register of deeds of McDowell County he shall post and keep in written order at all times the general county journal and ledger of the county finances.

Sec. 5. That said clerk of Superior Court and said register of deeds shall each keep a separate and accurate account in a book provided for that purpose of all fees, commissions and emoluments of the respective offices now provided by law, and account for and pay over, on or before the tenth day of the succeeding month, to the treasurer all fees, commissions and emoluments received during preceding month, rendering to the board of commissioners dupli-
cated statement of such monthly account, taking receipt of the treasurer therefor, which shall be a voucher in the hands of such clerk and such register of deeds in future settlements, respectively, with the board of county commissioners, and shall on the first Monday in December of each year render a true and correct statement and account to the board of commissioners of all fees, commissions and emoluments of office received during the year ending on such date. And the respective bonds of the said clerk and the said register of deeds shall be liable for the faithful performance and payment according to the provisions of this act of all fees, commissions and emoluments of office of said clerk and of said register of deeds, respectively.

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

SEC. 6. That this act shall be in force and effect from and after the first day of March, one thousand nine hundred and twenty-three.

Ratified this the 20th day of February, A.D. 1923.

CHAPTER 139

AN ACT PROHIBITING THE SALE OF BONDS IN COLUMBUS COUNTY, EXCEPT BY A VOTE OF THE PEOPLE.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for the county commissioners of Columbus County to issue any bonds for any purpose for any township, county, school district or municipality for proposed improvements except when and after a majority of the qualified registered voters in such township, town or municipality have cast their votes in favor of such measure and except for the purpose of issuing new bonds to take care of present indebtedness: Provided, the board of commissioners of Columbus County are hereby authorized to issue bonds of the said county of Columbus in the sum of fifty thousand dollars ($50,000), in such form and tenor, and bearing such date or dates, and at such place or places, and bearing such rate of interest not exceeding six per cent, and falling due at such time or times not exceeding thirty years from maturity, as the said board of commissioners of Columbus County may determine. The proceeds of such bond issue shall be applied to the construction of not more than two main roads or highways leading into or through that section of Columbus County lying south of the Atlantic Coast Line Railroad as the said board of commissioners of Columbus County may determine for the best interest of the people of that section.

11—Public-Local
SEC. 2. That it shall be the duty of the county commissioners of Columbus County to call an election at such time and place as they may deem wise, for the purpose of ascertaining the sentiment in favor of issuing such bonds: Provided, that a petition signed by forty per cent of the qualified voters in such district, town, township or municipality shall be presented to the county commissioners requesting the holding of such election, said election to be held under the same rules and regulations and in the manner as are elections held for electing members to the House of Representatives of North Carolina.

SEC. 3. That, upon holding such election, if it shall be found that a majority of the qualified registered voters in such territory affected by such bond issue shall have failed to cast a majority vote in its favor, then such bond issue will not be effective.

SEC. 4. That the county commissioners failing to comply with the provisions of this act shall be guilty of a misdemeanor, and shall be punished in the discretion of the court.

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

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

Ratified this the 20th day of February, A.D. 1923.

CHAPTER 140

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF CHATHAM COUNTY TO ISSUE BONDS FOR PAYINGdebts incurred in building and equipping a county home and acquiring a site therefore for said county.

The General Assembly of North Carolina do enact:

Section 1. The board of county commissioners of Chatham County are hereby authorized to issue and sell bonds of the county to an aggregate amount not exceeding fifty thousand dollars ($50,000), for the purpose of paying debts incurred in building and equipping a county home and acquiring a site therefor for the said county. The said bonds shall be in denominations of one hundred dollars ($100) or multiples thereof, and shall be in such form and tenor, and be transferable in such way and be payable at such time or times, not exceeding forty (40) years from the date thereof, and at such place or places, and bear such rate of interest, not exceeding six per cent per annum, payable semiannually in such manner and at such place or places as the board of county commissioners may determine, notwithstanding the provisions of any other act, general or special. Said bonds shall be signed by the
chairman of the board of county commissioners and attested by
the clerk of said board, and the seal of the county affixed thereto,
and the interest coupons shall bear the signature of the clerk of
said board, but his signature thereon may be by lithographed or
engraved facsimile. Said bonds may be sold by the board of
commissioners at public or private sale on such terms as they
may determine.

Sec. 2. In order to pay the interest on said bonds and to create
a sinking fund to pay them at maturity, the said board of com-
mis sioners shall annually, at the time of levying other taxes, levy
a sufficient special tax on all the taxable property in the county.

Sec. 3. The powers hereby conferred are additional to any other
powers conferred by [law], and are not affected by any limitation
imposed by any other act, general or special, including acts already
or hereafter passed at this session of the General Assembly.

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

Ratified this the 20th day of February, A.D. 1923.

CHAPTER 141

AN ACT MAKING 2366 OF THE CONSOLIDATED STATUTES,
MAKING REFUSAL TO PERFORM CONTRACT BY TENANT
OR CROPPER GROUND FOR DISPOSSESSION, APPLY TO
GRANVILLE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section two thousand three hundred and sixty-
Law amended.
six of the Consolidated Statutes, formerly section two thousand and
one of the Revisal, be amended by inserting in line eight thereof,
after the word “Greene” the word “Granville.”

Sec. 2. That this act shall be in force from and after its rati-
Ratified this the 21st day of February, A.D. 1923.
fication.

CHAPTER 142

AN ACT AUTHORIZING THE BOARD OF COUNTY COMMISSIONERS OF CASWELL COUNTY TO LEVY A SPECIAL
TAX.

The General Assembly of North Carolina do enact:

Section 1. That for the purpose of paying the debts incurred Purposes.
for the erection of the jail, improving and repairing the county
home, providing a fireproof vault in the county courthouse, and for
the building of bridges and paying interest on the county's bonded indebtedness, and for creating a sinking fund for the purpose of paying off indebtedness of said county not authorized by some other special act, the board of county commissioners for the county of Caswell are hereby authorized and empowered to levy a special tax, in the years one thousand nine hundred and twenty-three and one thousand nine hundred and twenty-four, not to exceed ten cents on the one hundred dollars worth of taxable property in said county.

SEC. 2. That said tax shall be collected in the same manner, at the same time, and under the same penalties that other taxes of said county are levied and collected.

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

Ratified this the 20th day of February, A.D. 1923.

CHAPTER 143

AN ACT TO AMEND CHAPTER 164 OF THE PUBLIC-LOCAL LAWS OF 1921, RELATING TO THE ISSUANCE OF ROAD BONDS BY ALLEGHANY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. Section one of the act entitled "An act to authorize the board of commissioners of Alleghany County to issue bonds to aid in the laying out and construction of the public roads of Alleghany County," approved February twenty-fifth, one thousand nine hundred and sixty-four, and section one hundred and twenty-one, be amended by striking out all of said section one and inserting in lieu thereof the following:

"SECTION 1. That for the purpose of laying out and constructing the system of roads of said county authorized in said act of the General Assembly or for the purpose of laying out, constructing or improving any other roads in said county, the board of commissioners of said county of Alleghany is hereby authorized, empowered and directed to issue, at such time as in their discretion may seem proper, additional bonds of said county to an amount not exceeding fifty thousand dollars."

SEC. 2. That section two of said chapter one hundred and sixty-four of the Public-Local Laws of one thousand nine hundred and twenty-one be amended by striking out all of said section two and inserting in lieu thereof the following:

"SEC. 2. Except as herein otherwise provided, all of the provisions of said act of the General Assembly which relate to the denomination, form, execution, interest rate, maturity, sale, or
payment of the one hundred and twenty-five thousand dollars bonds authorized by said act, or to the expenditure of the proceeds of said bonds, shall apply to the additional bonds authorized by this act. The interest and principal of the additional bonds hereby authorized shall be provided for and paid by means of a special tax as required by section five of said act, namely: chapter nineteen of the Public-Local Laws of one thousand nine hundred and twenty, Extra Session, ratified August twentieth, one thousand nine hundred and twenty."

Sec. 3. That section three of the said chapter one hundred and sixty-four of the Public-Local Laws of one thousand nine hundred and twenty-one is hereby repealed.

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

Ratified this the 20th day of February, A.D. 1923.

CHAPTER 144

AN ACT TO PROVIDE FOR REGISTERING CERTAIN CHATTEL MORTGAGES OR CONDITIONAL SALE AGREEMENTS IN GUILFORD COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That it shall be lawful for the seller of any goods, wares or merchandise who takes a conditional sale agreement or chattel mortgage for any part of the purchase price of the goods, wares, merchandise so sold, or the assignee or holder of any such conditional sale agreement or chattel mortgage, to file duplicate originals of the same in the office of the register of deeds, as now provided by law for the filing of such papers in said office. Thereupon the register of deeds shall file one of said original instruments by permanently attaching or affixing the same within a cover or bound volume similar to the other books kept in said office, and such filing in said book shall be a recording of the said instrument in said office to all intents and purposes as fully as if the same had been copied therein in the manner in which instruments are usually recorded. It shall be the duty of the register of deeds to index said instrument and give it a page and volume number on the index in the same manner as other instruments are indexed. When one of the said instruments is so filed and indexed, the other of the duplicate originals thereof may be returned to the seller or lawful owner thereof, endorsed with the book number and page number where the other instrument is to be found, and with the register's certificate that said instrument is duly recorded.
Sec. 2. Conditional sale agreements or other instruments may not be filed and registered in the manner provided in the preceding section unless the said agreements or instruments are upon forms of a size and shape and upon a character of paper approved by the register of deeds and printed under his direction. Such blanks may be used only for conditional sales or mortgages of personal property.

Sec. 3. The fees for probating the instrument above provided shall be ten cents (10c.) for each of the duplicate originals, and the filing, registering and indexing fees shall be thirty cents (30c.), or a total of fifty cents (50c.).

Sec. 4. This act shall apply only to Guilford County.

Sec. 5. All laws and clauses of laws in conflict herewith are hereby repealed.

Sec. 6. This act shall be in force from and after its ratification. Ratified this the 21st day of February, A.D. 1923.

CHAPTER 145

AN ACT TO APPOINT CRAIG RAMSEY AND L. E. FARESTER SPECIAL PROHIBITION ENFORCEMENT OFFICERS FOR MADISON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That Craig Ramsey and L. E. Farester of Madison County be and they are hereby appointed special prohibition enforcement officers for the said county of Madison for a term of two years.

Sec. 2. That the said Craig Ramsey and L. E. Farester shall each take oath and give a good and sufficient bond for the faithful performance of his duties in the sum of one thousand dollars ($1,000) before entering upon the discharge of his duties.

Sec. 3. That the said Craig Ramsey and L. E. Farester shall have the same power and authority to enforce the prohibition laws in said county of Madison as the sheriff of said county has. They shall be paid for their services the same fees as the sheriff is paid and allowed by law for such services, and they shall be entitled to and receive one-third of the proceeds of all property seized by them and sold under the laws of North Carolina.

Sec. 4. That the said Craig Ramsey and L. E. Farester shall have power to deputize persons to assist them in the duties of their said office whenever they may think proper and deem it necessary, and when such persons are deputized by the said Craig Ramsey and L. E. Farester and do assist them in enforcing the prohibition laws, the fees and the proceeds of property hereinbe-
fore provided for shall be divided pro rata between the said Craig Ramsey and L. E. Farester and such deputy or deputies.

Sec. 5. That all laws and parts of laws in conflict with this act Repealing clause.

be and the same are hereby repealed.

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

fication.

Ratified this the 21st day of February, A.D. 1923.

CHAPTER 146

AN ACT TO AMEND CHAPTER 571 OF PUBLIC-LOCAL LAWS
OF 1921, AS TO SALARIES OF SHERIFF AND TREASURER
OF CABARRUS COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That in section one, line two, chapter five hundred Salary of sheriff.
and seventy-one of the Public-Local Laws of one thousand nine hundred and twenty-one, the words “forty-five” be stricken out and the words “thirty-five” be inserted in lieu thereof.

Sec. 2. That in section two, line two, chapter five hundred and seventy-one of Public-Local Laws of one thousand nine hundred and twenty-one, the words “fifteen hundred” be stricken out and the words “one thousand” be inserted in lieu thereof.

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

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

fication.

Ratified this the 21st day of February, A.D. 1923.

CHAPTER 147

AN ACT TO ALLOW THE BOARD OF COUNTY COMMISS-
SIONERS OF PAMLICO COUNTY TO ESTABLISH A CHAIN-
GANG FOR THE PURPOSE OF WORKING THE ROADS
OF SAID COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the board of county commissioners of Pamlico County is hereby authorized and empowered, in their discretion, to work on the highways of Pamlico County all prisoners confined in the county jail of said county, under final sentence of the court for misdemeanors and crimes, for imprisonment for nonpayment of costs or fines, or under final judgment in cases of bastardy or under the vagrant acts, all insolvents and misdemeanants who shall be imprisoned by any court in said county for nonpayment

Authority to work

Prisoners subject

to road law.
of costs or fines, and all persons sentenced in said county to the
State's Prison from said county for a term of less than ten years: 
Provided, that the board of county commissioners may arrange 
with the commissioners of any neighboring county or counties for 
such exchange of prisoners during alternate months or years as 
will enable each such cooperating county to thereby increase the 
number of prisoners at work on its highways at any given time; 
and, upon application of the road supervisor or his assistants, or 
that of the board of county road supervisor or his assistants, or 
that of the board of county commissioners, to the judge of the 
Superior Court or judge of the criminal court, the justice of the 
peace and the principal officers of any municipal or any other 
inferior court, it shall be the duty of said judge or justice of the 
peace or said principal officer to assign such persons convicted in 
his court for work on the highways of said county; all such con-
victs to be fed, clothed, and otherwise cared for at the expense of 
the county.

Sec. 2. That the convicts sentenced to labor on the public 
roads shall be under the control of the county commissioners of 
said county, and said board of commissioners shall have power 
to enact and enforce all needful rules and regulations for the suc-
cessful working of all convicts upon the highways, and shall 
provide for the care, maintenance and safekeeping of said pris-
oners while so employed.

Sec. 3. That this act shall be in force from and after its rati-
fication.

Ratified this the 21st day of February, A.D. 1923.

CHAPTER 148

AN ACT TO ABOLISH THE OFFICE OF COUNTY TREASU-
RER IN JACKSON COUNTY, ESTABLISH THE OFFICE 
OF COUNTY AUDITOR, REGULATE COMPENSATION OF 
THE TAX COLLECTOR, AND FOR OTHER PURPOSES.

The General Assembly of North Carolina do enact:

Section 1. That the office of county treasurer of Jackson 
County is hereby abolished, and the duties of receiving and dis-
bursing funds heretofore imposed upon the said treasurer are 
hereby conferred upon the banks of Jackson County under the 
limitations and requirements of chapter five hundred and ninety 
of the Public-Local Laws of session of the Legislature of one 
thousand nine hundred and nineteen: Provided, that the bank or 
banks qualifying under said chapter five hundred and ninety shall 
receive no commission, and shall at all times provide and main-
tain with the county commissioners good and sufficient bonds in
such amounts as the said commissioners shall deem ample to indemnify the county against any loss; cost of said bonds to be agreed upon between said banks and county commissioners.

Sec. 2. That the office of auditor for Jackson County is hereby created and established. The term of office of said auditor shall be for a period of two years, beginning on the first Monday in December, one thousand nine hundred and twenty-four, and he shall be elected at the same time and in the same manner as now or may be hereafter provided for members of the Legislature, and before entering upon the duties of his office he shall take and subscribe to an oath for the faithful performance of the same, and enter into bond in the sum of two thousand dollars, to be approved by the board of county commissioners, conditioned upon the faithful discharge of all his duties.

Sec. 3. The duties of said auditor shall be (1) All of the duties heretofore (and under the same penalties) required of the treasurer, except those of receiving and disbursing the public funds.

(2) It shall be his duty, and power is hereby conferred on him, to require a modern, simple and, so far as practicable, uniform system of bookkeeping and accounting in all the departments of the county, including jail, county home, county board of education, county road commissioners, and others receiving and handling public funds.

(3) It shall be his duty to compute the taxes and make out tax receipts, revise the tax lists and, under direction of the county commissioners, enter corrections of same as may be necessitated by reason of errors, transfers, releases, reductions, increases, discoveries or other valid reasons.

(4) It shall be his duty to diligently inquire into and investigate the listing of all property in the county that should properly be on the tax books, at its true value, and is authorized to visit any and all parts of the county for this purpose, and report to the commissioners, to the end that no property shall escape its proper and lawful taxation.

(5) It shall be the duty of the said auditor, with any necessary aid, to be furnished by the county commissioners (expense of such aid to be chargeable in equal amounts to the general county, road, and general school funds), to audit all the books and accounts contemplated in subsection two of this section once each year, and at the request of the county commissioners those of any one or more offices at any other time, and shall make frequent inspections of all books and accounts and keep the various boards informed as to the particular funds administrable by each board.

Sec. 4. That the salary of the auditor herein provided for shall be fifteen hundred dollars per year, payable monthly in equal amounts, one-third of which shall be paid out of the general funds of the county, one-third out of the road funds, and one-third
CHAPTER 148

AN ACT TO AUTHORIZE THE TOWN OF ROBBINSVILLE
AND THE BOARD OF COUNTY COMMISSIONERS OF
GRAHAM COUNTY AND THE TRUSTEES FOR CHEOAHH
SCHOOL TO PROVIDE WATERWORKS.

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of providing waterworks for
Cheoah School in the town of Robbinsville and the Graham
County courthouse and jail, the board of trustees for the Cheoah
Graded School District, the board of county commissioners for
Graham County, and the board of commissioners for the town of
Robbinsville, each and all are hereby authorized and empowered
to make and enter into a mutual contract and to combine with
each other for the purpose of procuring, providing, constructing
and supplying a sufficient water supply and sewerage for Cheoah
Graded School, the Graham County courthouse and jail, and the
town of Robbinsville; and to purchase, condemn, construct, and
maintain watershed, rights of way, reservoir, water and sewerage
mains, and such other facilities needed for said waterworks; and
the said board of trustees, county commissioners, and the governing
body of the town of Robbinsville are authorized and em-
powered to execute and enter into the proper contract governing
the proportional part of cost and expense of acquiring, construct-
ing and installing said waterworks, to be paid by the board of
trustees of the Cheoah Graded School District, the board of
county commissioners of Graham County, and the town of Rob-
binsville.
Sec. 2. That the cost of acquiring and installing said waterworks shall be deemed and construed to be a necessary expense for the Cheoah Graded School, Graham County, and the town of Robbinsville, and may be paid for as such out of any funds available, to be expended for necessary expenses.

Sec. 3. The said board of trustees for Cheoah School are authorized to use such amount of building or incidental funds as are now or may come into its hands, or to the credit of the said board of trustees, from whatever source, to pay its proportional part of the cost of acquiring and installing said waterworks.

Sec. 4. The board of county commissioners for Graham County may and are hereby authorized to provide, appropriate and pay its proportional part of said cost and expense of acquiring and installing said waterworks out of any funds which it may so provide, appropriate and expend for the necessary expenses of Graham County.

Sec. 5. That for the purpose of meeting and defraying its proportional part of the cost and expense of acquiring, surveying and installing said waterworks, the board of commissioners for the town of Robbinsville may pledge its faith and credit, issue bonds, and levy taxes not to exceed thirty cents on the one hundred dollars valuation of property and ninety cents on the poll.

Sec. 6. That the said board of trustees of Cheoah School District and the said board of county commissioners of Graham County and the board of commissioners for the town of Robbinsville shall, upon the ratification of this act or as soon thereafter as is practicable and within a reasonable time, meet in joint session for the purpose of considering, investigating and providing for said waterworks, and to do such things as may be necessary to carry out the purpose and terms of this act.

Sec. 7. That the respective interest which the said board of trustees for the Cheoah Graded School, the board of county commissioners of Graham County, and the town of Robbinsville, respectively, shall own and hold in the said waterworks shall be in ratio or proportion to the whole cost of the amount of the investment of each one respectively.

Sec. 8. That either or all of the said school, county and town, through their respective governing bodies, may at any time lease, sell or convey their respective interest in the said waterworks to any person or corporation when it appears to be to its or their best interest.

Sec. 9. The board of trustees for Cheoah Graded School, board of county commissioners, and the governing body of the town of Robbinsville may make and adopt such rules and regulations governing the said waterworks as may be necessary, and pay the cost and expense of the same as for necessary expenses: Provided, that the board of trustees of Cheoah Graded School District and
the board of county commissioners of Graham County may delegate and confer this authority to the governing body of the town of Robbinsville.

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

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

Ratified this the 21st day of February, A.D. 1923.

CHAPTER 150

AN ACT TO AMEND SECTION 2 OF CHAPTER 578 OF THE PUBLIC-LOCAL LAWS OF 1921, RELATING TO SHERIFF’S FEES OF WAYNE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section two of chapter five hundred and seventy-eight of the Public-Local Laws of one thousand nine hundred and twenty-one be amended by striking out the period at the end of said section two and adding the words “and Wayne.”

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

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

Ratified this the 21st day of February, A.D. 1923.

CHAPTER 151

AN ACT TO AMEND CHAPTER 467 OF THE PUBLIC-LOCAL LAWS OF 1919, RELATIVE TO THE HIGHWAY COMMISSION OF ASHE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter four hundred and sixty-seven of the Public-Local Laws of one thousand nine hundred and nineteen, as amended, and chapter thirty-eight of the Public-Local Laws of one thousand nine hundred and twenty-one, and chapter one hundred and twenty-six of the Public-Local Laws of the Extra Session of one thousand nine hundred and twenty-one, be and the same are hereby amended as follows: That wherever the words “good roads commission” or the “highway commission of Ashe County” shall appear in any section or sections of said act or acts, or any other act or laws relative to the public roads and highways of Ashe County, or the authority to issue bonds in said
county, shall be and the same is hereby stricken out and the
words "board of county commissioners of Ashe County" inserted
in lieu thereof; and from and after the date of the ratification
of this act all the powers and duties imposed by any of said acts
and amendments thereto or by law upon the good roads commis-
sion or the highway commission of Ashe County, except as herein-
after provided, shall be and are hereby transferred to and
imposed upon the county board of commissioners of Ashe County,
who are hereby authorized and empowered to carry out all such
duties and laws heretofore vested in the good roads commission or
highway commission of Ashe County.

Sec. 2. That the board of county commissioners of Ashe County
are hereby authorized and empowered to have audited and thor-
oughly investigated all legal liabilities and outstanding valid
indebtedness created by the good roads commission or highway
commission of Ashe County before paying the same.

Sec. 3. That the board of county commissioners of Ashe County
are hereby authorized and empowered to appoint road trustees in
the various townships in Ashe County whenever a vacancy occurs
in said office so as to maintain the number of trustees not to exceed
three; that no trustee shall be appointed in any township where
there are three trustees remaining in said office in said township,
the purpose of this section being to finally reduce the number of
trustees in said township to three.

Sec. 4. That the board of county commissioners of Ashe County
are hereby authorized and empowered to meet in special session
on the third Monday in each month for the purpose of transacting
exclusively matters that appertain to the public roads of Ashe
County, and to remain in session as long as it may be necessary
to transact such business, not exceeding three days at any one time.

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

Sec. 6. That this act shall be in force from and after its rati-
fication.

Ratified this the 21st day of February, A.D. 1923.

CHAPTER 152

AN ACT TO REGULATE DISTRIBUTION OF MILK IN
HENDERSON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That it shall be unlawful for any person, firm or
corporation engaged in selling and delivering milk to either sell or
deliver milk in Henderson County, North Carolina, in any bottle,
vessel or other container bearing the stamp, trade-mark or insignia
Selling and
delivering milk
under insignia of
other persons
forbidden.
used by any other person, firm or corporation engaged in the sale and delivery of milk. And this section shall be construed to include persons, firms or corporations delivering milk in any bottle, vessel or container belonging to any other person, firm or corporation engaged in the business of selling and delivering milk in Henderson County.

Sec. 2. The words "persons, firms or corporations" shall be construed to mean any person actually selling or delivering milk as well as any person who is the owner or manager of any concern that sells or delivers milk in any bottle, vessel or container, as set forth in section one hereof. And any such person convicted of a violation of the provisions of this act shall be fined or imprisoned in the discretion of the court.

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

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

Ratified this the 21st day of February, A.D. 1923.

CHAPTER 153

AN ACT TO AMEND SECTION 278 OF PUBLIC-LOCAL LAWS OF 1919, RELATING TO TIME FEES OF COUNTY OFFICERS OF VANCE COUNTY SHALL BE PAID TO TREASURER.

The General Assembly of North Carolina do enact:

Section 1. In line five of chapter two hundred and seventy-eight, Public-Local Laws one thousand nine hundred and nineteen, after the word "the" and before the word "of" in line five shall be stricken out and inserted in lieu thereof the words "first Monday."

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

Ratified this the 21st day of February, A.D. 1923.

CHAPTER 154

AN ACT TO LIMIT TO $3,500 THE COMPENSATION OF THE SHERIFF OF HYDE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the compensation from fees received by the sheriff of Hyde County, for all of his services, shall not exceed the amount of three thousand five hundred dollars ($3,500) annu-
ally, and any surplus received by said sheriff from fees, commissions, emoluments or from other sources shall be paid to the treasurer of Hyde County.

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

Sec. 3. That this act shall be in force from and after the first Monday in December, one thousand nine hundred and twenty-four.

Ratified this the 21st day of February, A.D. 1923.

CHAPTER 155

AN ACT TO FIX FEES AND EXPENSES OF THE SHERIFF OF ROBESON COUNTY FOR SERVING CIVIL AND CRIMINAL PROCESSES.

The General Assembly of North Carolina do enact:

Section 1. That the sheriff of Robeson County shall be allowed the sum of one dollar ($1) for executing a summons or any other writ or notice in any civil action, instead of sixty cents (60c); and shall be allowed the sum of one and fifty one-hundredths dollars ($1.50) for the arrest of any person indicted, including all services connected with the taking and justification of bail, instead of one dollar ($1), as allowed under the general statute.

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

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

Ratified this the 22d day of February, A.D. 1923.

CHAPTER 156

AN ACT TO AMEND CHAPTER 350 OF THE PUBLIC-LOCAL LAWS OF 1921, RELATING TO THE SALARIES OF THE PUBLIC OFFICERS OF COLUMBUS COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That chapter three hundred and fifty of the Public-Local Laws of one thousand nine hundred and twenty-one be and the same is hereby amended by striking out sections four, five, and six, and inserting in lieu thereof the following:

"Sec. 4. That the sheriff of Columbus County shall receive a Salary of sheriff, salary of two thousand seven hundred dollars per annum, and shall be allowed one or more deputies at such salaries as may be fixed by the county commissioners."
“Sec. 5. That the clerk of the Superior Court of Columbus County shall receive a salary of two thousand and one hundred dollars per annum, and shall be allowed one or more deputies at such salaries as may be fixed by the county commissioners.

“Sec. 6. That the register of deeds of Columbus County shall receive a salary of two thousand and one hundred dollars per annum, and shall be allowed for extra clerk hire or assistants such compensation as may be fixed by the county commissioners.”

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 April first, one thousand nine hundred and twenty-three.

Ratified this the 22d day of February, A.D. 1923.

CHAPTER 157

AN ACT TO PROVIDE FOR AN ANNUAL AUDIT OF THE BOOKS OF THE OFFICIALS OF STOKES COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That on and after the first Monday in December, one thousand nine hundred and twenty-three, and annually thereafter, the board of county commissioners of Stokes County is authorized and directed to have an audit made by a nonresident auditor or auditors of the books of the county officials of said county, at a cost not to exceed six hundred dollars: Provided, that this act shall not conflict with an audit of the road funds of Stokes County, for the year one thousand nine hundred and twenty-three, as set forth in a separate act passed at this session of the General Assembly.

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

Ratified this the 22d day of February, A.D. 1923.

CHAPTER 158

AN ACT TO AMEND SECTION 3405 OF THE CONSOLIDATED STATUTES, BY PROVIDING FOR PAYMENT IN ROCKINGHAM COUNTY TO THE OFFICER SEIZING VEHICLE CONVEYING LIQUOR.

The General Assembly of North Carolina do enact:

Section 1. That section three thousand four hundred and five of the Consolidated Statutes, entitled “Proceeds of sale applied to school fund,” be and the same is hereby amended by adding at
the end of said section the following words: "In Rockingham County not less than twenty per cent and not more than twenty-five per cent of the proceeds derived from said sale may be paid by the county board of education of Rockingham County to the sheriff or other officer who seized said property."

Sec. 2. That all allowances heretofore made by the county board of education of Rockingham County from the proceeds of the sale of captured cars or vehicles to the sheriff or other officer, who seized the same, are hereby validated and approved.

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

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

Ratified this the 22d day of February, A.D. 1923.

CHAPTER 159

AN ACT TO REQUIRE THE BOARD OF EDUCATION OF PITT COUNTY TO MAKE AND FILE WITH THE BOARD OF COUNTY COMMISSIONERS OF PITT COUNTY AN ANNUAL ITEMIZED STATEMENT OF RECEIPTS AND EXPENDITURES OF SAID BOARD.

The General Assembly of North Carolina do enact:

Section 1. The board of education of Pitt County shall make and file with the board of county commissioners of said county on the first Monday in July, one thousand nine hundred and twenty-three, and annually on the first Monday in each July thereafter, a full, complete and accurate statement and account, itemized, of all funds received and expended by or under authority of said board of education, or the county superintendent of public instruction of said county, from the first day of July of the preceding year to the first day of July in which said statement and account shall show the date and from what source said funds were received, and the date and for what purpose same were expended; and shall be so arranged in form as to show under the head of salaries and expenses of the board of education, county superintendent and public school supervisors, all salaries, office expenses and expenditures of county superintendent of public instruction, county supervisor of schools and the board of education, as overhead charges in administering the school funds in said county; and so as to show under the head and name of each school in said county, separately, the salary paid each teacher, school officials, and all expenses and other amounts paid to or for each school in said county under each separate head, and all other amounts disbursed for any purpose shall be shown under the head of miscellaneous expenditures.

12—Public-Local
Sec. 2. The board of county commissioners of said county shall receive the itemized statements and accounts of the board of education required to be filed with said board as provided in section two of this act, and shall have the same properly recorded in a permanent record book to be provided by said board of county commissioners for that purpose, which book shall be designated and marked "Accounts of Board of Education," and shall be kept in office of the register of deeds of said county as a permanent public record of said office.

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

Ratified this the 22d day of February, A.D. 1923.

CHAPTER 160

AN ACT TO REPEAL CHAPTER 363, PUBLIC-LOCAL LAWS, REGULAR SESSION 1921, RELATING TO USE OF COURTHOUSE IN CASWELL COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That chapter three hundred and sixty-three, Public-Local Laws, regular session one thousand nine hundred and twenty-one, relating to the use of courthouse in Caswell County, be and is hereby repealed.

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

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

Ratified this the 22d day of February, A.D. 1923.

CHAPTER 161

AN ACT TO PARTLY COMPENSATE E. R. FERRELL FOR DAMAGES SUSTAINED BY REASON OF PASQUOTANK COUNTY SAVING $30,000 TO $40,000 IN ABANDONING THE "LOWRY ROAD" AND "LOWRY DRAWBRIDGE."

Whereas in constructing the brick road from Elizabeth City to the lower part of Pasquotank County the road was run around by what is known as Old Weeksville; and whereas about thirty years prior to the construction of said brick road the county took over a private road known as the "Lowry Road," and in the construction of the said road there is a very expensive drawbridge across what is known as New Begun Creek; that prior to any knowledge of the direction in which the brick road was going, E. R. Ferrell
purchased from the Weeksville Ginning Company on the north side of New Begun Creek on the Lowry road a gin-house and wharf property, at a price of twenty-two hundred dollars; and whereas, since the construction of the brick road around by Old Weeksville, the county has abandoned the upkeep of the Lowry road and drawbridge above referred to, rendering the said property purchased by said Ferrell practically useless, leaving said property in a "pocket" where there is no travel nor traffic; and whereas, by reason of the construction of the brick road around by Old Weeksville, and not constructing said road in both directions, it has saved the county some thirty thousand or forty thousand dollars, besides the cost of the upkeep of the expensive drawbridge in said road known as the "Lowry Road," not having been paved and kept up by the county:

Now, therefore, in order to partly compensate E. R. Ferrell for his loss by reason of the abandonment of said road and bridge by said county, and particularly so as the county has profited and saved between thirty thousand dollars ($30,000) and forty thousand dollars ($40,000), and for the further reasons as above set out,

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Pasquotank County, North Carolina, be and they are hereby authorized and empowered at their discretion to pay E. R. Ferrell a sum not to exceed eleven hundred dollars ($1,100) in full payment for any Amount. and all damages he sustained by reason of the facts set out above.

SEC. 2. That the board of county commissioners of Pasquotank Special tax. County, North Carolina, be and they are hereby authorized, empowered, and directed to levy a "special or additional" tax on all property in Pasquotank County, North Carolina, for the payment of the aforesaid eleven hundred dollars ($1,100).

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

Ratified this the 22d day of February, A.D. 1923.

CHAPTER 162

AN ACT TO AMEND CHAPTER 220, PUBLIC-LOCAL LAWS OF NORTH CAROLINA, EXTRA SESSION OF 1921, RELATING TO THE SALARY OF THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF SWAIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section three of chapter two hundred and Law amended. twenty of the Public-Local Laws of the extra session of one thou- sand nine hundred and twenty-one be amended by striking out the
Salary.

words "two thousand five hundred" in line two of said section and inserting in lieu thereof the words "fifteen hundred."

Repealing clause.

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

When act effective.

SEC. 3. That this act shall be in force from and after the first Monday in December, one thousand nine hundred and twenty-four. Ratified this the 22d day of February, A.D. 1923.

CHAPTER 163

AN ACT TO AMEND CHAPTER 442. PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION 1921, RELATING TO SALARY OF SHERIFF OF SWAIN COUNTY.

The General Assembly of North Carolina do enact:

Law amended.

SECTION 1. That section one, chapter four hundred and twenty-two, of the Public-Local Laws of one thousand nine hundred and twenty-one, be amended by striking out the words "thirty-two hundred" in line eight of said section and inserting in lieu thereof the words "three thousand."

Salary of sheriff.

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

Repealing clause.

SEC. 3. That this act shall be in force from and after the first Monday in December, one thousand nine hundred and twenty-four. Ratified this the 22d day of February, A.D. 1923.

CHAPTER 164

AN ACT TO AMEND CHAPTER 117, PUBLIC-LOCAL LAWS OF EXTRA SESSION OF 1921, RELATIVE TO THE SALARY OF THE TREASURER OF SWAIN COUNTY.

The General Assembly of North Carolina do enact:

Law amended.

SECTION 1. That section three of chapter one hundred and seventeen, Public-Local Laws, extra session one thousand nine hundred and twenty-one, be and the same is hereby stricken out, and in lieu thereof the following be added:

Salary of treasurer. "SEC. 3. That the salary of the treasurer of Swain County shall be six hundred dollars a year."

Repealing clause.

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

When act effective.

SEC. 3. That this act shall be in force from and after the first Monday in December, one thousand nine hundred and twenty-four. Ratified this the 22d day of February, A.D. 1923.
CHAPTER 165

AN ACT TO RATIFY AND APPROVE THE ACTION OF THE BOARD OF COMMISSIONERS OF RUTHERFORD COUNTY IN THE TRANSFER OF CERTAIN FUNDS TO THE GENERAL COUNTY FUND.

The General Assembly of North Carolina do enact:

Section 1. That the action of the county commissioners of Rutherford County, in the transfer of the proceeds of sale of an issue of fifty thousand dollars five and one-half per cent new road and bridge bonds, dated the first day of October, one thousand nine hundred and twenty-two, to the general county fund of Rutherford County, be and the same is hereby ratified and approved, the use of said proceeds of said bond issue for road and bridge purposes having been found unnecessary, and the said county commissioners of Rutherford County are hereby authorized and empowered to expend such an amount, not exceeding the sum of thirty-five thousand dollars of said proceeds, as may be found necessary for the construction and erection of a new county jail for said Rutherford County.

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

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

Ratified this the 22d day of February, A.D. 1923.

CHAPTER 166

AN ACT AUTHORIZING THE COMMISSIONERS OF RUTHERFORD COUNTY TO PAY OFF CERTAIN TOWNSHIP BONDS OF RUTHERFORD COUNTY PERTAINING TO THE CONSTRUCTION OF THE CHARLOTTE-ASHEVILLE HIGHWAY IN RUTHERFORD COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the commissioners of Rutherford County are hereby authorized to redeem and pay off at par and accrued interest, out of funds belonging to the Charlotte-Asheville Highway Road District now in the hands of said commissioners, the following township bonds, which were issued on or about the first day of May, one thousand nine hundred and nineteen, for the purpose of constructing the Charlotte-Asheville Highway in Rutherford County, to wit: eight thousand seven hundred dollars ($8,700) of Cool Springs Township bonds, bearing interest at the rate of six per centum per annum, and maturing May first, one thousand nine
hundred and thirty-nine; six thousand six hundred dollars of Rutherfordton Township bonds, bearing interest at the rate of six per centum per annum and maturing May first, one thousand nine hundred and thirty-nine; eighteen hundred dollars of Green Hill Township bonds, bearing interest at the rate of six per centum per annum and maturing May first, one thousand nine hundred and thirty-nine; twelve hundred dollars of Chimney Rock Township bonds, bearing interest at the rate of six per centum per annum and maturing May first, one thousand nine hundred and thirty-nine; the principal of said bonds aggregating the sum of eighteen thousand three hundred dollars; and the said commissioners of Rutherford County are authorized and empowered to pay off and redeem said bonds out of the funds above named immediately upon the passage and ratification of this act, notwithstanding the date of maturity named in said bonds.

Sec. 2. That the commissioners of Rutherford County are hereby authorized and empowered to pay to the road commissioners of Colfax Township of Rutherford County, out of funds belonging to the Charlotte-Asheville Highway Road District of Rutherford County in the hands of the commissioners of Rutherford County, the sum of two thousand nine hundred and eighty-five thousand dollars and five cents ($2,985.05), which is the amount of money advanced by the road commissioners of Colfax Township towards the construction of the Charlotte-Asheville Highway in Rutherford County, in October, one thousand nine hundred and twenty.

Sec. 3. That this act shall be in full force and effect immediately upon its ratification.

Ratified this the 22d day of February, A.D. 1923.

CHAPTER 167

AN ACT TO PROHIBIT THE EXHIBITION OF CARNIVALS IN CALDWELL COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That it shall be unlawful for any traveling carnival to exhibit in Caldwell County; and it shall be unlawful for the board of county commissioners of said county or any board of town commissioners in said county to grant or issue any license or permit authorizing or permitting any traveling carnival company to exhibit at any place in said county: Provided, the words "traveling carnival" shall be construed to mean a traveling show consisting of one or more distinct attractions conducted for profit, whether under canvas or not, but shall not apply to circuses, wild-west shows, dog and pony shows, or moving-picture shows.
Sec. 2. That any person or persons, company or corporation, or any board of county commissioners, town commissioners, or town aldermen violating any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be punished by fine or imprisonment in the discretion of the court.

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

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

Ratified this the 22d day of February, A.D. 1923.

CHAPTER 168

AN ACT TO REPEAL CHAPTER 274, PUBLIC-LOCAL AND PRIVATE LAWS OF THE SESSION OF 1921, RELATING TO THE CATCHING OF FISH IN THE WATERS IN MONTGOMERY COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That chapter two hundred and seventy-four, Public-Local and Private Laws of the session of one thousand nine hundred and twenty-one, be and the same is hereby repealed.

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

Ratified this the 22d day of February, A.D. 1923.

CHAPTER 169

AN ACT TO ABOLISH THE OFFICE OF COUNTY AUDITOR OF FRANKLIN COUNTY, AND TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS TO CAUSE THE COUNTY ACCOUNTS TO BE AUDITED BY THE STATE AUDITOR'S OFFICE OR UNDER CONTRACT.

The General Assembly of North Carolina do enact:

Section 1. That the office of county auditor of Franklin County be and the same is hereby abolished, and the board of county commissioners is hereby authorized and directed to cause the county accounts to be audited under arrangements to be made with the State Auditor's office or to let the work of auditing under contract to auditing concerns.

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

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

Ratified this the 22d day of February, A.D. 1923.
CHAPTER 170

AN ACT TO PLACE THE OFFICERS OF BLADEN COUNTY UPON A SALARY BASIS.

The General Assembly of North Carolina do enact:

Section 1. That the sheriff, clerk of the Superior Court, and register of deeds of Bladen County, and their several deputies and clerks, shall collect, receive, and account for all the fees to which they become entitled by virtue of their respective offices under the laws of North Carolina relative to salaries and fees, or such as may hereafter be enacted by the General Assembly, and shall pay the same on the first of every calendar month, or within five days thereafter, to the bank or banks designated as treasurer of Bladen County by the county commissioners; and said officers and each of them shall be responsible for and chargeable with all moneys of every kind which are paid into their respective offices, and shall be held to strict account therefor; and the moneys so paid shall be kept by the treasurer of said county in a separate fund to be known as the "salary fund."

Section 2. The said officers shall faithfully collect all fees, commissions, profits, and emoluments of all kinds now belonging or appertaining to their respective offices; and they shall receive as compensation for their services only such salaries and compensation as is provided for in this act; and for any abstraction, concealment, or misapplication of any of the moneys payable into their respective offices, which any of them have collected, the person so offending shall be guilty of a felony, and upon conviction shall forfeit his said office and be punished as is now provided in cases of embezzlement by public officers.

Section 3. Any officer of Bladen County, or any clerk or deputy thereof, who shall fail or refuse to collect any fee, commission, or emolument of any kind belonging to his office shall be guilty of a misdemeanor, and shall be fined or imprisoned in the discretion of the court; and all fees, commissions, or emoluments which should be collected by such officers, under the laws of the State of North Carolina, shall be demanded and collected by them in advance unless otherwise provided by law; and upon being collected, shall be turned over to the treasurer of said county as is provided by this act.

Section 4. That each and all of said officers shall open and keep a separate set of account books, consisting of a daily journal and a ledger, in which shall be promptly, correctly, and accurately entered itemized accounts of all moneys collected or received by such officers by virtue of their office, or which by law are or may be payable into their respective offices; and all of said books shall be at all times open to the inspection of the public upon demand; and said books shall be safely and securely kept so as to prevent
and guard against the loss or destruction thereof. Said books shall show in itemized form the name of the person paying in any sum of money, the date when paid, the purpose for which it is paid, and the amount thereof. The auditor of Bladen County shall have power to prescribe the form of books to be kept, not inconsistent with this act, and to prescribe rules and regulations for the keeping thereof; and the said books shall be kept in the form and after the method so prescribed by said auditor.

SEC. 5. At the end of each calendar month, or within five days thereafter, a true and accurate statement shall be transmitted by each of said officers, under oath, to the auditor of said county; said statement to contain and show in detail all of the entries made upon said books during the preceding calendar month, and upon receipt of such statement it shall be the duty of said auditor to cause each statement to be checked and compared with the books of original entry, and if upon such checking and comparison it shall be ascertained that the statement submitted by any officer does not conform to and correspond with the books of original entry, or if it be ascertained that the statement so submitted is not a true and correct statement of the transactions of his office for the preceding month, then it shall be the duty of the auditor of said county to ascertain and determine the true and correct amount which should be paid by such officer for moneys collected and received by him during the preceding month by virtue of his office, and upon the amount being so ascertained by the auditor, it shall be his duty to cause the officer to pay over the amount so ascertained to be due to the county treasurer; and if he shall fail to do so, then the matter shall be reported to the county attorney and it shall be his duty to institute action against such officer and his official bond in the Superior Court or other court of competent jurisdiction in the county of Bladen, to prosecute such action to final judgment, and to collect the amount due by such officer and pay over the same to the county treasurer.

SEC. 6. Any of said officers who shall fail, neglect, or refuse to make the monthly statement as required by the preceding section, or who shall willfully submit any false or incorrect statement, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined or imprisoned in the discretion of the court.

SEC. 7. The sheriff of Bladen County shall receive for his salary and clerk and deputy hire the sum of five thousand dollars ($5,000) per annum, and shall receive the amount of his actual expenses for taking prisoners to the State's Prison or chain-gang; for taking insane persons to the State Hospital, or any duty that takes him outside of the county; and it shall be the duty of the sheriff to render to the board of commissioners of said county a monthly statement of the expenses herein provided, showing the date the expense was incurred, the purpose for which incurred and the amount thereof; and thereupon, if the board of commissioners
be satisfied that the amount submitted is correct, then the amount
thereof shall be paid to the sheriff by the treasurer upon the
warrant of the board of county commissioners, countersigned by
the clerk of such board, and the amount thereof shall be paid
by the treasurer out of the salary fund herein provided for.

SEC. 8. Out of the allowance made to the sheriff by section
seven of this act the said sheriff shall employ and pay the com-
ensation of such clerks and deputies as are necessary to perform
the duties of the office; and the said sheriff is hereby permitted
to send to said deputies and have served by them any and all
summonses, subpoenas, notices, executions, or other legal process
whatever, and the said sheriff shall be allowed to receive and
retain for the purpose of procuring able and diligent deputies the
legal fees in serving such summonses, subpoenas, notices, executions,
and all other legal process, together with the costs now
allowed for collecting taxes not paid on or before February the
first of each year.

SEC. 9. The sheriff of Bladen County shall retain and pay over
to the treasurer of said county, for the benefit of the salary fund
herein provided for, any and all commissions heretofore allowed
him by law for the collection of taxes.

SEC. 10. The sheriff of said county shall also appoint a jailer,
whose salary shall be fixed by the board of commissioners of said
county at an amount not less than fifteen dollars a month, payable
monthly, the actual expenses of maintaining the common jail of
said county and an amount not less than seventy cents a day for
providing board for prisoners, together with the other fees now
allowed by law for performing the duties required of a jailer; that
said salary and fees shall be paid out of the general fund of the
county by the board of commissioners.

SEC. 11. The clerk of the Superior Court of Bladen County
shall receive for his salary and for deputies and other clerical
assistance the sum of two thousand dollars ($2,000) per annum;
and out of the allowance made to said clerk in this section, he
shall employ and pay the compensation for such clerical assistance
as the public business may require.

SEC. 12. The register of deeds of Bladen County shall receive
for his salary and for deputies and other clerical assistance the
sum of twenty-five hundred dollars ($2,500) per annum; and out
of the allowance made to said register of deeds in this section, he
shall employ and pay the compensation of such clerical assistance
as the public business may require.

SEC. 13. It shall be the duty of each officer whose salary is
fixed in this act to provide at all times and pay the compensation
of sufficient clerical assistance for the prompt and efficient dis-
charge of his duties and of all duties imposed upon him by law.

SEC. 14. That in addition to the salaries herein provided and
the allowances herein set forth, the board of commissioners of
Bladen County shall furnish each of said officers with all necessary supplies, stationery, and postage for conducting the business of their office, and such supplies shall be paid for by the county of Bladen and out of the general county fund thereof.

Sec. 15. That the salaries and allowances herein provided for the officers of Bladen County shall be in lieu of all other compensation now allowed by law; but they shall each continue to collect and pay over to the treasurer of Bladen County for the credit of the salary fund described in this act all fees, commissions, and emoluments coming into their hands by virtue of their office, with the exception of those fees mentioned in section eight of this act.

Sec. 16. If it shall appear at any time to the board of commissioners of Bladen County that the allowance made by this act to the several officers is insufficient to provide deputies or clerical assistance for the prompt and efficient transaction of the public business, and that the public interest requires that other assistance be provided, then the board of commissioners shall have power, upon ascertaining such facts, to provide such other and further deputies or clerical assistance for any of said officers or for the auditor of Bladen County as may be reasonably necessary to promptly and efficiently carry on the public business, or to increase the amount of the allowances herein made; and in such event the salaries as determined by the board of commissioners shall be in lieu of the salaries provided for in this act, and the amount thereof shall be paid out of the salary fund as herein provided. The action of the board of commissioners in this behalf shall be spread upon the minutes of said board: Provided, that the increase for any officer's office shall not exceed one thousand dollars over the amounts herein allowed; and Provided further, that no increase whatsoever shall be made except upon the recommendation and approval of the county auditor and the county attorney.

Sec. 17. All the salaries herein provided for shall be paid by the treasurer of Bladen County to the persons entitled to receive the same, in equal monthly installments, upon warrants drawn by the board of commissioners of said county and countersigned by the clerk to said board, and said warrants, when paid, shall be charged to the salary fund herein provided: Provided, that should there at any time be insufficient funds to the account of the salary fund, the warrants shall be paid out of the general fund and charged to the salary fund account.

Sec. 18. All moneys coming into the hands of the treasurer by virtue of this act shall be held by him as a separate and distinct fund, and so much as shall be necessary shall be applied to the payment of the salaries and allowances herein provided for. The treasurer shall open a separate account with each of the several officers of said county, which shall show the amount received from...
Annual statements of salary fund.

Balance credited to general fund.

Bonds given in surety companies.

Payment of premiums.

Officers to discharge duties.

No pay for additional service.

Liabilities of officers.

Repealing clause.

Application of act.

When act effective.

Each officer and the amount paid to such officer, and the said accounts shall be at all times open to the public.

Sec. 19. On the first Monday in January in each and every year it shall be the duty of the said treasurer to submit to the board of commissioners of said county a detailed statement of the condition of the salary fund, showing the amounts received during the preceding year from each officer and the amounts paid out to each officer; and the balance remaining in said salary fund to the credit of each of the respective officers; and after the payment of the salaries and allowances herein provided, the balance remaining in said salary fund shall, on the said first Monday in January in each year, be turned over by the treasurer into the general fund of said county to form a part thereof and to be at the disposal of the board of commissioners of said county as a part thereof.

Sec. 20. All officers of Bladen County who are now or may be hereafter required to give bond for the faithful performance of their duties shall give bond in a surety company approved by the board of commissioners of said county, and the premium thereon shall be paid out of the salary fund provided in this act.

Sec. 21. The officers hereinbefore mentioned shall faithfully and truly perform all of the duties of their several offices which are now or which may hereafter be imposed upon them by law; and they shall receive no other compensation or allowance of any kind whatsoever for any extra or additional services rendered to the county, State, or other governmental agency, and they shall be liable to all the pains and penalties now or hereafter provided for failure to perform the duties of their said offices.

Sec. 22. That all laws or clauses of laws in conflict with this act be and the same are hereby repealed.

Sec. 23. That this act shall apply only to the county of Bladen.

Sec. 24. That this act shall be in full force and effect from March first, one thousand nine hundred and twenty-three.

Ratified this the 22d day of February, A.D. 1923.

CHAPTER 171

AN ACT TO REPEAL CHAPTER 553, PRIVATE LAWS 1919, SO FAR AS SAME RELATES TO OLIN TOWNSHIP IN IREDELL COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Section 1. That chapter five hundred and fifty-three, Private Laws of the session of one thousand nine hundred and nineteen, be and the same is hereby amended by striking out all of section three after the word "county" in line one of said section.

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

Ratified this the 22d day of February, A.D. 1923.
CHAPTER 172

AN ACT TO EMPOWER THE COUNTY COMMISSIONERS OF BERTIE COUNTY TO AUTHORIZE THE CLERK OF THE SUPERIOR COURT, THE REGISTER OF DEEDS, AND THE SHERIFF OF SAID COUNTY TO EMPLOY CERTAIN DEPUTIES IN SAID OFFICES TO BE PAID FOR BY THE COUNTY OUT OF THE SALARY FUND.

The General Assembly of North Carolina do enact:

Section 1. That the board of commissioners of Bertie County in regular session may authorize the clerk of the Superior Court to appoint and employ one deputy or clerk, the register of deeds to appoint one deputy or clerk, and the sheriff to appoint two deputies or clerks.

Sec. 2. That the board of commissioners shall fix the term of employment and salary to be paid any and all deputies which may be appointed under section one of this act, and they shall also define the duties and powers of such deputies or clerks, and place a record of same on their official minutes.

Sec. 3. That the salaries of all deputies or clerks so authorized by said board and appointed by said officers shall be paid monthly out of the salary fund of Bertie County.

Sec. 4. That all laws and clauses of laws in conflict herewith are repealed, and this act shall not have the effect to decrease the salary now paid said officers under special act of Bertie County.

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

Ratified this the 22d day of February, A.D. 1923.

CHAPTER 173

AN ACT TO AMEND CHAPTER 82 OF THE CONSOLIDATED STATUTES, RELATING TO USING OF PROFANE OR INDECENT LANGUAGE ON PUBLIC HIGHWAYS, SO AS TO MAKE IT APPLY TO PITTS COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section four thousand three hundred and fifty-two of the Consolidated Statutes be and the same is hereby amended by striking out the words “Pitt and Pasquotank” in line seven thereof.

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

Ratified this the 22d day of February, A.D. 1923.
CHAPTER 174

AN ACT TO FIX THE COMPENSATION OF THE SHERIFF OF EDGECOMBE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That in lieu of the commissions to be received by the sheriff of Edgecombe County on taxes collected by him for county, township, and special road and school districts as fixed by section eight thousand and forty-two of the Consolidated Statutes of North Carolina, the said sheriff of Edgecombe County shall receive on all taxes collected by him for county, township, special road and school districts a commission of five per cent on the first fifty thousand dollars thereof, and a commission of two and one-half per cent on the next one hundred and fifty thousand dollars thereof, and a commission of one per cent on all sums in excess of the said two hundred thousand dollars thereof.

SEC. 2. That the commissions herein fixed to be received by the sheriff of Edgecombe County shall not apply to any taxes collected for State purposes, but shall apply only to taxes collected by him for the purposes enumerated in section one hereof.

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

SEC. 4. That this act shall be in full force and effect from and after the first day of July, one thousand nine hundred and twenty-three.

Ratified this the 22d day of February, A.D. 1923.

CHAPTER 175

AN ACT PROHIBITING THE BOARD OF COUNTY COMMISSIONERS OF BRUNSWICK COUNTY FROM ISSUING BONDS OR NOTES PLEDGING THE CREDIT OF SAID COUNTY WITHOUT FIRST SUBMITTING THE QUESTION TO THE QUALIFIED VOTERS THEREOF.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for the board of county commissioners of Brunswick County to issue bonds or notes whereby the credit of the county is pledged for any purpose, except to pay the existing indebtedness of the aforesaid board and necessary expenses of said county, without first submitting the question of issuing bonds or notes to the qualified voters of said county, at an election to be held for that purpose in the same manner and subject to the same rules, regulations and laws as apply to elections of members of the General Assembly. And that no such
bonds or notes shall be issued unless at said election a majority of the qualified voters of said county cast votes in favor of the issuance of said bonds or notes: Provided, however, that without such an election the board of county commissioners is empowered to issue bonds or notes in sufficient amount only for the repair of roads, and the repair and construction of bridges, where such construction or repairs are made necessary by depreciation, fire, floods, or rains.

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 July first, one thousand nine hundred and twenty-four.

Ratified this the 23d day of February, A.D. 1923.

CHAPTER 176

AN ACT TO FIX SALARIES FOR PUBLIC OFFICERS IN PERSON COUNTY, AND TO PROVIDE FOR THE AUDITING OF THEIR ACCOUNTS.

The General Assembly of North Carolina do enact:

SECTION 1. That the sheriff, clerk of the Superior Court, county treasurer, and register of deeds of Person County, and their respective deputies, shall collect and receive and account for all the fees to which they are entitled by virtue of their respective offices and pay the same over to the treasurer of said county on or before the first Monday of each and every calendar month; and they shall be responsible for and chargeable with all fees and money of every kind which by law are to be paid into their respective offices, and shall be held to strict account therefor; and money so paid shall be kept by the treasurer of said county in a separate fund to be known as a salary fund or account.

Sec. 2. That the said officers shall faithfully collect all fees, commissions, profits, and emoluments of all kinds now or hereafter belonging or appertaining to or which may hereafter by any law belong or appertain to their respective offices, and they shall receive for their services only such salaries and compensation as is hereby provided; and for any obstruction, concealment, or misapplication of any of the moneys payable into their respective offices or for which any of them have collected, any one of them so obstructing, concealing, or misapplying the same shall be guilty of a felony and upon conviction shall forfeit his said office and be punished as is now provided by law as in case of embezzlement of public funds.

Sec. 3. That each and all of said officers open and keep a separate set of books, consisting of a daily journal or ledger, in
which shall be promptly, correctly, truly, and accurately entered itemized accounts of all moneys collected or received by said officers, or which by law shall be payable into their respective offices, and all of said books shall at all times be open to the inspection of the public upon demand, and said books shall be safely and securely kept so as to prevent loss or destruction by theft, fire, or accident.

Sec. 4. That on the first Monday of each calendar month a true and accurate transcript of said account books shall be transmitted by each of said officers to the board of commissioners of said county; said transcript to contain and show all the entries made on said books during the preceding calendar month, which said transcript shall be sworn to and duly verified by the officer filing the same.

Sec. 5. That it shall be the duty of the board of county commissioners of Person County to provide for an audit of all of said account books of officers of said county quarterly; that the said audit shall be made by the chairman of the board of commissioners, the county attorney, and the treasurer of said county, who shall make a written report to the board of commissioners of said county of the results of said audit.

Sec. 6. That the members of the board of commissioners of Person County shall each receive the sum of five dollars per day, and mileage at the rate of five cents per mile, both ways, for their services in attending the meetings of said board of commissioners.

Sec. 7. That the sheriff of Person County may appoint a deputy in each township in the county, except in Roxboro Township, which is hereafter provided for, and allow such deputies the fees made and collected by them in serving summonses, subpoenas, notices, and processes of all kinds, all fees made and collected by them from executions.

Sec. 8. The sheriff of Person County shall appoint a jailer, whose compensation shall be fixed by the board of county commissioners of Person County.

Sec. 9. The sheriff shall appoint one deputy for Roxboro Township at a salary of twelve hundred dollars per annum. The said deputy shall serve papers and processes in any section of the county, and shall perform such other duties of the office as may be assigned to him by the sheriff. He shall keep a correct record of all fees collected by him, and shall turn the same over to the county treasurer to be disposed of as hereinbefore provided, and shall receive no compensation for his services except as herein provided: Provided, the said deputy sheriff may also be appointed jailer of said county, and as such jailer may receive such compensation for his services as the county commissioners may allow in addition to the salary of twelve hundred dollars hereinbefore provided for.
SEC. 10. The said sheriff and his deputy shall pay over to the treasurer of said county all fees, mileage, and other allowances paid to them by the State of North Carolina or by any State institution for taking prisoners to State Prison or insane persons or other defectives or dependents to the State Hospital or other State institutions. But the commissioners of said county shall pay said officers their actual necessary expenses incurred in such duties. The said sheriff shall be entitled to and receive the fee of ten dollars for each illicit distillery captured by him and destroyed under the provisions of section three thousand three hundred and ninety-eight of the Consolidated Statutes, and twenty-five dollars additional for each person who is convicted of operating such distillery.

SEC. 11. The sheriff shall receive a salary of twenty-four hundred dollars per annum and three hundred and fifty dollars for expenses in lieu of all other compensations whatsoever, except fees allowed for destroying illicit distilleries and convicting persons of operating same as set out in section ten.

SEC. 12. That the clerk of the Superior Court shall receive a salary of two thousand dollars per annum in lieu of all other compensation whatsoever.

SEC. 13. That the register of deeds of said county shall receive a salary of two thousand dollars per annum, which compensation shall be in full for the performance of the duties of his office, including making out the tax list as required by law.

SEC. 14. That the treasurer of said county shall receive a salary of five hundred dollars per annum in lieu of all other compensation whatsoever.

SEC. 15. All moneys coming into the hands of the treasurer of said county by virtue of this act shall be held by him as a separate fund, and shall be used for general county purposes. It shall be the duty of said treasurer to keep an accurate account with each of said officers, which said account shall show the fees and other moneys received by him from each of them and the amount paid out by him for salaries and expenses of such officers. He shall file an abstract of said account with the board of commissioners of said county on the first Monday in December of each year, showing the receipts and the disbursements on account of said officers for the preceding year.

SEC. 16. The salaries and allowances herein provided for shall be paid by the treasurer of said county as required by law to the officers and deputies in monthly installments, the said warrants to be countersigned by the chairman of the board of commissioners and register of deeds.

SEC. 17. The officers hereinbefore mentioned shall perform all the duties of their several offices imposed upon them by law, and shall receive no other compensation or allowances whatsoever for
any extra or additional service rendered to county or State or
other governmental agencies, and they shall be liable to all the
pains and penalties now or hereafter provided for failure to
perform the duties of their several offices.

Sec. 18. That at the expiration of the sheriff's term of office he
shall turn over to his successor in office all the uncollected taxes
and his successors shall collect the same, and it shall be the duty
of the county commissioners of Person County to settle with the
outgoing sheriff at the expiration of his term.

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

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

Ratified this the 23d day of February, A.D. 1923.

CHAPTER 177
AN ACT TO AMEND CHAPTER 215 OF THE PUBLIC-LOCAL
LAWS 1915, PROVIDING FOR NEW HANOVER COUNTY A
SHORT FORM OF CONDITIONAL SALE AGREEMENT, AND
TO SIMPLIFY THE EXECUTION AND REGISTRATION OF
SAME.

The General Assembly of North Carolina do enact:

Section 1. That section three, chapter two hundred and fifteen
of the Public-Local Laws one thousand nine hundred and fifteen,
be amended by inserting between the words "to" and "Durham" in
line one of said section the words "New Hanover."

Sec. 2. That this act shall be in force from and after its ratifi-
cation.

Ratified this the 23d day of February, A.D. 1923.

CHAPTER 178
AN ACT TO PROHIBIT THE EXHIBITION OF CARNIVALS
IN ROCKINGHAM COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That it shall be unlawful for any traveling carnival
to exhibit in Rockingham County, and it shall be unlawful for the
board of county commissioners of said county or any board of
town commissioners in said county to grant or issue any license or
permit authorizing or permitting any traveling carnival company
to exhibit at any place in said county: Provided, the words
"traveling carnival" shall be construed to mean a traveling show
consisting of three or more distinct attractions conducted for profit, whether under canvas or not, but shall not apply to circuses and wild-west shows.

SEC. 2. That any person or persons, company or corporation, or any board of county commissioners, town commissioners, or town aldermen violating any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be punished by fine or imprisonment in the discretion of the court.

SEC. 3. That all laws and clauses of laws in conflict herewith, to the extent of said conflict, are hereby repealed.

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

Ratified this the 23d day of February, A.D. 1923.

CHAPTER 179

AN ACT RELATING TO THE DUTIES AND AUTHORITY OF CONSTABLES AND POLICEMEN OF INCORPORATED TOWNS IN THE COUNTY OF SCOTLAND.

The General Assembly of North Carolina do enact:

SECTION 1. That the constables and policemen of the several incorporated towns within the county of Scotland shall have the same authority and powers as are now given to rural policemen of said county by chapter one hundred and fourteen, Public-Local Laws of North Carolina, session one thousand nine hundred and thirteen, and amendments thereto; and shall have the right to exercise such authority and powers anywhere within the limits of said county: Provided, however, that such town constables and policemen shall, before they shall have the right to exercise such authority and powers outside the corporate limits of the town of which they are such constables or policemen, shall give the same bond and subscribe to substantially the same oath as now required of the rural policemen of said county, which bond and oath shall be filed with and be approved by the board of county commissioners of said county.

SEC. 2. That nothing herein contained shall be construed so as to authorize said board of county commissioners to pay any salary or other compensation whatever to said town constables or policemen.

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

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

Ratified this the 23d day of February, A.D. 1923.
CHAPTER 180

AN ACT FOR THE RELIEF OF W. E. SHIPMAN, SHERIFF AND TAX COLLECTOR OF TRANSYLVANIA COUNTY.

Whereas, by error, the county commissioners of Transylvania County directed the sheriff and tax collector, W. E. Shipman, not to collect any penalties or allow any rebates for the payment or collection of taxes in said county for the tax levy of one thousand nine hundred and twenty-one; and

Whereas the said sheriff failed to collect any penalties or allow any rebates in connection with the payment and collection of said taxes: Now, therefore, •

The General Assembly of North Carolina do enact:

SECTION 1. That W. E. Shipman, sheriff and tax collector of Transylvania County, be and he is hereby relieved from any and all fines, forfeitures, or penalties for failing to allow any rebate or to collect any penalties in connection with the collection of taxes for the year one thousand nine hundred and twenty-one, and that the said sheriff and tax collector be not allowed to collect any such penalties or to allow any rebates for taxes so paid or collected during said year one thousand nine hundred and twenty-one.

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

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

Ratified this the 23d day of February, A.D. 1923.

CHAPTER 181

AN ACT TO VALIDATE CERTAIN DRAINAGE BONDS IN PASQUOTANK COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That all acts and proceedings had and taken by the drainage commissioners of Pasquotank County Drainage District, Number One, in the establishment of said district, and in the issuing of sixty thousand dollars ($60,000) serial bonds, bearing date of December first, one thousand nine hundred and twenty-two, and issued pursuant to the provisions of chapter ninety-four, Consolidated Statutes of North Carolina, and amendments thereto, for drainage improvement, and the fixing of maturities of said bonds, and in the awarding and selling of the same, and all acts incident thereto, be and the same are hereby and in all respects
validated, ratified and confirmed, and all other acts and proceedings required to be done to make the same a valid and binding issue of bonds are declared to have been done in all respects as required by law.

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

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

Ratified this the 23d day of February, A.D. 1923.

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CHAPTER 182

AN ACT TO PROHIBIT EXHIBITION BY CARNIVALS IN GRANVILLE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. It shall be unlawful for any traveling carnival company to exhibit in Granville County; and it shall be unlawful for any board of county commissioners of said county or any board of town commissioners or town aldermen in any town in said county to grant or issue any license or permit authorizing or permitting any traveling carnival company to exhibit at any place in said county: Provided, the words “traveling carnivals” shall be construed to mean traveling shows consisting of three or more distinct attractions or concessions conducted for profit, whether under canvas or not, but shall not apply to circuses and wild-west shows.

Sec. 2. Any person or persons, company or corporations, or any board of county commissioners, town commissioners or town aldermen violating the provisions of this act or assisting in the violation of said act shall be guilty of a misdemeanor and punished by fine or imprisonment in the discretion of the court.

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

Ratified this the 2d day of February, A.D. 1923.

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CHAPTER 183

AN ACT FOR THE PROTECTION OF MAPS OR PLATS TO BE FILED IN THE OFFICE OF REGISTER OF DEEDS OF GUILFORD COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That in order to preserve permanently all such maps or plats of land required or desired to be recorded as a part of the records in the register of deeds’ office in the county of Guil-
ford, all persons filing said maps or plats for record shall have said maps or plats prepared upon tracing cloth with black waterproof drawing ink, or shall furnish a black line or brown line print thereof made on cloth known to the trade as medium thick: Provided, that if a print is furnished, all lines and letters shall be clearly cut and the background thereof shall be of even shade and substantially white. Said maps or plats shall have outside dimensions of twenty inches wide by twenty-five and one-half inches long.

Sec. 2. That one copy of said map or plat, together with one blue-print thereof, shall be delivered to the register of deeds, and only one probate fee and only one record fee shall be charged for probating or recording such maps or plats.

Sec. 3. That the register of deeds shall preserve said maps or plats in books to be made for that purpose and to be kept as a part of the permanent records of his office.

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

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

Ratified this the 23d day of February, A.D. 1923.

CHAPTER 184

AN ACT TO AMEND CHAPTER 285, PUBLIC-LOCAL LAWS 1921, RELATIVE TO THE OFFICE OF THE SHERIFF OF STOKES COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section one, chapter two hundred and eighty-five, Public-Local Laws one thousand nine hundred and twenty-one, be amended by inserting in line six between the words "thereof" and "which" the following: "and in addition thereto he shall be allowed to retain all fees now or which may be hereafter allowed by law for serving all processes and precepts which may come into his hands for service by virtue or color of his office, and he may retain to his own use such lawful fees and also the lawful commissions which he may collect on executions during his continuance in office."

Sec. 2. That section three of said chapter be amended by inserting in line two between the words "commissions" and "which" the following: "except such as are allowed him under section one."

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

Ratified this the 23d day of February, A.D. 1923.
CHAPTER 185

AN ACT PROHIBITING THE BOARD OF EDUCATION OR THE BOARD OF COUNTY COMMISSIONERS OR THE ROAD COMMISSION OF HYDE COUNTY FROM ISSUING BONDS OR NOTES PLEDGING THE CREDIT OF SAID COUNTY, TOWNSHIP, OR SCHOOL OR ROAD DISTRICT, WITHOUT FIRST SUBMITTING THE QUESTION TO THE QUALIFIED VOTERS THEREOF.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for the board of education or the board of county commissioners or the road commission of Hyde County to issue bonds or notes whereby the credit of the county, township, school or road district is pledged for any purpose except to pay the existing floating indebtedness of the aforesaid boards or road commission, township, or districts, heretofore incurred for necessary expenses, without first submitting the question of issuing bonds or notes to the qualified voters of said county, township, or school or road districts, at an election to be held for that purpose, in the same manner and subject to the same rules, regulations and laws as apply to elections of members of the General Assembly; and that no such bonds or notes shall be issued unless at said election a majority of the qualified voters of said county, township, school or road district cast votes in favor of the issuance of said bonds or notes: Provided, however, that without such an election the board of education is empowered to issue bonds or notes in sufficient amount only for the payment of teachers' salaries of said county, the total amount of said bonds or notes not to exceed eighty per cent (80%), for said purpose, of taxes levied for the same year in which said salaries are due and which must be paid out of the taxes levied for said year and for said purpose only: Provided further, that the board of county commissioners without such election may borrow money to meet necessary current expenses in anticipation of the collection of taxes during any current year, which must be paid out of the taxes levied for said current year not in excess of eighty per cent (80%) of the total amount of taxes levied and uncollected during such current year, and may issue notes or other evidence of debt for the amount borrowed, and the money so borrowed shall only be used to meet necessary current expenses: Provided, that in case of an emergency, such as the rebuilding of a school building or other county property destroyed by fire or other casualty, the county commissioners are authorized and empowered to issue notes or bonds to meet said emergency; and Provided further, that where school buildings have been sold and new ones must be erected, the county commissioners may issue bonds for the board of education to build the same.
Repealing clause.

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

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

Ratified this the 23d day of February, A.D. 1923.

CHAPTER 186

AN ACT TO TURN INTO THE GENERAL COUNTY FUND OF STOKES COUNTY THE SURPLUS TAXES COLLECTED TO PAY STOKES COUNTY HOME BONDS.

The General Assembly of North Carolina do enact:

Section 1. That all funds remaining in the hands of the treasurer of Stokes County, realized from taxes levied to pay Stokes County home bonds, which were not needed for said purpose, be turned into the general county fund of Stokes County.

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

Ratified this the 23d day of February, A.D. 1923.

CHAPTER 187

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF PERSON COUNTY TO LEVY TAXES FOR BUILDING A COUNTY HOME.

The General Assembly of North Carolina do enact:

Section 1. That the board of commissioners of Person County, at the same time or in the same manner as they assess the public taxes of each year, are hereby authorized and empowered to levy annually a special tax in Person County with such a rate as said board of commissioners may determine and deem best to create a fund for the purposes provided for in this act; that the funds derived from said tax shall be a special fund to be used for this purpose and no other.

Sec. 2. That the funds derived from the special tax empowered and allowed by section one of this act shall be used for the purpose of building a modern county home for the county of Person, such as the board of commissioners in their discretion may build.

Sec. 3. That said tax allowed by section one of this act shall be assessed by the board of commissioners of Person County only so long as some indebtedness incurred in the construction of said county home exists against the county; that upon payment of all costs of erecting same this tax shall no longer be levied, but that
until all the costs of erecting said county home are paid the board of commissioners have full and ample power to levy any tax they may determine upon for the purposes herein set out.

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

Ratified this the 23d day of February, A.D. 1923.

CHAPTER 188

AN ACT TO APPOINT R. H. BYRD CONSTABLE OF BURGAW TOWNSHIP, PENDER COUNTY.

Whereas at the general election held in one thousand nine hundred and twenty-two, Burgaw Township, Pender County, failed to elect any constable; and

Whereas said township is in urgent need of a constable: Now, therefore,

The General Assembly of North Carolina do enact:

Section 1. That R. H. Byrd be and by this act is hereby appointed constable of Burgaw Township, Pender County; said R. H. to serve until the next general election and until his successor is elected and qualified, and have all the powers and privileges attaching to said office.

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

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

Ratified this the 23d day of February, A.D. 1923.

CHAPTER 189

AN ACT TO REGULATE THE LICENSING OF AUTOMOBILES FOR HIRE IN IREDELL COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That it shall be the duty of the sheriff of Iredell County, upon application for any person for license to run an automobile or automobiles for hire, to first make due inquiry as to the fitness of said person to operate an automobile for hire, and in said investigation special consideration shall be given to the moral character and sobriety of said applicant, and if, in the discretion of the said sheriff of Iredell County, it would not be to the best interest of the public welfare of the citizens of Iredell County that the applicant should be given license to operate an automobile or
 automobiles for hire, then the sheriff, with the approval of the board of county commissioners of Iredell County, shall refuse to grant said license.

Sec. 2. That if any person who has been granted a license to operate an automobile for hire in Iredell County should so conduct himself that, in the opinion of the sheriff of Iredell County, the public welfare is in danger, then it shall be the duty of the sheriff of Iredell County, with the approval of the board of county commissioners of Iredell County, to immediately revoke the license of said person, and any portion of the unearned part of said license shall be forfeited to the county of Iredell.

Sec. 3. That the sheriff of Iredell County shall not be permitted to issue any license for the purpose of running automobiles for hire to any firm or corporation, but shall only issue license in the name of an individual.

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

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

Ratified this the 23d day of February, A.D. 1923.

CHAPTER 190

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF COLUMBUS COUNTY TO ELECT A WHOLE-TIME AUDITOR AND TO ABOLISH THE OFFICE OF COUNTY TREASURER.

The General Assembly of North Carolina do enact:

Section 1. That the board of county commissioners of Columbus County be and they are hereby authorized and empowered to elect a whole-time auditor, who shall hold his office at the pleasure of the said board and receive such compensation as may be fixed by it.

Sec. 2. That should the county commissioners of Columbus County employ a county auditor on or before January first, one thousand nine hundred and twenty-four, then and in that event that from and after January first, one thousand nine hundred and twenty-five, the office of county treasurer is abolished, in which case county funds shall be deposited with such bank, banks, person or persons as may be designated by the said board of commissioners, to be drawn out on the order of the said board in such manner as may be designated by it. And the said board of commissioners are further authorized and empowered to make all such rules and regulations governing the withdrawal of public
CHAP. 191

AN ACT RELATING TO THE EMPLOYMENT OF CONVICTS IN COLUMBUS COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the board of commissioners of Columbus County whenever designated, or to hire them out if in the judgment of said board it is deemed advisable, and to pay for their upkeep out of the general county funds.

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

Ratified this the 23d day of February, A.D. 1923.

CHAP. 192

AN ACT TO AMEND CHAPTER 234, PUBLIC-LOCAL LAWS OF 1921, AND TO PROVIDE ADDITIONAL COMPENSATION FOR DEPUTY SHERIFFS IN ALAMANCE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section one of chapter two hundred and thirty-four of the Public-Local Laws of one thousand nine hundred and twenty-one be amended by striking out the words and figures "Salaries, one thousand five hundred dollars ($1,500)" in lines eight and nine thereof and inserting in lieu thereof the words and figures "eighteen hundred dollars ($1,800)"; and by striking out the words and figures "one thousand dollars ($1,000)" in lines ten and eleven thereof and inserting in lieu thereof the words and figures "twelve hundred dollars ($1,200)."
Fees allowed under present laws.

Sec. 2. That this act shall not in any way affect the existing law in regard to fees for serving subpoenas, summonses and other process by the deputy sheriffs of Alamance County whose salaries are referred to in section one hereof; and such fees which they are now permitted to receive under the existing law shall be in addition to the salaries provided in section one hereof.

Sec. 3. That all laws or parts of laws in conflict herewith are hereby repealed.

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

Ratified this the 23d day of February, A.D. 1923.

CHAPTER 193

AN ACT TO AMEND CHAPTER 563, PUBLIC-LOCAL LAWS OF 1921, ENTITLED "AN ACT RELATIVE TO SALARIES OF COUNTY OFFICERS IN BUNCOMBE COUNTY."

The General Assembly of North Carolina do enact:

Section 1. That section ten of chapter five hundred and sixty-three of the Public-Local Laws of one thousand nine hundred and twenty-one be and the same is hereby amended by inserting between the word "deeds" and the word "and" in line eight of said section the word "treasurer."

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

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

Ratified this the 23d day of February, A.D. 1923.

CHAPTER 194

AN ACT IN REFERENCE TO THE COMPENSATION OF THE BOARD OF COMMISSIONERS OF WILSON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. The board of commissioners of Wilson County are hereby authorized and empowered to fix their compensation as follows: (a) The chairman not to exceed two thousand dollars ($2,000) per annum; (b) the other members not to exceed five hundred dollars ($500) per annum. (c) If, in the opinion of the board, on account of extra services any member, other than the chairman, should be paid a different compensation from other members, the board is authorized to fix different compensations for the different members: Provided, the compensation so fixed shall not exceed the amount named in this act.
Sec. 2. Before any change shall be made in the compensation, the present board of commissioners of Wilson County shall pass a resolution, and there shall be entered upon the minutes of the said board the resolution so fixed, and the members of the board voting in favor of the resolution and those voting against the resolution.

Sec. 3. This act shall be in force from and after its ratification. Ratified this the 23d day of February, A.D. 1923.

CHAPTER 195

AN ACT TO CREATE A RURAL PATROL COMMISSION FOR BUNCOMBE COUNTY AND TO AUTHORIZE THE APPOINTMENT OF ONE OR MORE RURAL PATROLMEN.

The General Assembly of North Carolina do enact:

SECTION 1. That the chairman and commissioner of finance of the board of commissioners of the county of Buncombe, the chairman of the county board of education, and the clerk of the Superior Court of said county be and they are hereby created a rural patrol commission for the county of Buncombe, without additional compensation, for a period equal to their present terms of office, or until their successors in office are elected and qualified: Provided, that in the event of death or resignation of any of said officers from the positions that they now occupy, their successors in office shall become their successors upon this commission.

Sec. 2. That it shall be the duty of said rural patrol commission immediately to meet and organize by electing a chairman and secretary, and when so organized said rural patrol commission shall appoint four or more officers to be known as rural patrolmen and fix the compensation of such officers so appointed.

Sec. 3. That said rural patrol commission is hereby authorized and empowered to make such rules and regulations for the conduct of the rural patrolmen appointed hereunder as in their discretion may seem just and wise, not inconsistent with the laws governing such offices.

Sec. 4. That rural patrolmen appointed hereunder shall be men of good moral and upright character, and their terms of service shall be at the will of the commission, or a majority thereof; and it shall be the special duty of said commission and the patrolmen appointed hereunder to see that all speed or traffic laws are strictly enforced; and it shall be the further special duty of said rural patrolmen, under the direction of said commission, regularly to inspect any and all county public school property, school playgrounds and sanitary conditions in and around said public schools.
Authority.

Sec. 5. That the rural patrolmen appointed by the rural patrol commission under this act shall have the same authority in making arrests and serving processes anywhere in said county as the sheriff of Buncombe County and the police officers of the city of Asheville or any other incorporated city or town in said county of Buncombe.

Sec. 6. That in making arrests under the authority of this act said patrolmen shall issue a summons in short form in which shall be stated the offense charged, the name of the person summoned, the time, place and justice of the peace before whom such person shall appear, and deliver to such person a duplicate and triplicate copy thereof, and return the original to the justice of the peace before whom such person may be summoned to appear. The person so summoned shall mail forthwith the triplicate copy of said summons to the chairman of said rural patrol commission. If the said patrolman shall have reason to believe that any person so summoned as aforesaid will not appear as required, he shall immediately take such person before the nearest justice of the peace, who shall fix and take bond for the appearance of such person in accordance with said summons.

Sec. 7. That said rural patrolmen shall charge the same fees for the service of civil and criminal process as the sheriff now is authorized by law to charge, which fees shall be collected in the same manner as sheriff's fees, and paid over to the treasurer of Buncombe County, as now provided by law.

Sec. 8. That said rural patrolmen shall wear a uniform to be designated by the rural patrol commission, and shall also wear, in a conspicuous place upon their persons, a metal badge bearing the inscription "Rural Patrolman, County of Buncombe," which badge or badges shall be numbered and worn by the officer while in the discharge of his duty.

Sec. 9. That the necessary expenses of the rural patrol commission, together with the salary or wages of the rural patrolmen, shall be paid by the county of Buncombe and the Buncombe County board of education, each to pay one-half of the same, on the first Monday in each month, upon the order of the rural patrol commission.

Sec. 10. That the appointment of the members of the rural patrol commission hereunder shall not in any manner affect the official position of such officers or the bonds given in their official capacities, and said rural patrol commission shall not be sued in its corporate capacity, and the members thereof shall not be sued individually for any act or omission of rural patrolmen appointed under this act.

Sec. 11. That any rural patrolman appointed hereunder, who fails or refuses to comply with the provisions of this act and the rules and regulations made hereunder by the rural patrol com-
mission, shall be guilty of a misdemeanor and, upon conviction, shall be fined or imprisoned in the discretion of the court.

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

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

Ratified this the 23d day of February, A.D. 1923.

CHAPTER 196

AN ACT TO PROVIDE A UNIFORM SYSTEM FOR RECORDING PLATS AND MAPS IN BUNCOMBE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. It shall be the duty of the register of deeds of Buncombe County to have prepared, for use in said office, books upon which all maps or plats of subdivisions of land shall be recorded, as hereinafter provided, which books shall be designated as “Plat Books for the County of Buncombe,” and shall be bound in a substantial manner; and the leaves or sheets thereof shall be made of tracing or linen cloth, suitable for tracing or making of such maps or plats, so that the same may be as compact and convenient for use as possible.

Sec. 2. From and after passage of this act, any person, firm or corporation desiring to record in said county any plat or map of land shall record the same by having a correct copy thereof transcribed upon a book of plats in the office of the register of deeds for Buncombe County, and no such map or plat shall hereafter be recorded in said office except by having a true copy transcribed as aforesaid.

Sec. 3. That the register of deeds of Buncombe County, in addition to the recording fee, shall be authorized to charge and collect from such person, firm or corporation having such map or plat recorded as aforesaid, the actual cost of transcribing such map or plat into such book of plats.

Sec. 4. The register of deeds of Buncombe County shall be and is hereby authorized to collect a recording fee of one dollar for each plat and map recorded under the provisions of this act.

Sec. 5. That the register of deeds of said county be and is hereby authorized and fully empowered to have exact copies of all plats or maps registered prior to the enactment of this act transcribed or placed upon the “Book of Plats” hereinafter authorized, and such map or plat when so transcribed shall have the same force and effect and be receivable in evidence in the same manner as a map or plat now filed in said office and hereafter to be transcribed under the provisions of this act, and the board
of county commissioners is hereby authorized to expend such sum of money as may be necessary to carry out the provisions of this act: Provided, however, that said register of deeds shall not be authorized and empowered to have transcribed such plats or maps heretofore recorded and copied in accordance with the require-
ments of this act.

Sec. 6. That all laws or clauses of law in conflict herewith be and the same are hereby repealed.

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

Ratified this the 23d day of February, A.D. 1923.

CHAPTER 197

AN ACT TO PROTECT GAME, FISH, AND FUR-BEARING ANIMALS IN JACKSON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. It shall be unlawful to hunt, kill, or destroy deer, except between the first day of November and the fifteenth day of December, and during the open season no person shall be allowed to kill more than one deer in any one open season. Any one violating the provisions of this section shall be guilty of a misde-
meanor and upon conviction shall be fined twenty-five dollars or imprisoned thirty days, or both, in the discretion of the court, for the first offense; and for any subsequent offense the aforesaid penalties shall be doubled.

Sec. 2. It shall be unlawful to hunt or kill quail, pheasants, or wild turkey, except between the first day of November and the first day of March following, and no one shall be permitted to kill more than fifty quail nor five pheasants nor one turkey during any one open season. And no one shall be permitted to kill any wild turkey prior to the first day of November in one thousand nine hundred and twenty-seven. Any person violating the provi-
sions of this section shall be guilty of a misdemeanor and upon conviction thereof be fined ten dollars or imprisoned ten days, or both, in the discretion of the court, for the first offense. For any subsequent offense the fine and penalty prescribed in this section shall be doubled.

Sec. 3. It shall be unlawful to fish for trout except between the first day of April and the first day of September, and no person shall be permitted to take more than one hundred trout in any one open season. Any one violating the provisions of this act shall be subject to the same fines and penalties prescribed in section two of this act.
Sec. 4. It shall be unlawful for any person to trap, snare, shoot, or in any manner take muskrats, opossums, raccoons, otters, or minks except between the first day of November and the first day of March. Any one violating the provisions of this section shall upon conviction be subject to a fine of ten dollars: Provided, this section shall not be construed to prevent a farmer or his agent from killing any of the above named animals at any time where they are depredating upon crops, poultry, or other property.

Sec. 5. It shall be unlawful to kill or chase any fox between the first day of March and the first day of June, and no one shall be permitted to shoot any fox before the hounds in chase: Provided, it shall not be unlawful to kill a fox in any manner where the same is depredating upon pigs, poultry, or other property. Any one violating this section shall be subject to the same fines and penalties prescribed in section four of this act.

Sec. 6. It shall be unlawful for any person to explode dynamite or other explosive substance in any stream, or pollute the waters thereof with any poisonous substance for the purpose of killing or addling fish. Any one violating the provisions of this section shall be guilty of a misdemeanor and upon conviction shall pay a fine of one hundred dollars or be imprisoned for a term of two months for the first offense, and for every subsequent offense the penalty shall be six months imprisonment.

Sec. 7. Chapter one hundred and fifty-six of the Public-Local Repealing clause of the Extra Session of one thousand nine hundred twenty-one, and any other laws or clauses of laws in conflict with this act, are hereby repealed.

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

Sec. 9. This act shall apply to Jackson County only.

Ratified this the 24th day of February, A.D. 1923.

CHAPTER 198

AN ACT TO REPEAL CHAPTER 221 OF THE PUBLIC-LOCAL LAWS OF 1921, RELATING TO THE HUNTING OF FOXES IN WATAUGA COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That chapter two hundred and twenty-one of the Law repealed, entitled "An act to amend section two thousand one hundred and ten of the Consolidated Statutes, relating to the hunting of foxes in Watauga County," be and the same is hereby repealed.

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

Ratified this the 24th day of February, A.D. 1923.
CHAPTER 199

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF STANLY COUNTY TO APPOINT A TREASURER OF SAID COUNTY, IN CASE THEY CANNOT MAKE SATISFACTORY ARRANGEMENTS WITH THE BANKS OF THE COUNTY, UNDER THE PRESENT LAW, FOR HANDLING THE COUNTY FUNDS.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Stanly County, in case they cannot make satisfactory arrangements with the banks of the county under the present law for handling the county funds, be and they are hereby authorized and empowered to appoint a treasurer of said county at a salary of not exceeding $1,200 per annum.

Sec. 2. That the treasurer so appointed shall give bond in the sum of $50,000 for the faithful handling and accounting of all the moneys which may come into his hands, said bond to be approved by the board of county commissioners of Stanly County.

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

Ratified this the 24th day of February, A.D. 1923.

CHAPTER 200

AN ACT TO AMEND CHAPTER 32 OF THE PUBLIC-LOCAL LAWS OF 1921. EXTRA SESSION, RELATIVE TO THE HUNTING OF FOXES IN ALEXANDER COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter thirty-two of the Public-Local Laws of one thousand nine hundred and twenty-one, Extra Session, entitled “An act to amend section two, chapter one hundred and seventy-four of the Public-Local Laws of one thousand nine hundred and twenty-one, relating to the hunting of foxes in Alexander County,” be and the same is hereby amended by striking out in line five of said section the words “fifteenth day of February” and inserting in lieu thereof the words “first day of March.”

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

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

Ratified this the 24th day of February, A.D. 1923.
CHAPTER 201

AN ACT TO REPEAL SECTION 1, CHAPTER 358, OF THE PUBLIC-LOCAL LAWS OF 1921, FORBIDDING THE TRAPPING OR SHOOTING OF FOXES IN CHOWAN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section one, chapter three hundred and fifty-eight of the Public-Local Laws one thousand nine hundred and twenty-one, be and the same is hereby repealed.

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

Ratified this the 24th day of February, A.D. 1923.

CHAPTER 202

AN ACT TO AMEND SECTION 2114 OF THE CONSOLIDATED STATUTES, RELATING TO THE CLOSED SEASON FOR SQUIRREL IN CHOWAN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section two thousand one hundred and fourteen of the Consolidated Statutes be and the same is hereby amended by striking out the words “March first to December first” after close season. the word Chowan and inserting in lieu thereof the words “February first to November first.”

Sec. 2. That this act shall be in full force from and after when act effective.

March first, one thousand nine hundred and twenty-three.

Ratified this the 24th day of February, A.D. 1923.

CHAPTER 203

AN ACT TO AMEND SECTION 2131 OF THE CONSOLIDATED STATUTES, FORBIDDING THE SALE OF QUAIL IN CHOWAN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section two thousand one hundred and thirty-one of the Consolidated Statutes be and the same is hereby amended by inserting after the word “court” in line twenty of said section and before the word “Clay” in line twenty-one thereof the words “Chowan, quail.”

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

Ratified this the 24th day of February, A.D. 1923.
CHAPTER 204

AN ACT TO AMEND SECTION 2111 OF THE CONSOLIDATED STATUTES OF 1919, RELATING TO HUNTING OPOSSUMS IN ALEXANDER COUNTY.

The General Assembly of North Carolina do enact:

Section amended.

SECTION 1. That section two thousand one hundred and eleven of the Consolidated Statutes of North Carolina be and the same is hereby amended by striking out after the word "Alexander" in line five of said section the words "March first to November first" and inserting in lieu thereof the words "February first to October first."

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

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

Ratified this the 24th day of February, A.D. 1923.

CHAPTER 205

AN ACT TO PROTECT AND CONSERVE THE GAME AND FISH IN TRANSYLVANIA COUNTY.

The General Assembly of North Carolina do enact:

Open season for deer.

SECTION 1. That it shall be unlawful for any person to kill or in any manner destroy any deer in Transylvania County, except between the first day of November and the fifteenth day of December in any year, and that no person shall take more than three deer in any one year during the open season: Provided, this section shall not apply to any person taking their own deer from enclosed parks.

Sec. 2. That it shall be unlawful to shoot, net, trap, or otherwise take, kill, or destroy any wild turkey, pheasant, quail, dove, or other game bird at any time during any year in Transylvania County, except between November the fifteenth and January fifteenth of the year following; and no person during the open season aforesaid shall be allowed to take more than two turkeys, three pheasants, fifteen quail or doves in any one day.

Sec. 3. That it shall be unlawful for any person to hunt with dogs or kill in any way any red or gray fox between March first to September first in any year: Provided further, that the county commissioners of Transylvania County shall pay three dollars for the scalp of any wildcat killed in Transylvania County, and produced by a citizen of said county.

Sec. 4. That it shall be unlawful for any nonresident of the State of North Carolina to hunt or fish in Transylvania County
without first obtaining a license so to do from the game warden or one of the deputy game wardens of said county, as herein provided: Provided, that any nonresident member of any club controlling a private game preserve or any nonresident having a written invitation from a member of said club or owner of the lands on which they hunt shall not be required to pay license: Provided further, this section nor this act shall not prevent either a resident or nonresident of Transylvania County from fishing at any time with hook and line in French Broad River between the old ford at Rosman and the Henderson County line.

Sec. 5. That it shall be unlawful for any person to in any way or manner take or catch or attempt to take or catch from any stream in Transylvania County any mountain, brook, or rainbow trout, except between the first day of April and the thirtieth day of September of any year; or to take or catch any of said fish that are less than six inches long; or to catch or take any of said fish from any stream in said county in any way or manner except with hook and line; or to take with hook and line more than twenty-five of said fish in any one day, whether of any one or of all kinds; and the possession of more than twenty-five of said fish shall be prima facie evidence of a violation of this act: Provided, however, that any resident of Transylvania County may seine with any size seine in French Broad River from the mouth of East Fork to the Henderson County line, between the first day of May and the first day of September in any year.

Sec. 6. That a nonresident, as herein provided, shall pay a license tax of ten dollars, and a resident of the State but a nonresident of Transylvania County shall pay a license tax of four dollars per season, for the privilege of hunting as herein provided, except parties exempt in section four of this act.

Sec. 7. That the board of county commissioners shall, after the expiration of the term of the present game warden, appoint a game warden for Transylvania County for a term of two years from the date of his appointment, and the present warden and his successor shall have full power to appoint one or more deputy wardens, as the protection of the game and fish in Transylvania County may demand; and the said warden and his deputies shall have full power and authority to arrest any person found to be hunting without license as herein provided, or violating any part of this act, first obtaining a warrant for such arrest; and such person shall not be discharged from said arrest until the license tax is paid and he has complied with the judgment of the court.

Sec. 8. That the funds from license tax collected by the deputy wardens shall at once be turned over to the warden, the deputy warden retaining twenty-five per cent for his services, and the warden shall turn all money from license and collected from deputy wardens to the county commissioners after retaining twenty-five per cent for his services.
Balance to school fund.

Violation of act.

Punishment.

Repealing clause.

Sec. 9. That any person who shall violate any part 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. 10. That all laws and clauses of laws in conflict with this act are hereby repealed.

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

Ratified this the 24th day of February, A.D. 1923.

CHAPTER 206

AN ACT TO AMEND CHAPTER 520 OF THE PUBLIC-LOCAL LAWS OF 1921, RELATING TO GAME IN UNION COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That chapter five hundred and twenty of the Public-Local Laws of one thousand nine hundred and twenty-one be amended by striking out the words “the first day of December” in line three of section one of said act and inserting in lieu thereof the words “Thanksgiving Day”; and adding at the end of said section after the word “hunting” a semicolon, and the following: “Provided, that it shall not be unlawful for a person to shoot rabbits on his own premises as a protection against their depredations on crops, gardens, or fruit trees.”

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

Ratified this the 24th day of February, A.D. 1923.

CHAPTER 207

AN ACT TO AMEND SECTION 2116 OF THE CONSOLIDATED STATUTES OF NORTH CAROLINA, RELATING TO HUNTING QUAIL, SO AS TO PROVIDE FOR THE CLOSE SEASON FOR QUAIL IN HARNETT COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section two thousand one hundred and sixteen of the Consolidated Statutes of North Carolina be amended by striking out in said section the words “Harnett, March first to December first,” where the same appears in said section, and inserting in lieu thereof the words “Harnett, January fifteenth to December first.”
Sec. 2. That hereafter the close season of each year during Close season, which no quail or partridge shall be shot, killed, wounded, or in any manner hunted, taken, or captured in Harnett County shall be from the fifteenth day of January until the first day of December.

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

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

Ratified this the 24th day of February, A.D. 1923.

CHAPTER 208

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS FOR THE COUNTY OF BEAUFORT TO LEVY A SPECIAL TAX TO PAY INDEBTEDNESS AND CURRENT EXPENSES.

The General Assembly of North Carolina do enact:

Section 1. That the board of commissioners for the county of Beaufort be and they are hereby empowered and authorized, in their discretion, to levy a special tax not to exceed five cents on the one hundred dollars valuation of real and personal property in said county annually for two years, to wit: the years of one Term of power. thousand nine hundred and twenty-three (1923) and one thousand nine hundred and twenty-four (1924), to be expended and applied Purpose of tax. to the payment of the indebtedness and current expenses of said county.

Sec. 2. That said taxes shall be levied and collected as other Levy and collection. county taxes are levied and collected in said county.

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

Ratified this the 24th day of February, A.D. 1923.

CHAPTER 209

AN ACT TO AMEND CHAPTER 179 OF THE PUBLIC-LOCAL LAWS OF 1921, RELATIVE TO GAME IN ASHE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section one of the Public-Local Laws of nineteen hundred and twenty-one be and the same is hereby repealed.

Sec. 2. That section two of chapter one hundred and seventy-nine of the Public-Local Laws of nineteen hundred and twenty-one be and the same is hereby amended as follows: by adding at the
end of said section two the following: "Provided, that section two of this act shall not apply to the townships of Laurel, Horse
Creek, North Fork, Piney Creek, and Helton, county of Ashe."
Sec. 3. That this act shall be in force from and after its
ratification.
Ratified this the 24th day of February, A.D. 1923.

CHAPTER 210

AN ACT TO AUTHORIZE THE COMMISSIONERS OF JACK-
SON COUNTY TO LEVY SPECIAL TAX.

The General Assembly of North Carolina do enact:

Section 1. That the board of county commissioners of Jackson
County be and the same is hereby authorized, empowered, and
directed to levy in each of the years one thousand nine hundred
and twenty-three and one thousand nine hundred and twenty-four
the following special taxes on all the taxable property of the
county:

First. A special tax not to exceed ten cents on each one hun-
dred dollars valuation for the purpose of paying off and discharg-
ing the costs incurred by the Superior and recorders' courts.

Second. A special tax not to exceed five cents on each one
hundred dollars valuation for the improvement of the county home
and support of the poor in said county.

Sec. 2. That the taxes authorized by this act shall be levied at
the same time and collected and accounted for in the same manner
as provided for the levying and collecting of other county taxes,
and each shall be kept in a separate fund and applied only for
the purposes levied.

Sec. 3. That this act shall be in force from, on, and after its
ratification.
Ratified this the 24th day of February, A.D. 1923.

CHAPTER 211

AN ACT TO AMEND SECTION 1565 OF THE CONSOLIDATED
STATUTES, SO AS TO PERMIT A LESS FREQUENT
PERIOD OF HOLDING RECORDERS' COURTS.

The General Assembly of North Carolina do enact:

Section 1. That section one thousand five hundred and sixty-
five of article nineteen of the Consolidated Statutes be and the
same is hereby amended by striking out the word "week" in line
two of said section and inserting in lieu thereof the word "mouth":

Provided, this act shall apply to Jackson County only.

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

Ratified this the 24th day of February, A.D. 1923.

CHAPTER 212

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

The General Assembly of North Carolina do enact:

Section 1. That the board of commissioners of Polk County be and they are hereby authorized and empowered to levy a special tax of ten cents on the one hundred dollars valuation of property for the purpose of paying the indebtedness of the county incurred and to be incurred for improvements to the courthouse, courthouse grounds, and county jail, and to pay other floating indebtedness of the county.

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

Ratified this the 24th day of February, A.D. 1923.

CHAPTER 213

AN ACT TO AUTHORIZE THE COUNTY BOARD OF EDUCATION OF DURHAM COUNTY TO ACQUIRE RIGHTS OF WAY FOR SEWERAGE AND DRAINAGE SYSTEMS FOR PUBLIC SCHOOL BUILDINGS IN DURHAM COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That when in the opinion of the county board of education of Durham County any land, right of way, privilege, and easement shall be necessary for the purpose of extending, maintaining, or operating sewerage or drainage systems leading from any public school building in the county of Durham, said county board of education of Durham County may purchase such land, right of way, privilege, or easement as may be necessary for said sewerage or drainage system from the owner or owners thereof and pay such compensation therefor as may be agreed upon.

Sec. 2. That if said county board of education of Durham County is unable to agree with the owners thereof for the purchase of said land, right of way, privilege, or easement necessary for the proper installation of said sewerage or drainage system leading
from any public school building in the county of Durham, it may condemn any land, right of way, privilege, or easement necessary for the purpose of installing said sewerage or drainage system. The condemnation of said land, right of way, privilege, or easement for such public use may be in the same manner and under the same procedure as is provided in chapter Eminent Domain, article two, Consolidated Statutes of North Carolina; and the determination of said county board of education of Durham County of the land necessary for such purposes shall be conclusive.

Sec. 3. That all laws and parts of laws in conflict herewith, whether such laws be private or public, are hereby repealed.

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

Ratified this the 24th day of February, A.D. 1923.

CHAPTER 214

AN ACT TO RATIFY THE SPECIAL TAX ELECTION IN CRAWFORD TOWNSHIP, CURRITUCK COUNTY, NORTH CAROLINA, HELD JANUARY 4, 1923.

Preamble: election held.

Whereas there was a special-tax election held in Crawford Township on January fourth, one thousand nine hundred and twenty-three, after due advertisement for thirty days at three places in the township, besides at the courthouse; and

Preamble: opening of registration.

Whereas the books of registration were not opened until December ninth, one thousand nine hundred and twenty-two, and were closed on December twenty-third, one thousand nine hundred and twenty-two; and

Preamble: no voter deprived of right.

Whereas it appears that no one was deprived of the right of registration or of voting by reason of the books not being open for thirty days; and

Preamble: vote cast.

Whereas there was cast in favor of the special tax one hundred and eighty votes, and against it thirty-six votes; and

Preamble: majority of qualified voters.

Whereas it appears that a majority of the qualified voters had voted in favor of the special tax:

The General Assembly of North Carolina do enact:

Section 1. That a special tax election in Crawford Township, Currituck County, held on January fourth, one thousand nine hundred and twenty-three, be and the same is in all respects hereby ratified and affirmed.

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

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

Ratified this the 24th day of February, A.D. 1923.
CHAPTER 215

AN ACT TO AMEND SECTION 19 OF CHAPTER 128, PUBLIC-LOCAL LAWS, SESSION 1921, RELATIVE TO THE PUBLIC ROADS OF CLAY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section nineteen, chapter one hundred twenty-eight, of the Public-Local Laws of the regular session of one thousand nine hundred twenty-one be and the same is hereby amended by adding the following proviso at the end of said section: "Provided, that all taxes levied and collected within the corporate limits of the town of Hayesville in Clay County, under the provisions of this section, shall be paid over by the said county treasurer of Clay County to the treasurer of the said town of Hayesville, to be paid out by said treasurer for the construction and maintenance of the streets of said town of Hayesville, upon the order of the board of town commissioners of said town."

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

Ratified this the 24th day of February, A.D. 1923.

CHAPTER 216

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF SWAIN COUNTY TO ISSUE BONDS FOR THE PURPOSE OF PAYING OUTSTANDING INDEBTEDNESS, AND TO AUTHORIZE A TAX TO RETIRE SAID BONDS.

The General Assembly of North Carolina do enact:

SECTION 1. The board of county commissioners of Swain County is hereby authorized and empowered to issue and sell the bonds of Swain County in an amount up to and not exceeding forty thousand dollars ($40,000) for the purpose of obtaining funds sufficient to pay the indebtedness properly incurred for necessary general expenses now due and outstanding.

Sec. 2. The proceeds arising from the sale of any bonds issued under the provisions of section one of this act shall be used for the purpose of meeting the obligations mentioned in section one of this act, and for no other purpose whatsoever: Provided, the purchasers of said bonds shall not be required to see to the proper application of the proceeds of said bonds; and Provided further, that the necessary expenses incident to the issue and sale of said bonds may be paid out of the proceeds arising from the sale of said bonds.

Sec. 3. That the bonds issued under the provisions of this act shall be issued in any denominations in the discretion of the board
of county commissioners, and shall be for a term of not more than thirty years, and shall bear interest at a rate not to exceed six per cent.

Sec. 4. The board of county commissioners of Swain County is hereby authorized, empowered, and directed to levy and collect each year, following the issue of bonds authorized in this act, on all real and personal property within Swain County, a special tax sufficient to pay the interest on said bonds and to create a sinking fund adequate for the retirement of said bonds at maturity. The said special tax shall be levied and collected at such time and in such manner as the other county taxes are levied and collected, and the proceeds arising from said special tax shall be used for the purposes specified in this section and no other purpose whatsoever.

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

Sec. 6. This act shall be in force from and after its ratification. Ratified this the 24th day of February, A.D. 1923.

CHAPTER 217

AN ACT TO AMEND CHAPTER 126 OF THE PUBLIC-LOCAL LAWS OF THE EXTRA SESSION OF 1921, RELATIVE TO THE PUBLIC ROADS OF ASHE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section four of chapter one hundred and twenty-six of the Public-Local Laws of the Extra Session of one thousand nine hundred and twenty-one be and the same is hereby repealed and the following substituted in lieu thereof: That James Morpew, J. W. Duncan, and Julius Spears are hereby appointed special commissioners for the purpose of constructing a public road from Baldwin postoffice to Bowie station, and the county commissioners are hereby authorized, empowered, and directed to deliver to said special commissioners, out of the bonds hereafter provided, the sum of twenty-five thousand dollars ($25,000); said commissioners are directed to expend on the construction of roads in Old Fields Township, after constructing a road of such dimensions and character as in their discretion they deem wise and proper from Baldwin to Bowie, the remainder of said funds to be expended by said commissioners on the public roads in Old Fields Township. That said commissioners are hereby vested with the same powers that the various trustees of Ashe County are vested with under and by virtue of chapter thirty-eight of the Public-Local Laws of the session of one thousand nine hundred and twenty-one, with respect to the location and con-
struction of public roads. The manner and method of the construction of said roads is hereby left in the discretion of said commissioners. That section five of said chapter one hundred and twenty-six of the Public-Local Laws of the Extra Session of one thousand nine hundred and twenty-one is hereby repealed and the following substituted in lieu thereof: That the board of county commissioners of Ashe County are hereby authorized, empowered, and directed to turn over from the sale of bonds hereafter provided the sum of one thousand dollars ($1,000) to J. R. Johnson, Lawrence Blackburn, and Hamp Church, to be used by them in the improvement of the road from Idlewild to Phillips’ Gap to the Wilkes County line, said amount to be expended by said special commissioners in a manner that to them seems wise and proper.

That J. P. Phillips, Alfred Johnson, and Thomas Vannoy are hereby appointed special commissioners to expend the sum of two thousand dollars ($2,000) in the improvement of the public road from Bethel Church via Oval to Bowie station, which amount the board of county commissioners of Ashe County are hereby authorized, empowered, and directed to turn over to said special commissioners out of the proceeds of the sale of bonds of Ashe County hereafter provided for; that said commissioners are directed to expend said sum in their discretion in such a way as will be the greatest benefit in the improvement of said road. That L. S. Vannoy, V. L. Moretz, and D. V. Waugh be and are hereby appointed special commissioners to expend the sum of three thousand dollars ($3,000) on the public road from Bowie station to the Watanga County line via Waugh’s Ford, Cowles’ old stand, and Hopkins; and said special commissioners are hereby authorized to spend the sum of not exceeding five thousand dollars ($5,000) in the construction of a bridge at or near the Waugh Ford, crossing the South Fork of New River; that the board of county commissioners of Ashe County are hereby authorized, empowered, and directed to turn over to said special commissioners said amounts of money from the proceeds of the sale of Ashe County bonds hereafter provided for.

That R. F. Bledsoe, Ben Phillips, and Niley McNeill are hereby appointed special commissioners to expend the sum of five hundred dollars ($500) on the public road leading from the Waugh Ford through Hewed Log Gap intersecting with the road from Idlewild to Cowles’ old place at or near Niley McNeill’s residence; and the board of county commissioners of Ashe County are hereby authorized, empowered, and directed to turn over said sum of money to said special commissioners from the sale of Ashe County bonds hereafter provided.

That Jethro Goodman, J. F. Hartsog, and George Bare be and are hereby appointed special commissioners to expend the sum of not exceeding five thousand dollars ($5,000) on the public road from Beaver Creek to Idlewild, North Carolina, following the old Road.
road as near as practicable via Bethel Church, crossing the south fork of New River at or near the Miller Ford; and the board of commissioners of Ashe County are hereby authorized, empowered, and directed to turn over to said commissioners the sum of five thousand dollars ($5,000) from the sale of Ashe County bonds hereafter provided for.

That Joseph Vannoy, Hamp Colvard, and Greely Fletcher are hereby appointed special commissioners to improve and reconstruct the public road from Idlewild to Cowles' old stand, and are hereby authorized to expend the sum of two thousand dollars ($2,000) on said road; and the board of county commissioners of Ashe County are hereby authorized, empowered, and directed to turn over to said special commissioners the sum of two thousand dollars ($2,000) from the sale of Ashe County bonds hereafter provided for.

That Dick Phillips, Fields McNeill, and Andrew Jones be and are hereby appointed special commissioners to improve and rebuild the public road from Idlewild to Oval via the Osborne Ford, and are hereby authorized to expend the sum of two thousand dollars ($2,000) on said road; and the board of county commissioners of Ashe County are hereby authorized, empowered, and directed to turn over to said special commissioners the sum of two thousand dollars from the sale of Ashe County bonds hereafter provided for.

That W. H. Owens, Calvin Hartsog, and Lindoif Miller are hereby appointed special commissioners to improve the public road from Idlewild to the Obids Creek at or near Canoe Cap, and are hereby authorized to expend the sum of one thousand dollars ($1,000) in improving said road; that the board of county commissioners of Ashe County are hereby authorized, empowered, and directed to turn over to said special commissioners said sum from the sale of bonds of Ashe County hereafter provided for.

That all the special commissioners appointed under this section of this act, as well as all other special commissioners appointed by this act or by any other laws relative to public roads of Ashe County, are hereby directed to utilize as much as practicable the old road, but are hereby directed to make such changes as may be necessary in their judgment in said old road, but in making said changes said commissioners are directed to do as little damage as practicable to the landowners; and for the purpose of rebuilding and changing said public road any or all of said commissioners are hereby vested with the same power and authority as the road trustees of Ashe County are vested with in the location and construction of said roads.

Sec. 2. That section six of chapter one hundred and twenty-six of the Public-Local Laws of the Extra Session of one thousand nine hundred and twenty-one is hereby repealed, and the following substituted in lieu thereof: That W. A. Williams, J. W. Callaway,
and D. H. Burgess are hereby appointed special commissioners to have constructed the remainder of the public road from West Road. Jefferson to Obids postoffice, said road to be a good substantial road, upon as economical basis as practicable, utilizing as much as Old roadbed. practicable the old roadbed and top-surfaced with some substan-
tial top-surface, such as crushed stone and sand, or both, wherever Top-surface. deemed necessary in the discretion of said commissioners; that the county commissioners of Ashe County are hereby authorized, empowered, and directed to turn over to said special commissioners out of the bonds hereafter provided for, the sum of twenty-five thousand dollars ($25,000) to be used in the construction of said road, and any surplus that may remain after the construction of said road shall be used by said commissioners in improving such roads in Obids Township as in their opinion would be wise and proper, taking into consideration needs of various sections of the township.

That Will L. Weaver, F. B. Tucker, and Albert Perry be and are hereby appointed special commissioners to have improved the public road, and to make such alterations in the same as they deem wise and proper, from Tuckerdale to Nella and beyond, upon such terms and conditions as in their opinion would be wise and proper; and the board of county commissioners of Ashe County are hereby directed to turn over to said special commissioners, or to deposit to their credit in some bank as hereafter provided, the sum of two thousand dollars ($2,000) to spend on said road; that said special commissioners are hereby vested with the same power and rights as the board of trustees of Ashe County for the respective townships have over the locating and construction of roads.

That J. P. Hampton, J. A. Goss, and Adolphus Tucker are hereby appointed special commissioners to construct and rebuild, where necessary, a public road from Whiteoak Schoolhouse into the Pond Mountain section of Ashe County, upon such terms and conditions as in their opinion would be wise and just; and the board of county commissioners are hereby authorized, empowered, and directed to turn over to said commissioners, or to deposit said amount in some bank hereafter provided, the sum of four thousand dollars ($4,000) for the purpose of constructing said road.

That C. M. Dickson, Winfield Jones, and T. J. Price are hereby appointed special commissioners to expend the sum of five thou-
sand dollars ($5,000) on the public road from the State Road near John Bowers' residence to Helton postoffice, making such changes and improvements in the location of said road as in their opinion is wise and proper; and the board of county commissioners of Ashe County are hereby authorized, empowered, and directed to turn over the said amount from the sale of bonds hereinafter provided.

That R. B. Brown, I. E. Duncan, and C. D. Scott be and are hereby appointed special commissioners to expend the sum of
Appropriation. Roads.

Appropriation for Old Field Township.

Special commissioners to serve without pay.

Itemized, verified accounts to be filed.

Commissioners not interested in contracts.

Misdemeanor.

Punishment.

Deposit of funds.

Repealing clause.

three thousand dollars ($3,000) on the public roads in Elk Township, upon such roads as in their opinion they deem proper; and the board of county commissioners of Ashe County are hereby authorized, empowered, and directed to turn over said amount to said commissioners from the proceeds of the sale of bonds hereafter provided.

That the appropriation provided for in this act with respect to Old Fields Township shall be in lieu of the appropriation provided for in section eleven of chapter thirty-eight of the Public-Local Laws of the Extra Session of one thousand nine hundred and twenty-one. That the special commissioners appointed in this act shall serve without compensation; that the special commissioners appointed in this act, or all other acts for the construction of roads, shall serve without compensation.

That the special commissioners appointed in this act for the construction of roads, as well as all other acts for Ashe County, are hereby required to file with the clerk of the Superior Court, after the construction and completion of said roads, an itemized, verified account of the sums of money expended by them. That no special commissioner appointed under this and all other acts for the construction of public roads in Ashe County shall be directly or indirectly interested in any contract for the construction of any of said roads, and any commissioner violating any of the provisions of this act shall be guilty of misdemeanor, and upon conviction thereof shall be fined or imprisoned in the discretion of the court.

That all of said special commissioners appointed under and by virtue of this act or any other act for the construction of roads in Ashe County shall deposit the funds in their hands for the construction of public roads in the First National Bank of West Jefferson, North Carolina, and all other public road funds for Ashe County shall be deposited by any and all road officials of said county in said bank.

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

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

Ratified this the 24th day of February, A.D. 1923.

CHAPTER 218

AN ACT TO REGULATE THE FEES OF JURORS IN COLUMBUS COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the fees of jurors in Columbus County shall be those set forth in section three thousand eight hundred and ninety-two of the Consolidated Statutes, as follows: "All jurors in the
Superior Court other than special veniremen and tales jurors shall receive such an amount per day as the boards of commissioners of their respective counties may fix, not less than two dollars per day and not more than three dollars per day, and mileage at the rate of five cents per mile while coming to the county-seat and returning home. The said distance to be computed by the usual route of public travel. Special veniremen and tales jurors shall receive such an amount per day for their attendance upon court as may be fixed by the boards of commissioners of their respective counties, not exceeding three dollars per day. Special veniremen who have been accepted on the panel in the trial of any cause shall receive the pay and mileage of regular jurors.”

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

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

Ratified this the 24th day of February, A.D. 1923.

CHAPTER 219

AN ACT TO AMEND CHAPTER 62 OF THE PUBLIC-LOCAL LAWS OF 1917, RELATIVE TO HIGHWAYS OF CAMDEN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section one of the Public-Local Laws of one thousand nine hundred and seventeen, chapter sixty-two, be and the same is hereby amended to read as follows: "That there shall be established in and for the county of Camden a highway commission composed of three citizens and taxpayers of Camden County, North Carolina, all of the said members to be appointed by the present session of the General Assembly of North Carolina, one for the term of six years, one for the term of four years, and one for the term of two years, and the said highway commission shall be and the same is hereby created a body corporate and politic, with a common seal and with the power to sue and be sued."

Sec. 2. That section three of chapter sixty-two of the Public-Local Laws of one thousand nine hundred and seventeen be and the same is hereby amended so as to read as follows: "That the terms of office of the members of the Camden Highway Commission shall begin on the first Monday in April, one thousand nine hundred and twenty-three; that the first member named in this act shall hold his office for six years, the second named shall hold office for four years, and the third named shall hold office for two years, and until their successors, who shall be elected by the General Assembly, shall be duly qualified.”
Section amended. 

Sec. 3. That section five of chapter sixty-two of the Public-Local Laws of one thousand nine hundred and seventeen be and the same is hereby repealed, and the following shall be in lieu thereof: "That the clerk of the Superior Court of Camden County shall be the secretary to the said Camden County Highway Commission; and for performing the duties of secretary shall be paid a reasonable compensation in the discretion of said commission, not to exceed one hundred twenty-five dollars per year."

Sec. 4. That section nine of chapter sixty-two of the Public-Local Laws of one thousand nine hundred and seventeen be and the same is hereby amended so as to read as follows: "The highway commission shall have power to contract the upkeep, construction, or repair of any or all roads in the county to the best responsible bidder, unless after having received bids for same or upon the best obtainable terms it shall appear to the said highway commission that the cost of the upkeep, construction, or repair by contract shall exceed the sum for which the roads may be kept, constructed, or repaired otherwise, and the said roads of the county shall be laid off in sections and numbered, and unless deemed unwise for reasons as above, same shall be let to the best responsible bidder as aforesaid for upkeep, construction, or repair, and said bidder shall, execute a good and sufficient bond to indemnify the county against breach of contract and to fix forfeitures or liquidated damages.

Sec. 5. That section nineteen of chapter sixty-two of Public-Local Laws of one thousand nine hundred and seventeen be and the same is hereby repealed, and the following shall be in lieu thereof: "The highway commission shall cause separate accounts to be kept of all funds arising from the taxes of each township in the county, and said accounts shall show the amount due each township from the road tax or other funds that may come into the hands of the highway commission for the benefit of roads, and said amount due each township shall be expended upon the roads of and within said township. That the receipts and disbursements shall be made in a statement for each township in the county and posted at the courthouse door and three other public places in Camden County on or before the first Monday in December of each year."

Sec. 6. That section twenty-five of chapter sixty-two of the Public-Local Laws of one thousand nine hundred and seventeen is hereby repealed, and the following shall be in lieu thereof: "The following named citizens and taxpayers of Camden County be and they are hereby appointed and shall constitute the Camden Highway Commission: E. M. Sawyer, for a term of six years; Wiley Whitehurst, for a term of four years, and W. A. Gregory, for a term of two years, from the first Monday in April. one thousand nine hundred and twenty-three, or until their successors are elected and qualified."
SEC. 7. That the proviso at the end of section twenty-six of chapter sixty-two, Public-Local Laws of one thousand nine hundred and seventeen, be and the same is hereby stricken out.

SEC. 8. That all laws and clauses of laws in conflict with the Repealing clause. provisions of this act are hereby repealed.

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

Ratified this the 24th day of February, A.D. 1923.

CHAPTER 220

AN ACT TO RATIFY AND VALIDATE THE PURCHASE OF CERTAIN LAND BY THE BOARD OF COMMISSIONERS OF BLADEN COUNTY, AND TO AUTHORIZE THE SALE OF THE SAME.

The General Assembly of North Carolina do enact:

SECTION 1. That all acts and proceedings of the board of commissioners of Bladen County relative to the purchase of a certain tract of land in Colly Township in said county, fully described in a deed recorded in the office of the register of deeds for said county in book seventy-five, page four hundred and fifteen, are Purchase herein legalized and validated, and the purchase of the said land is hereby ratified.

SECTION 2. That the board of commissioners of Bladen County are hereby authorized and empowered to sell the said land at public or private sale, and on such terms as it may deem expedient.

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

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

Ratified this the 24th day of February, A.D. 1923.

CHAPTER 221

AN ACT TO AMEND CHAPTER 436 OF PUBLIC-LOCAL LAWS OF 1921, RELATING TO FEES OF CLERK OF SUPERIOR COURT OF BRUNSWICK COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter four hundred and thirty-six, Public-Local Laws of nineteen hundred and twenty-one, be and the same is hereby amended by striking out all of section four of said chapter and substituting in lieu thereof the following: "That the clerk of the Superior Court shall receive five dollars per day for each
day's attendance upon the Superior Court of Brunswick County while said court is in session, and five dollars per day for attend-
ance upon recorder's court of said county while in session: Pro-
vided, that said clerk shall not receive pay for more than one
day's attendance upon recorder's court in any one week; said per
diem to be paid by the board of commissioners of Brunswick
County out of the general fund of said county.

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

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

Ratified this the 24th day of February, A.D. 1923.

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CHAPTER 222

AN ACT TO AUTHORIZE ALAMANCE COUNTY TO ISSUE
BONDS FOR THE BUILDING OF A NEW COURTHOUSE,
AND TO PROVIDE FOR THE BUILDING OF SAID COURT-
HOUSE.

The General Assembly of North Carolina do enact:

Section 1. The chairman and board of commissioners of the
county of Alamance are hereby authorized and required to provide
and furnish and equip a courthouse in and for the county of
Alamance so as to provide adequate quarters for the business of
the county, and to provide ample fire-proof protection for the
records and other valuable papers of the county.

Sec. 2. In carrying out the provisions of section one, said
chairman and board of county commissioners may either rebuild
and remodel the present courthouse situated in the town of
Graham, Alamance County, North Carolina, or they may build an
entirely new courthouse: Provided, that if an entirely new cour-
thouse shall be built and erected, it shall be located either imme-
diately adjacent to the public square in the town of Graham or
within one block from said public square, and by the term "one
block" is meant upon one of the streets leading north, south, east,
or west from said public square and between said public square
and the first cross street upon said streets leading north, south,
est, and west.

Sec. 3. If the said chairman and board of county commis-
sioners of Alamance County should decide upon a location for the
courthouse other than that upon which the present courthouse is
situated within the limits and territory defined in section two
hereof, and if they should not be able to acquire said site and
location by purchase from the owner thereof, at a price to be
agreed upon by said owner and said chairman and board of county
obtaining

the

commissioners, then they are thereby given the power and authority to condemn such site, and in so condemning such site they shall follow the procedure provided by law for county commissioners in obtaining rights of way for public roads: Provided, that in obtaining the property upon which is to be located said courthouse they shall condemn a fee estate in said property, and in assessing the amount to be paid therefor it shall be assessed upon the basis of a fee estate being transferred.

Sec. 4. In order to obtain the necessary funds to carry out the provisions of sections one, two, and three hereof, said chairman and board of commissioners are authorized, directed, and empowered to issue the bonds of said county in an amount not exceeding two hundred and fifty thousand dollars ($250,000). The bonds authorized and directed to be issued shall mature in annual installments or series of one or more bonds, the last of which installments shall be payable not more than thirty (30) years after the date of issue. No single installment or series shall be more than two and one-half (2½) times as great in amount as the smallest prior installment of said issue. The said bonds shall be issued in such denominations and form, and with such provisions as to time, place, and medium of payment of principal and interest as said board of commissioners may determine, subject to the following limitations and restrictions: They shall bear interest at a rate not exceeding six per cent per annum, payable semi-annually. They shall be coupon bonds and shall be signed by the chairman of said board of county commissioners and the seal of Alamance County shall be affixed to said bonds and attested by the register of deeds of said county. The coupons of said bonds shall be authenticated by a printed or lithographed or engraved facsimile signature of the chairman of said board who is in office on the date of the issue and delivery of said bonds. The delivery of said bonds, signed as aforesaid, shall be valid notwithstanding any changes in office after the signing of said bonds.

Sec. 5. Said bonds shall be sold by the board of commissioners of the county of Alamance in the manner provided by the Municipal Finance Act of the State of North Carolina for the sale of bonds of cities and towns. Said bonds shall not be sold for less than par and accrued interest.

Sec. 6. The chairman and board of county commissioners for the county of Alamance are hereby authorized and directed to levy annually, at the date fixed by law for the levying of other county taxes, a special ad valorem tax upon all taxable property in said county for the purpose of paying the principal and interest of all bonds issued under this act as such principal and interest becomes due, which tax shall be in an amount sufficient for said purpose, and shall be in addition to all other taxes authorized by law to be levied in said county: Provided, however, that all taxes hereto-

Procedure.

Proviso: estate to be in fee.

Bond issue authorized.

Amount.

Maturity.

Proportion of installments.

Interest.

Authentication.

Valid delivery.

Sale of bonds.

Sale below par forbidden.

Special tax.

Proviso: taxes heretofore collected.
fore collected under the provisions of the act entitled “An act to provide a better courthouse for Alamance County,” ratified January twenty-eighth, one thousand nine hundred and twenty-one, constituting chapter eighteen of the Public-Local Laws of one thousand nine hundred and twenty-one, regular session, shall be applied to the payment of said principal or interest, and to the reduction of the amount of taxes to be levied under this act.

Sec. 7. The said act ratified January twenty-eighth, one thousand nine hundred and twenty-one, and referred to in the next preceding section hereof, is hereby repealed.

Sec. 8. The chairman and board of county commissioners shall start the work of rebuilding or building said courthouse before the first Monday in June, one thousand nine hundred and twenty-three, and shall prosecute the same so that the said courthouse shall be available to the citizens of said county as soon as it can be. Said chairman and board of commissioners are authorized and empowered to make all necessary arrangements for temporary quarters for the conducting of the business of said county and the holding of courts therein, provided they should deem it best to remodel the present courthouse; and in the event they should deem it best to build a new courthouse, the old courthouse shall be used until the new courthouse shall be ready for occupancy and use, and after that time said chairman and board of county commissioners are authorized and empowered to dispose of the present courthouse, and the site thereof, in such manner and upon such terms as they shall deem for the best interest of said county.

Sec. 9. All laws and parts of laws in conflict with and inconsistent with the provisions of this act are hereby repealed.

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

Ratified this the 24th day of February, A.D. 1923.

CHAPTER 223

AN ACT TO AMEND AND CONSOLIDATE THE ROAD LAWS OF CHEROKEE COUNTY, AND TO PROVIDE FOR THE ISSUE OF CERTAIN BONDS.

The General Assembly of North Carolina do enact:

SECTION 1. That from and after the ratification of this act no one between the ages of eighteen and forty-five shall be liable to work upon the public roads of Cherokee County, but the same shall be maintained and kept up in the way and manner herein provided, and all laws requiring such persons, in said county, to work so many days upon the public roads or pay a certain sum
231

of money upon failure to do so, are hereby repealed: Provided, that this section shall not apply to the incorporated towns in said county.

Sec. 2. That the highway commissions of each township in Cherokee County shall, in May of each year, recommend to the board of county commissioners of said county the lowest rate of taxation that will, in the judgment of said commission, provide a sum sufficient to take care of, construct, maintain and keep in good and proper condition the public roads of its township, and said board of county commissioners shall, at the same time other taxes are levied, levy such tax as said board shall deem sufficient for said purpose.

Sec. 3. That the taxes thus levied for said purposes shall be collected by the sheriff of Cherokee County in the same way and manner, and at the same time other taxes are collected, and shall be paid over by him to the treasurer or financial agent of the county, who shall keep an account thereof, crediting to each township the fund belonging to it, and such treasurer or financial agent of the county shall pay it out only upon the order of the highway commission of the township to which it belongs upon its order, signed by its chairman and countersigned by its secretary. This provision shall not apply to the highway commission of Valley Township, but the funds of this township shall be paid out as heretofore.

Sec. 4. The said highway commissioners of the different townships shall not meet oftener than once a month, and its members shall not receive pay for more than two days in any one month, and no other compensation whatever, only when necessarily sitting for two days: Provided, however, that any highway commission may appoint one of its body, where necessary, to inspect work or some similar duty, when he shall be paid for such necessary work.

Sec. 5. Each highway commission shall employ some experienced, capable man, who shall not be a member thereof, as superintendent of the public roads of its township, contracting for all or a portion of his time, as it may see fit, and fix his compensation, and require and take from such township superintendent a bond, in such amount as it may deem just, conditioned for the faithful performance of his duties as such township superintendent. The superintendent shall hire and keep a regular force of the number directed by the commission, so as to have a lot of trained men. Any of said commissioners may purchase an army or other kind of truck, a rock crusher, and a steam engine and boiler, or electric motor to operate the same, and such other machinery or appliances as may be needed for its purposes, and turn them over to its superintendent, who shall be responsible therefor. If the said superintendent shall willfully or negligently fail to discharge any of his duties, he shall be guilty of a misdemeanor, and upon
The court, in addition to the liability on his bond for all such damage as the township may suffer on account of such willful and negligent failure, and shall be subject to removal from office.

Sec. 6. Each highway commission in Cherokee County shall, at least once each year, make out and post at some central or prominent place in its township, and at the courthouse door in Murphy, a full and complete detailed account of its acts and doings for the preceding year, particularly of its expenditures, and the failure of any commission to comply with this section shall be a misdemeanor, and upon conviction the members of such offending commission shall be fined or imprisoned in the discretion of the court, and be subject to removal from office by the judge of the Superior Court before whom they may be convicted.

Sec. 7. The board of county commissioners of Cherokee County are hereby authorized, empowered and directed, when thereunto requested by the highway commission of the interested township and a petition of fifty taxpayers resident therein, to issue the township bonds of such township, not to exceed the following amounts: For Murphy Township the one hundred thousand dollars heretofore voted by the qualified voters; for Shoal Creek Township the fifty thousand dollars heretofore voted by its qualified voters; for Notla Township the twenty-five thousand dollars heretofore voted by its qualified voters; for Hothouse Township twenty-five thousand dollars, and for Beaverdam Township fifty thousand dollars. All of said bonds when issued by the board of county commissioners of Cherokee County shall run in the name of the township for and on whose behalf they shall be issued, and when issued and sold the same shall be valid and binding obligations of such township. Said bonds shall be payable thirty years from their date, and shall bear interest at no greater rate than six per cent per annum, payable annually or semiannually as the purchaser may prefer. They shall be issued in denominations to suit the purchaser, and be signed by the chairman of the board of county commissioners of Cherokee County, and countersigned by the clerk of said board, and be made payable wherever the purchaser may desire.

Sec. 8. Whenever any of the said bonds shall be issued and sold, the board of county commissioners of Cherokee County, at their first meeting thereafter, when other taxes are to be levied, and annually thereafter, shall levy a tax upon all the property and polls of the township on whose behalf they were issued, preserving the constitutional equation, sufficient to raise the amount of money necessary to pay the interest on said bonds and to provide a sinking fund sufficient to retire the said bonds at maturity.

Sec. 9. The proceeds of the sales of all bonds provided for in this act may by a majority decision of the board of county com-
missioners of Cherokee County and of the highway commissions of
the interested townships, or of the township on whose behalf the
said bonds may be issued and sold, be expended either upon the
roads of the township, or those issued for Murphy Township may
be spent, one-third on a road leading from Murphy towards Unaka,
and two-thirds on a road leading from Murphy through Notla and
Shoal Creek townships towards the Tennessee line to connect with
the Kinsey Highway, either under the joint agreement of said
board of county commissioners and the highway commissions of
Murphy, Notla and Shoal Creek townships, or same may, by and
with the consent of a majority of the board of county commis-
sioners of Cherokee County and of the highway commissioners of
Murphy Township in joint session, be turned over to the State
Highway Commission to be expended by it in the construction of a
road from Murphy to the Tennessee line; the bonds of Notla, Hot-
house and Shoal Creek may be expended in the same way upon a
like majority consent of the board of county commissioners and of
the interested township; and those of Beaverdam Township may
be expended upon the roads of said township or upon a road lead-
ing from Murphy to Unaka in the direction of the Tennessee State
line.

Sec. 10. In the event the proceeds of the sale of bonds of
Murphy, Shoal Creek, Notla and Hothouse townships are in the
proportions set out in the preceding section to be expended upon
the road leading from Murphy to the Tennessee State line to
connect with the Kinsey Highway, either under the supervision
of the State Highway Commission or otherwise, thus making it a
county road, the board of county commissioners of Cherokee
County are hereby authorized, empowered and directed to issue
the bonds of Cherokee County in the amounts so contributed by
said townships to the building of said road, which shall run for
thirty years from the date of their issue, and bear interest at no
greater rate than six per cent per annum, payable either annually
or semiannually, and at such place as purchasers may prefer; and
such bonds when issued and sold under the provisions of this act
shall be the full, direct and binding obligations of Cherokee
County, and shall be pro tanto in lieu of the bonds of the town-
ships, other than Beaverdam, authorized by section seven of
this act.

Sec. 11. In the event the board of county commissioners of
Cherokee County shall issue the bonds as provided in the preceding
section, it shall be the duty of said board of county commissioners
at its first meeting thereafter when other taxes are levied, and
annually thereafter, to levy upon all the property and polls of the
township on whose behalf said county indebtedness is incurred, a
sufficient special tax, preserving the constitutional equation be-
tween property and polls, to pay the interest on its proportionate
part of said bonds, and to provide a sinking fund sufficient to retire said bonds at maturity; and the said taxes shall be annually collected by the sheriff or tax collector of Cherokee County, at the same time and in the same way and manner other taxes are collected: Provided, that nothing herein contained shall be held to relieve the county of Cherokee from liability to the purchaser for the principal and interest on said bonds, which shall all remain a legal, valid and binding obligation of Cherokee County until all shall be paid.

Sec. 12. That J. U. Brown is hereby added to the highway commission of Beaverdam Township, and from and after the ratification of this act shall be a member thereof.

Sec. 12a. That the highway commission of any township in Cherokee County may widen any road in its township to thirty feet.

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

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

Ratified this the 24th day of February, A.D. 1923.

CHAPTER 224

AN ACT TO AUTHORIZE ALAMANCE COUNTY TO ISSUE BONDS FOR THE PURPOSE OF PAYING AND RETIRRING NOTES GIVEN BEFORE FEBRUARY 1, 1923, TO OBTAIN FUNDS FOR THE NECESSARY EXPENSES OF ALAMANCE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. The chairman and board of commissioners of the county of Alamance are hereby authorized and empowered to issue the bonds of said county in an amount not exceeding ninety-five thousand dollars ($95,000). The bonds authorized and empowered to be issued shall mature in annual installments or series of one or more bonds, the last of which installments shall be payable not more than thirty (30) years after the date of issue. No single installment or series shall be more than two and one-half (2\(\frac{1}{2}\)) times as great in amount as the smallest prior installment of said issue. The said bonds shall be issued in such denominations and form, and with such provisions as to time, place and medium of payment of principal and interest, as said board of commissioners may determine, subject to the following limitations and restrictions: They shall bear interest at a rate not exceeding six per cent (6%) per annum, payable semiannually. They shall be coupon bonds and shall be signed by the chairman of said board
of county commissioners and the seal of Alamance County shall be affixed to said bonds and attested by the register of deeds of said county. The coupons of said bonds shall be authenticated by a printed or lithographed or engraved facsimile signature of the chairman of said board who is in office on the date of the issue and delivery of said bonds. The delivery of said bonds, signed as aforesaid, shall be valid notwithstanding any changes in office after the signing of said bonds.

Sec. 2. Said bonds shall be sold by the chairman and board of commissioners of the county of Alamance in the manner provided by the Municipal Finance Act of the State of North Carolina for the sale of bonds of cities and towns. Said bonds shall not be sold for more than par and accrued interest.

Sec. 3. The proceeds of said bonds shall only be used by said chairman and board of commissioners for the purpose of paying and retiring notes given and outstanding on February one, nineteen hundred and twenty-three, which notes were given for funds which were used in paying the necessary expenses of Alamance County.

Sec. 4. The chairman and board of county commissioners for said county of Alamance are hereby authorized and directed to levy annually, at the date fixed by law for the levying of other county taxes, a special ad valorem tax upon all taxable property in said county for the purpose of paying the principal and interest of all bonds issued under this act as such principal and interest becomes due, which tax shall be in an amount sufficient for said purpose, and shall be in addition to all other taxes authorized by law to be levied in said county.

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

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

Ratified this the 24th day of February, A.D. 1923.

CHAPTER 225

AN ACT TO LIMIT THE BONDED INDEBTEDNESS OF HAYWOOD COUNTY AND TO PROVIDE FOR THE PAYMENT OF SAME.

The General Assembly of North Carolina do enact:

Section 1. That for the purpose of constructing a county system of roads and bridges or for the purpose of repairing and improving the roads and bridges of Haywood County, or for the further purpose of connecting the roads of said county with the roads of adjoining counties and states, or for the further purpose
of aiding the State Highway Commission in the construction of that part of the State highway system which is now or may hereafter be adopted in Haywood County, or for any one or more of said purposes, the board of county commissioners of said Haywood County are hereby authorized and empowered to issue during the year nineteen hundred and twenty-three and until December one, nineteen hundred and twenty-four, negotiable coupon bonds, in the sum of not exceeding one hundred and fifty thousand dollars ($150,000), the said bonds to be in addition to the other bonds heretofore issued and outstanding by said Haywood County. The board of county commissioners shall have authority to issue the bonds authorized by this section without submitting the same to the qualified electors of said county. The said bonds may be issued all at one time or in suitable amounts from time to time as the funds are needed for said purposes.

Sec. 2. That all bonds issued pursuant to this act shall be signed by the chairman of the board of county commissioners and countersigned by the clerk and shall bear the corporate seal of said county, and shall have affixed the requisite number of interest coupons, and it shall be sufficient for said coupons to bear the printed, lithographed or engraved signature of the chairman of said board. The said bonds shall draw interest at not exceeding six per cent per annum, payable semiannually, and the said bonds shall have attached thereto the corporate seal of said Haywood County. The said bonds shall be in such form and tenor and in such denominations and the principal and interest shall be payable at such place or places as the said board of county commissioners may determine. All bonds issued pursuant to this act shall mature in annual installments, the amount of such installments to be determined by the said board of county commissioners: Provided, however, that all bonds issued pursuant to this act shall mature within thirty (30) years after the date of their issue.

Sec. 3. That on and after December one, one thousand nine hundred and twenty-four, it shall be unlawful for the board of county commissioners of Haywood County to issue or sell bonds for road and bridge purposes unless and until the same are approved by the qualified voters of said county at an election to be held as hereinafter provided.

Sec. 4. Whenever the board of county commissioners of Haywood County shall have determined, by resolution duly adopted, that it is necessary to build, construct, repair or make additions to the public roads and bridges of said county, they may call an election upon the question of issuing bonds to defray the expense thereof, and they are hereby authorized and empowered to call a special election for said purpose. They shall give notice of said election by causing a notice thereof to be published in some newspaper published in Haywood County, such notice to be inserted in said newspaper once a week for four (4) consecutive weeks, and
the first publication of said notice shall be at least thirty (30) days prior to the date of said election. The said notice shall set forth the nature and extent of the said improvement or improvements, the approximate cost of same and the amount of bonds necessary to issue. The said county commissioners shall appoint the registrars and judges for said election and shall designate the polling places, and may in their discretion order a new registration for said election. The said election shall be held under the laws relating to general elections for members of the General Assembly in so far as it is practicable to do so, and except as the same is herein modified. The registrars and judges shall, not later than Thursday following the date of said election, file with the board of county commissioners in Haywood County the written returns of said election, which said returns shall be canvassed by the said board of county commissioners, and they shall declare the result of said election, and shall cause the same to be spread upon their minutes. At the said election all electors desiring to vote for the issue of said bonds shall vote a ballot upon which shall be written or printed the words "For Bonds," and all electors opposed to the issue of said bonds shall vote a ballot upon which shall be written or printed the words "Against Bonds." In the event a majority of the votes cast at said election shall be in favor of said bonds, the board of county commissioners are thereupon fully authorized and empowered to issue and sell the said bonds in the amount not to exceed the amount stated in said notice of election; and Provided, however, that the proceeds derived from the sale of said bonds shall be used only for the purpose or purposes specified in said notice of election.

Sec. 5. All bonds issued pursuant to this act shall be sold at not less than par and accrued interest, and shall be advertised for sale in some newspaper published in Haywood County; said advertisement shall appear at least one time in said newspaper and shall appear at least ten days before the date of the sale of said bonds: Provided, the said board of county commissioners may give such further notice of said election as they may deem advisable.

Sec. 6. The board of county commissioners of Haywood County shall, at the regular meeting in June, one thousand nine hundred and twenty-three, and annually thereafter, at the time other taxes are levied and collected, levy a special tax of sufficient rate and amount to pay the interest of all bonds issued pursuant to this act, and to create a sinking fund to pay principal at maturity; and they shall also levy and collect at said times a special tax of sufficient rate and amount to pay the principal and interest of all other bonds issued and outstanding by said Haywood County, and including bonds which the county of Haywood has assumed. The said taxes authorized by this section are hereby specifically appropriated for the purposes named herein, and it shall be unlaw-
ful to use said funds for any other purpose, and the said fund shall be kept separate and apart from all other funds of said Haywood County.

Sec. 7. That in addition to the bonds hereinbefore authorized by this act, the board of county commissioners of Haywood County shall have power and authority to issue bonds to refund any bonds of Haywood County becoming due, or any bonds which the said Haywood County has assumed or agreed to pay, and may refund the same by issuing bonds of Haywood County. All bonds issued pursuant to this section shall be issued in the same manner as the other bonds hereinbefore mentioned: Provided, that no election shall be required in order to issue any of the bonds authorized by this section; and Provided further, that no bonds shall be issued under this section to refund any bonds that Haywood County has outstanding which are payable in serial annual installments.

Sec. 8. That this act shall not be affected by any limit, condition or restrictions contained in any other act of the General Assembly, either general or special.

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

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

Ratified this the 26th day of February, A.D. 1923.

CHAPTER 226

AN ACT TO SECURE BETTER DRAINAGE OF LOWLANDS IN FORSYTH COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That all proceedings which have been instituted or which are now pending before the clerk of the Superior Court of Forsyth County, North Carolina, for the purpose of securing better drainage of the lowlands of Forsyth County, instead of having been instituted before the county commissioners of Forsyth County, are hereby validated, and all such proceedings are hereby declared valid and of the same force and effect as if said proceedings had been instituted before the county commissioners of Forsyth County.

Sec. 2. That all bonds that have been issued or that may hereafter be issued, and all assessments that have been made or may hereafter be made, in any proceeding which has been instituted or which is now pending before the clerk of the Superior Court of Forsyth County, for the purpose of securing better drainage of the lowlands of Forsyth County, instead of having been instituted before the county commissioners of Forsyth County, are hereby...
validated, and all such bonds issued, or that may hereafter be issued, and all assessments made or that may hereafter be made in any such proceeding are hereby declared valid and of the same force and effect as if said proceedings had been instituted before the county commissioners of Forsyth County.

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

Ratified this the 26th day of February, A.D. 1923.

CHAPTER 227

AN ACT TO AMEND CHAPTER 578, PUBLIC-LOCAL LAWS OF 1921, RELATING TO THE FEES OF SHERIFF OF PERQUIMANS COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That chapter five hundred and seventy-eight, Public-Local Laws of one thousand nine hundred and twenty-one, be amended by striking out the period at the end of section two of said chapter after the word “Harnett” and inserting the words “and Perquimans.”

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

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

Ratified this the 26th day of February, A.D. 1923.

CHAPTER 228

AN ACT TO AUTHORIZE UNION COUNTY, NORTH CAROLINA, TO ISSUE ROAD AND BRIDGE BONDS AND TO PROVIDE FOR THE PAYMENT THEREOF.

The General Assembly of North Carolina do enact:

Section 1. The board of county commissioners of Union County are hereby authorized to issue bonds of said county in an aggregate principal amount not exceeding five hundred thousand dollars for any one or more of the following purposes, viz.: laying out, opening, altering, constructing, repairing, improving county highways in said county, and constructing, reconstructing and altering bridges in said county, and for the purpose of paying off any valid claims against the road commission of Union County and the completion of any contracts made by the road commission of Union County. Said board is hereby further authorized to levy annually a special tax ad valorem on all taxable property in
Union County for the special purpose of paying principal and interest of all bonds issued under this act, as such principal and interest becomes due, which tax shall be in an amount sufficient for said purpose and in addition to all other taxes authorized to be levied by said board.

Sec. 2. No bonds shall be issued under this act nor any special tax levied to pay said bonds until the question of issuing such bonds shall be submitted to the voters of Union County at an election, and a majority of the voters voting on said question shall be in favor of issuing such bonds, and the board of county commissioners of Union County are hereby directed to submit the question of issuing bonds under this act to the voters at a special election to be held as soon as may be practicable. The board of county commissioners shall fix the date for holding said election, shall name the registrars and judges of election for the voting precincts of said county, and cause notice of said election to be given by publication at least once in some newspaper in Union County, the first publication to be at least thirty days before the election, and shall cause to be printed and distributed a sufficient number of ballots for use at the election. At said election the voters who favor the issuance of said bonds shall vote a ballot on which shall be written or printed the words “For Road and Bridge Bonds,” and the voters who are opposed to the issuance of said bonds shall vote a ballot on which shall be written or printed the words “Against Road and Bridge Bonds.” At the close of the election the votes shall be counted and returns thereof made to the board of county commissioners of Union County, for which purpose said board shall cause blank abstracts to be printed and furnished to the registrars and judges of election. On the first Thursday following the election, the said board of county commissioners shall meet as a canvassing board, shall receive the returns of said election, shall judicially pass upon the returns, and shall judicially determine and declare the result of said election, all of which shall be recorded in the records of said board. The returns shall be executed in duplicate, and one copy shall be delivered to the board of county commissioners as aforesaid and the other filed with the clerk of the Superior Court of Union County. In all respects other than those herein mentioned said special election shall be held and conducted, and the qualifications of voters at said election determined, as nearly as may be practicable, in accordance with the general law relating to the holding and conducting of elections for members of the General Assembly and the determination of the qualifications of voters at such elections. The expense of holding said special election shall be paid out of the general funds of the county. If the board of county commissioners shall cause a notice, containing a brief statement of the result of said election as determined by the board, to be published at least once in
a newspaper published in Union County, no right of action or
defense founded upon any invalidity in said election shall be
asserted, nor shall the validity of said election be open to ques-
tion in any court upon any ground whatever, except in an action or
proceeding commenced within thirty days after the first publica-
tion of said notice: Provided, however, that a copy of this sen-
tence shall be incorporated in said notice. The board of county
commissioners may, in its discretion, order a new registration for
said special election, but such a new registration shall not be
necessary unless ordered by the board.

SEC. 3. The bonds authorized by this act shall be issued in two
or more separate issues, and not exceeding two hundred and fifty
thousand dollars ($250,000) shall be issued during the year one
thousand nine hundred and twenty-three, and the balance of said
total issue during the year one thousand nine hundred and
twenty-four. Each issue shall so mature that the aggregate prin-
cipal amount of the issue shall be payable in annual installments,
beginning not more than three years after the date of the bonds
of such issue, and ending not more than thirty years after such
date. No such installment shall be more than two and one-half
times as great in amount as the smallest prior installment of the
same bond issue. If all bonds of any one issue are not delivered
simultaneously, the bonds of such issue outstanding at any one
time shall mature as aforesaid.

SEC. 4. Said bonds shall be issued in such form and denomina-
tions, and with such provisions as to time, place, and medium of
payment of principal and interest as the board of county com-
misioners of Union County may determine, subject to the limita-
tions and restrictions of this act. The bonds shall bear interest
at a rate not exceeding six per centum per annum, payable semi-
annually. They may be either coupon bonds or registered bonds,
and if issued in coupon form may be made registrable as to
principal or as to both principal and interest. They shall be
signed by the chairman of the board of county commissioners of
Union County, and the county seal shall be affixed to the bonds
and attested by the clerk of said board; and the coupons of such
bonds shall bear the printed or lithographed or engraved facsimile
signature of the chairman of said board of county commissioners
who is in office at the date of the bonds. The delivery of bonds,
signed as aforesaid, by officers in office at the time of such signing,
shall be valid notwithstanding any changes in officers occurring
after such signing.

SEC. 5. Said bonds shall be sold in the manner prescribed in
chapter fifty-six, Consolidated Statutes of North Carolina, for the
sale of bonds of cities and towns. They shall not be sold for less
than par and accrued interest.

16—Public-Local
Specific appropriation of proceeds.

Obligation of purchaser devolved.

Additional powers.

Repealing clause.

Sec. 6. The proceeds of the sale of said bonds shall be placed in a separate fund, and used only for the purposes for which the bonds were issued. The purchaser of the bonds shall not be bound to see to the application of the proceeds.

Sec. 7. The powers granted by this act are granted in addition to, and not in substitution for, existing powers of Union County, and are not subject to any limitations or restrictions contained in any other law.

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

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

Ratified this the 26th day of February, A.D. 1923.

CHAPTER 229

AN ACT TO REPEAL CHAPTER 1 OF THE PUBLIC-LOCAL LAWS OF THE EXTRA SESSION OF 1921, RELATING TO THE DUTIES OF THE REGISTER OF DEEDS OF UNION COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That chapter one of the Public-Local Laws of the Extra Session of one thousand nine hundred and twenty-one be and the same is hereby repealed.

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

Ratified this the 26th day of February, A.D. 1923.

CHAPTER 230

AN ACT TO ABOLISH THE OFFICE OF TREASURER OF MITCHELL COUNTY AND TO PROVIDE FOR A FISCAL AGENT FOR SAID COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the office of treasurer of Mitchell County be and the same is hereby abolished. The duties of the treasurer of said county shall be performed by such bank or banks as shall be designated by the county board of commissioners of Mitchell County as the depository or the depositories and the fiscal agent or the fiscal agents of said county.

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

Sec. 3. That this act shall be in force from and after the expiration of the term of office of the present treasurer of Mitchell County.

Ratified this the 26th day of February, A.D. 1923.
CHAPTER 231

AN ACT TO AMEND CHAPTER 103, PUBLIC-LOCAL LAWS, EXTRA SESSION 1920, BEING THE BEAUFORT COUNTY ROAD LAW.

The General Assembly of North Carolina do enact:

Section 1. That chapter one hundred and three, Public-Local Law amended. Laws, Extra Session one thousand nine hundred and twenty, be and the same is hereby amended by adding a new section after section twenty, to be known as section twenty and one-half, and to read as follows:

"Sec. 20 1/2. Wherever a hard-surface road has been or is to be constructed in the county of Beaufort, either by the State or county, across the track of any railroad or logging company, it shall be the duty of the said railroad or logging company to hard surface at the expense of said company that portion of the public highway included between its tracks, and also two feet beyond the outside of each rail. The pavement shall be of the same type, width and quality as the pavement on said highway, and plans shall be prepared and submitted to the engineer of said commission, and approved by it, before any construction is undertaken. Said commission shall give sixty days notice to any railroad or logging company affected by the provisions of this section, and if said company does not, at the expiration of said notice, undertake the construction and immediate completion of said pavement, then the commission is fully authorized and empowered to do said work in such manner deemed advisable by it, and the cost and expense of same shall be paid by said company. In the event the work is done by the commission, upon the completion of same it shall render a bill and account to said company, which shall bear interest at the rate of six per cent per annum, beginning at the expiration of thirty days from its rendition. Said account, if not paid, shall constitute a lien against the property of said company, and shall be due and payable at the first regular tax collection period following the date of said account, and shall be collected by the sheriff in the same manner as public taxes. In the event said work is done by the commission, neither the commission nor its employees shall be liable for any delays, acts, accidents, or omissions, or for any damages or liability of any nature arising out of said construction. After the pavement has been accepted by the engineer of the commission upon its completion, as herein provided, said railroad or logging company shall thereafter maintain same at its expense in a manner satisfactory to said engineer."

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

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

Ratified this the 26th day of February, A.D. 1923.
CHAPTER 232

AN ACT TO PROVIDE FOR THE PAYMENT OF INDEBTEDNESS OF THE HIGHWAY COMMISSION OF CHEOAH TOWNSHIP, GRAHAM COUNTY, AND TO REGULATE THE PAYMENT OF FUNDS AND WORK ON ROADS IN SAID TOWNSHIP.

The General Assembly of North Carolina do enact:

Section 1. That the board of highway commissioners of Cheoah Township in Graham County, for the purpose of paying its outstanding indebtedness, are hereby authorized and empowered to issue bonds in an aggregate amount not to exceed six thousand dollars, said bonds to be in the denomination of five hundred dollars each, and to bear interest at a rate not exceeding six per cent per annum; said bonds shall be payable serially at the rate of two bonds each year until all bonds are paid, beginning one year from the date of bond issue. Said bonds shall be signed by the chairman and countersigned by the secretary and shall have affixed the official seal of the highway commission of Cheoah Township.

Section 2. The said highway commission shall on the first Monday of each fiscal year set aside a sufficient amount of the general road fund of said township to pay two of said bonds with interest, and said fund so set aside shall not be used for any other purpose: Provided, said highway commission may at any time there is sufficient funds in the treasury to the credit of said highway commission pay any one or all of said bonds; and Provided further, that in the event the highway commission do pay and retire any or all of said bonds before maturity, and in the event that any bridges or roads in said township shall be washed out or become damaged by freshet or otherwise so as to render said road or bridge dangerous or impassable, then and in such event the said highway commission may issue bonds sufficient to repair said roads or bridges, but in an amount not to exceed one thousand dollars; and the said emergency bonds so issued shall be paid for and retired out of the general road funds of said highway commission for the next succeeding year.

Section 3. That the said highway commission may sell said bonds either at private or public sale, but none of said bonds shall be sold below par value. The funds derived from the sale of said bonds shall be placed in the treasury of Graham County to the credit of the Cheoah Highway Commission, and all funds of whatever source or kind of the highway commission shall only be disbursed and paid by the tax collector or treasurer of Graham County upon a written order signed by the secretary and countersigned by the chairman of the Cheoah Highway Commission, and each voucher shall be numbered and designated thereon for what
purposel drawn, and the stub and correct record of all vouchers shall be kept open to the inspection of any taxpayer of Cheoah Township: Provided, that said highway commission may exchange any of said bonds for any note or outstanding indebtedness of same amount or apply said bonds to the payment of and discharge any of said indebtedness, and when so applied the notes and debts so paid and discharged shall be marked “paid” and discharged, and shall be filed and preserved in the office of said highway commission and open for inspection to the public, and a record of all such appliances shall be made and preserved in the record of the proceedings of the said highway commission.

Sec. 4. The road supervisor for Cheoah Township shall make and keep a revised list of all persons in Cheoah Township subject to road duty under the law, and shall make and keep a complete and accurate record of all free labor performed on the roads in Cheoah Township, showing the name of the person or persons and date of the performance; and he shall keep a record of all moneys received in lieu of road duty, showing from whom received; and all moneys so received and collected by the road supervisor shall be turned over to the secretary of the highway commission, who shall in turn turn the same over to the tax collector and treasurer of Graham County and take his receipt therefor; said fund to be placed to the credit and subject to the payment on order of the highway commission of Cheoah Township as provided in this act.

Sec. 5. That the secretary of the highway commission of Cheoah Township shall open and keep a complete and itemized account with the tax collector and treasurer of Graham County and with the road supervisor for Cheoah Township, and shall record in a proper book all the official proceedings of the said highway commission, and all such records and accounts shall be open for inspection of any taxpayer of Cheoah Township. The books necessary for such records and accounts shall be furnished by the said highway commission and paid for as necessary expenses out of the general road fund.

Sec. 6. That upon the first Monday of each fiscal year and the first Monday of each month thereafter the books of the highway commission shall be audited so as to show the balance and the true condition of the available road funds and free labor for the said township, and a statement thereof furnished to the secretary of the said highway commission and to the road supervisor of Cheoah Township.

Sec. 7. The said highway commission or road supervisor shall not contract or incur any indebtedness for the Cheoah Township Highway Commission for any year greater than the net amount of available road funds for said township for the same fiscal year, and the secretary of the highway commission shall not draw a warrant on the road funds of said township for any amount in excess of the available funds for that current year.
Sec. 8. That the said highway commission or any member, official or agent thereof, who shall violate any of the sections or terms and 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. 9. That this act shall not have the effect to abridge or repeal chapter one hundred and eighty, Public-Local Laws North Carolina, session one thousand nine hundred and thirteen, or any part thereof, except and so far as any section or part thereof is in conflict with the provisions of this act.

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

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

Ratified this the 26th day of February, A.D. 1923.

CHAPTER 233

AN ACT TO AMEND CHAPTER 125, PUBLIC-LOCAL LAWS 1921, AUTHORIZING THE LEVY OF SPECIAL TAXES AND THE ISSUE OF BONDS FOR THE IMPROVEMENT OF THE PUBLIC ROADS OF WATAUGA COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section six of chapter one hundred and twenty-five of the Public-Local Laws one thousand nine hundred and twenty-one be amended to read as follows:

"Sec. 6. That the county commissioners of Watauga County shall ascertain the proportionate amount due each township from the bond issue mentioned in the preamble of this act, and thereupon it shall be mandatory for said board of county commissioners to issue the bonds of Watauga County as is provided for in section two of this act, and direct the expenditure of the proceeds of said bonds upon the public roads of the townships in the proportionate amounts they are entitled to have expended on their roads under the direction of the road supervisor of Watauga County."

Sec. 2. That failure on the part of the county commissioners of Watauga County to carry out the provisions of this act, within twelve months after ratification shall subject each of them to a penalty of one hundred dollars, the same to be paid over to the school fund of Watauga County.

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

Ratified this the 26th day of February, A.D. 1923.
CHAPTER 234

AN ACT TO AMEND CHAPTER 64 OF THE PUBLIC-LOCAL LAWS 1921, EXTRA SESSION, RELATIVE TO THE PUBLIC ROADS OF MITCHELL COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section twenty-three (a) of chapter sixty-four of the Public-Local Laws one thousand nine hundred and twenty-one, Extra Session, be and the same is hereby amended by striking from line four of said section the word "fifty" and substituting "sixty." Bond issue.

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

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

Ratified this the 26th day of February, A.D. 1923.

CHAPTER 235

AN ACT TO AUTHORIZE GASTON COUNTY TO ISSUE BONDS TO PAY INDEBTEDNESS INCURRED IN CONSTRUCTING AND IMPROVING HIGHWAYS AND BRIDGES.

The General Assembly of North Carolina do enact:

Section 1. For the purpose of paying loans in the amount of two hundred and fifty thousand dollars ($250,000), contracted by Gaston County for the construction and improvement of roads and bridges within said county, and paying fifty thousand dollars ($50,000) in addition thereto, upon contracts heretofore made for such road and bridge construction and improvement, which amount of three hundred thousand dollars ($300,000) is due and unpaid, and for which said county has no available funds, Gaston County is hereby authorized to issue its negotiable bonds in an amount not exceeding three hundred thousand dollars ($300,000), bearing interest not exceeding five per centum per annum, payable semi-annually, both principal and interest to be payable at such place or places, and in such medium, as the board of county commissioners may determine.

Sec. 2. The said bonds shall be serial bonds and shall mature in installments of twelve thousand dollars ($12,000) annually, beginning not more than five years from their date.

Sec. 3. Said bonds may be made registrable as to principal alone or as to both principal and interest under such conditions as may be determined by said board, and the board shall determine the method of execution thereof and of interest coupons that may be annexed to said bonds.
Record of bonds.  

Special tax.

Levy and collection.
Specific appropriation.
Accounts.

Sale for cash and at not less than par.
Specific appropriation of proceeds.

Election not necessary.
Powers given commissioners.

SEC. 4. A record shall be kept by the said board of commissioners, in a separate book for the purpose, of all bonds sold and to whom, the amount and date of sale, and the maturity of each bond and its number.

SEC. 5. In each year while any of said bonds shall be outstanding the board of county commissioners shall levy a direct tax upon all taxable property within the county sufficient to pay the principal and interest falling due in the following year upon bonds so issued and then outstanding, which tax shall be levied and collected as other county taxes are levied and collected, and shall be held in a separate fund and used only for such purposes.

SEC. 6. The treasurer shall keep an account of each bond, showing the amount and time of all payments upon principal and interest thereof.

SEC. 7. Said bonds shall be sold for cash at not less than par, after advertisement of sale, as may now or at the time of sale be provided for bonds sold under the Municipal Finance Act, and the proceeds shall be used only for paying the indebtedness recited hereinabove.

SEC. 8. It shall not be necessary to submit the issuance of said bonds to a vote of electors, and the board of county commissioners is hereby empowered to carry out the terms of this act.

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

Ratified this the 26th day of February, A.D. 1923.

CHAPTER 236

AN ACT TO AMEND CHAPTER 382, PUBLIC-LOCAL LAWS OF 1921, RELATING TO THE ISSUE OF COURTHOUSE AND JAIL BONDS BY THE BOARD OF COUNTY COMMISSIONERS OF PERSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter three hundred and eighty-two of the Public-Local Laws of one thousand nine hundred and twenty-one be amended by striking out all of said section one inserted in lieu of sections one and five of chapter six hundred and fifteen of Public-Local Laws of one thousand nine hundred and nineteen, and inserting in lieu thereof the following:

"SECTION 1. That for the purpose of erecting a new courthouse and jail, or the repair and improvement of the present courthouse and jail as they may deem best, the commissioners of Person County are hereby authorized and empowered to issue bonds to an amount not to exceed one hundred thousand dollars, in such denominations as may be desirable, and bearing interest at a rate not to exceed six per cent from date, which bonds shall be serial
bonds falling due at times to be stated in the face thereof: Pro-
vided, that none of them shall come due in less than five and none
shall run for more than thirty years from the date thereof."
Sec. 2. That all laws and clauses of laws in conflict with this Repealing clause, act are hereby repealed.
Sec. 3. That this act shall be in force from and after its rati-

fication.
Ratified this the 26th day of February, A.D. 1923.

CHAPTER 237
AN ACT TO AMEND CHAPTER 168 OF THE PUBLIC-LOCAL
LAWS OF THE GENERAL ASSEMBLY OF 1913, BEING AN
ACT TO PROVIDE GOOD ROADS FOR HAMILTON TOWN-
SHIP, MARTIN COUNTY.
The General Assembly of North Carolina do enact:
Section 1. That section three of chapter one hundred sixty-
eight, Public-Local Laws of the General Assembly of one thousand
nine hundred and thirteen, be amended by inserting the words "Main Street" between the words "Hamilton" and "Front" in line
four of said section three.
Sec. 2. That all laws and parts of laws in conflict with this Repealing clause, act, so far as they relate to Hamilton Township, are hereby repealed.
Sec. 3. That this act shall be in force from and after its rati-

fication.
Ratified this the 26th day of February, A.D. 1923.

CHAPTER 238
AN ACT TO AMEND CHAPTER 169 OF THE PUBLIC-LOCAL
LAWS, EXTRA SESSION, 1921, AND INCLUDE MOORE
COUNTY THEREIN.
The General Assembly of North Carolina do enact:
Section 1. That section twelve of chapter one hundred and Law amended.
sixty-nine of the Public-Local Laws of the Extra Session of one
thousand nine hundred and twenty-one be amended by striking out
the word "and" after the word "Buncombe," and inserting the Law extended.
words "and Moore" after the words "New Hanover."
Sec. 2. That this act shall be in force from and after its rati-

fication.
Ratified this the 26th day of February, A.D. 1923.
CHAPTER 239

AN ACT TO AMEND CHAPTER 275 OF THE PUBLIC-LOCAL LAWS OF 1917, RELATING TO THE SALARIES OF THE OFFICERS OF DUPLIN COUNTY.

The General Assembly of North Carolina do enact:

Law amended.

Section 1. That section two of chapter two hundred seventy-five of the Public-Local Laws one thousand nine hundred and seventeen be and the same is hereby amended by striking from said section that portion beginning with the word “the” in line five and ending with the word “sheriff” in line seven, inclusive, and substituting in lieu thereof the following: “The said sheriff shall receive such salary as the board of county commissioners of Duplin County shall in its discretion pay, which salary shall not exceed ten thousand dollars ($10,000) per annum.”

Salary of sheriff.

Sec. 2. That section three of said chapter two hundred and seventy-five of the Public-Local Laws one thousand nine hundred and seventeen be and the same is hereby amended by striking from said section that portion beginning with the word “that” in line six and ending with the word “dollars” in line seven, inclusive, and substituting in lieu thereof the following: “That the said clerk of the Superior Court shall receive such salary as the board of county commissioners shall in its discretion pay, which salary shall not exceed four thousand dollars ($4,000) per annum.”

Section amended.

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

Repealing clause.

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

Ratified this the 26th day of February, A.D. 1923.

CHAPTER 240

AN ACT TO AUTHORIZE THE COMMISSIONERS OF THE COUNTY OF PASQUOTANK AND THE BOARD OF ALDERMEN OF THE CITY OF ELIZABETH CITY TO APPROPRIATE MONEY.

The General Assembly of North Carolina do enact:

Appropriation by county.

Section 1. That the board of commissioners of the county of Pasquotank be and the said commissioners hereby are fully authorized and empowered to appropriate and expend an amount of money not to exceed five hundred dollars they shall elect each year for the support and maintenance of the chamber of commerce of Elizabeth City.
Sec. 2. That the board of aldermen of the city of Elizabeth City be and said aldermen are fully authorized and empowered to appropriate and expend an amount of money not to exceed five hundred dollars they elect each year for the same purpose.

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

Ratified this the 26th day of February, A.D. 1923.

CHAPTER 241

AN ACT TO REPEAL CHAPTER 151 OF THE PUBLIC-LOCAL LAWS 1919, RELATING TO THE KILLING AND SHIPPING OF HEIFER CALVES IN SURRY COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That chapter one hundred and fifty-one of the Public-Local Laws one thousand nine hundred and nineteen be and the same is hereby repealed.

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

Ratified this the 26th day of February, A.D. 1923.

CHAPTER 242

AN ACT TO PROVIDE FOR THE UPKEEP AND MAINTENANCE OF THE PUBLIC ROADS OF ANSON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the board of commissioners of Anson County shall on or before the first Monday in April, one thousand nine hundred and twenty-three, meet and divide the county of Anson into districts, composed of as near equal number of road miles therein as possible, taking into consideration the amount of travel thereon and the problems of maintenance. The districts so formed shall be known as road districts and be numbered by said commissioners. The territory as set out in districts shall be subject to change by order of said board of commissioners.

Sec. 2. That it shall be the duty of said board of commissioners on the first Monday in April, one thousand nine hundred and twenty-three, to elect a road commissioner for each district so formed for the purpose of carrying out the provisions of this act. The road commissioner so elected shall serve at the pleasure of the board, and in case of resignation or removal said board shall elect to fill the vacancy. The said road commissioners shall be paid a salary or per diem to be fixed in the discretion of the
said board of commissioners, and all road commissioners shall after their election reside within the districts for which they are elected.

SEC. 3. The road commissioners shall, upon their election, take the oath of office now prescribed for county officers, and shall give bond in the sum of two thousand dollars, payable to the county of Anson, conditioned upon the faithful performance of their duties and preservation of county property entrusted to their care. No liability shall arise by virtue of wear and tear or accidents occurring in the reasonable use of the property entrusted to their care for use upon the public roads.

SEC. 4. All property entrusted to the care of said road commissioners shall be receipted for by them, which receipt shall show the cost of said property, and upon vacation from office for any cause, all property for which they have receipted shall be checked and all property unaccounted for shall be settled for and paid by the said road commissioner to the county of Anson upon a basis of price to be determined by the board of commissioners. Materials used in the construction or repair of roads shall not be receipted for, and this section is held for the accounting of equipment only.

SEC. 5. The road commissioner shall be responsible for the care and upkeep of the public roads within their respective districts under the supervision and control of the board of commissioners of Anson County or its agents, whose powers and duties shall be fixed and defined by said board of commissioners. The road commissioners are hereby vested with all the rights, power and authority now given by law to road overseers, and they or their duly authorized agents shall warn all persons to work the roads within their respective districts whose duty it shall be to actually perform labor as hereinafter set out in this act. The persons so warned to work the roads shall work upon the same within their respective districts at the time and places designated by said road commissioner or his agents, and bring with them such tools as directed.

SEC. 6. All the men in Anson County between the ages of twenty-one years and fifty, as of May first, shall work annually upon the public roads of Anson County, within their respective districts, six days of nine hours each, and the time going to and from work shall not be counted, or in lieu thereof shall pay an annual road maintenance tax of four dollars per year, to be levied and collected by the sheriff of Anson County under the same power and authority given to him to collect State and county taxes.

SEC. 7. All men in Anson County between the ages of twenty-one years and fifty years, as of May first, are hereby charged with the duty of election between the performance of actual labor or in lieu thereof the payment of an annual road maintenance tax of four
dollars per year. All said men who desire to perform labor in lieu
of paying the said tax shall annually, between the last Monday in
May and the first Monday in June, signify in writing to the clerk
to the board of commissioners of Anson their said desire of per-
forming actual labor upon the public roads during the current
year, and all men between the above-mentioned ages who shall
fail to signify their said intention of performing actual service
upon the public roads of Anson County for the current year shall
be deemed in law to have elected to pay in lieu of said service an
annual road maintenance tax of four dollars per year.

SEC. 8. The tax-listers of Anson County shall annually, at the
time of giving in property for taxation, make an entry upon their
records showing the names of all persons liable for road duty
within their respective townships, and the clerk to the board of
commissioners shall at the time of making out the tax books for
Anson County charge against all persons who have not declared
their intention to perform actual labor upon the public roads as
herein provided the sum of four dollars road maintenance tax,
which shall be collected in the same manner and with the same
power and authority by the sheriff of Anson County as now given
him for the collection of State and county taxes.

SEC. 9. The clerk of the board of commissioners shall annually,
on or before the fifteenth day in June, certify to the various road
commissioners the names of all persons within their respective
districts who have lawfully declared their intention to perform
actual labor upon the roads of Anson County. And those persons
shall be given the privilege of performing the labor hereinabove
set out.

SEC. 10. Any person liable for the performance of actual labor
upon the public roads of Anson County who, after having been
duly warned with two days notice by the road commissioner or
his agents within his district, either in person or by leaving writ-
ten notice at the place of his residence, shall fail or refuse to
appear and work with such tools as directed at the place and time
appointed, shall be guilty of a misdemeanor, and upon conviction
shall be fined not more than fifty dollars or imprisoned not more
than thirty days: Provided, in case of sickness rendering him
unable to work he may substitute a hand in his place and stead
capable of rendering equal service with himself.

SEC. 11. That all road commissioners shall, on or before the
first Monday in April of each year or upon retirement from office,
make and deliver to the board of commissioners a certified list of
all persons who signified their intention to perform actual labor
upon the roads of Anson County and the amount of labor actually
performed by them in hours.

SEC. 12. The road commissioners are hereby empowered to
employ such forces as the board of commissioners or its duly
Notice of choice.
Failure to give notice election of commutation.
Lists of road hands.
Commutation charged as tax.
Collection.
Lists of persons electing to labor.
Privilege extended.
Failure to appear and work misdemeanor.
Punishment.
Proviso: substitute.
Road commissioners to report as to road hands and work done.
Employment of road force.
authorized agents may authorize, at such rate of pay as said commissioners or its duly authorized agents may approve, to carry out the provisions of this act. Such forces to be used in the construction and repair of the public roads of Anson County.

Sec. 13. For the purpose of carrying out the provisions of this act the board of commissioners may direct the joining together of various forces of different districts for the purpose of completing particular projects, but said joinder shall not be for more than thirty days upon any one project.

Sec. 14. The road commissioners elected under the provisions of this act shall meet with the board of commissioners at such times as they may direct, and file such reports as the said commissioners may require, upon notice duly served upon them by the clerk of the board of commissioners. If, after notice duly served, they shall fail or refuse to make such reasonable reports as may be required by said board of commissioners, they shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned in the discretion of the court.

Sec. 15. That for the purpose of constructing and maintaining the public roads of Anson County, the said board of commissioners are authorized and empowered to purchase and equip the road forces herein provided for in such manner as they may be enabled to carry out the provisions of this act.

Sec. 16. That nothing herein contained shall deprive the board of commissioners of the right to construct or maintain any public road in Anson County by private contract.

Sec. 17. That the board of commissioners shall have the power and authority to make and prescribe such rules and regulations from time to time as in their opinion they may deem wise for the maintenance, preservation and protection of the public roads: Provided, however, no rule or regulation shall be effective until the same has been posted at the courthouse door in Anson County for fifteen days, and published in some newspaper published in Anson County for at least two weeks. Any person violating any of the rules and regulations prescribed by the said board of commissioners shall be guilty of a misdemeanor, and upon conviction shall be fined not more than fifty dollars or imprisoned not more than thirty days.

Sec. 18. All road commissioners provided for by this act and those engaged in work under their supervision shall have the power and authority to enter upon the lands of any persons, except yards, cemeteries and gardens, to secure any gravel or other material for surfacing said roads, and shall have authority to cut timber except fruit trees and yard trees, when necessary in their opinion for the protection of the roads in their district. No trees shall be cut without giving the owner thereof, if he lives within the county or person occupying said premises, thirty days notice of such intention.
Sec. 19. In event any person shall suffer damage by reason of the removal of gravel, dirt or other road material from their premises or by reason of the cutting of timber upon their premises, as herein provided for, it shall be proper and lawful for such person to present their claim to the board of commissioners of Anson County, and in the event they and the said board shall be unable to agree upon the sum to be paid to them for such damage, such claim shall be arbitrated by the board of commissioners and the claimant, each electing an arbitrator, which arbitrators shall select a third, and said arbitrators shall award such damages as to them may appear just and proper, taking into consideration, however, any special benefits that the claimants may enjoy by reason of the improvement of said road: Provided, either party shall have the right to appeal to the Superior Court of Anson County. Notice of appeal shall be given to the clerk to the board of commissioners, and he shall certify said appeal, together with the written submission and award, to the clerk of the Superior Court of Anson County. Said clerk shall docket said appeal and the issues raised thereon shall be tried as other causes.

Sec. 20. That in order to provide additional funds to the road funds of Anson County, each person shall pay an annual tax of two and fifty one-hundredths dollars on each automobile owned by him, five dollars on each automobile truck of one-half ton and less than one-half ton; seven and fifty one-hundredths dollars on each automobile truck having a capacity of one and one-half tons and less than two tons; ten dollars on each automobile truck having a capacity of two tons and less than two and one-half tons; fifteen dollars upon each automobile truck having two and one-half tons capacity and less than three tons; twenty dollars upon each automobile truck having three tons capacity and less than three and one-half tons; twenty-five dollars upon each automobile truck having three and one-half tons capacity and less than four tons; thirty dollars upon each automobile truck having a capacity of four tons and less than five tons; fifty dollars upon each automobile truck having a capacity of five tons and more; one dollar on each motorcycle; one dollar on each mule and horse.

Sec. 21. The taxes herein provided for shall be levied by the board of commissioners of Anson County at the same time State and county taxes are levied, and all tax-listers of the county, at the time of listing taxes, shall designate on the abstracts the property above enumerated owned by each individual liable for said taxes, and the taxes shall be computed accordingly. All taxes collected under this act shall be placed in the road maintenance fund of Anson County, to be expended upon the roads of Anson County in such manner as the said board may direct. The sheriff of Anson County shall collect the taxes provided for in this act at the same time and under the same powers exercised in the collection of county and State taxes.
Sec. 22. The taxes imposed under and by virtue of this act shall be supplemental to the powers of taxation now existing in the hands of the board of commissioners of Anson County and shall not affect the rate now levied for the construction, maintenance and sinking funds provided for the care of the public roads of Anson County.

Sec. 23. All laws and clauses of laws in conflict with this act are, to the extent of such conflict, hereby repealed.

Sec. 24. This act shall be in effect from and after its ratification.

Ratified this the 26th day of February, A.D. 1923.

CHAPTER 243

AN ACT TO RE-ENACT AN ACT ENTITLED "AN ACT TO EQUALIZE SCHOOL ADVANTAGES IN GUILFORD COUNTY, NORTH CAROLINA," RATIFIED FEBRUARY 21, 1921, AND THE ACT AMENDATORY THEREOF, AND ALSO TO VALIDATE PROCEEDINGS TAKEN UNDER SAID ACTS, AND TO PROVIDE FOR THE ISSUANCE OF OBLIGATIONS TO EVIDENCE INDEBTEDNESS AUTHORIZED BY SAID ACTS AND PROCEEDINGS.

The General Assembly of North Carolina do enact:

Section 1. The act entitled "An act to equalize school advantages in Guilford County, North Carolina," ratified February twenty-first, one thousand nine hundred and twenty-one, constituting chapter one hundred and thirty-one of the Public-Local Laws of one thousand nine hundred and twenty-one, regular session, is hereby reënacted. The acts amendatory of said act are also hereby reënacted, viz.: (1) Chapter three hundred and seventy-five of the Public-Local Laws of one thousand nine hundred and twenty-one, regular session, ratified March fifth, one thousand nine hundred and twenty-one, and (2) chapter thirty-eight of the Public-Local Laws of one thousand nine hundred and twenty-one, extra session, ratified December fourteenth, one thousand nine hundred and twenty-one.

Sec. 2. The election held under the authority of said statutes on April twenty-fifth, one thousand nine hundred and twenty-two, in that portion of Guilford County lying outside of the then existing limits of the city of Greensboro and High Point townships, and all other acts and proceedings done or taken under the authority of said statutes, are hereby ratified and validated. The said election, acts and proceedings shall have the same force and effect as if they had been held, done and taken after the enactment of this act and in full compliance with the statutes hereby reënacted.
SEC. 3. Whenever the county board of education of Guilford County shall borrow money under the authority of the seventh section of said chapter one hundred and thirty-one of the Public-Local Laws of one thousand nine hundred and twenty-one, regular session, as amended by said chapter thirty-eight of the Public-Local Laws of one thousand nine hundred and twenty-one, Extra Session, it shall be lawful for said county board of education to issue in its corporate name negotiable bonds, notes or other evidences of indebtedness for the moneys so borrowed, and to renew or fund such obligations from time to time by issuing other obligations of like character. The aggregate principal amount of such bonds, notes or other evidences of indebtedness, at any one time outstanding, shall not exceed five hundred thousand dollars. They shall bear interest at a rate not exceeding six per centum per annum, payable semiannually, and the principal thereof shall, unless payable within one year, be made payable in annual installments of equal or unequal amounts within a period of not exceeding thirty years from and after the respective dates of issue of the obligation. They shall be issued in such form and denominations, executed in such manner, and contain such provisions as to time, place and medium of payment of principal and interest, and as to whom they shall be payable, as the said county board of education may determine, subject to the limitations prescribed by this act. They shall be sold at public or private sale at not less than par and accrued interest, after such public notice, if any, as the said county board of education may deem advisable. All such bonds, notes or other evidences of indebtedness shall, unless renewed or funded as herein authorized, be paid, both principal and interest, out of the special annual tax for building purposes authorized by the said chapter one hundred and thirty-one of the Public-Local Laws of one thousand nine hundred and twenty-one, regular session, as amended. For the purpose of paying said principal and interest, it shall be the duty of the board of county commissioners of Guilford County (whether requested by the county board of education so to do or not), to raise in each year, by means of the said special tax, an amount sufficient to pay the aggregate amount of such principal and interest falling due in the current year, except the principal and interest of notes which the said county board of education shall have determined to renew or fund by means of obligations maturing in a subsequent year. The amount annually raised for said purpose shall be set aside by the county board of education and used for no other purpose. Nothing herein shall prevent the raising in one year of the amount of said tax necessary to meet said principal and interest falling due in a succeeding year.

SEC. 4. A majority of the qualified voters in the territory subject to the said special tax having, at the said election held on
April twenty-fifth, one thousand nine hundred and twenty-two, approved the statutes hereby reënacted, including the provisions of said statutes authorizing the borrowing of money for erecting and equipping school buildings, no further election shall be necessary to enable the county board of education of Guilford County to issue obligations as herein provided.

Sec. 5. All acts and parts of acts inconsistent with this act are hereby repealed.

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

Ratified this the 26th day of February, A.D. 1923.

CHAPTER 244

AN ACT TO PERMIT MURPHY TOWNSHIP, IN CHEROKEE COUNTY, TO SUBSCRIBE TO STOCK AND ISSUE BONDS TO AID IN CONSTRUCTING A RAILROAD IN SAID TOWNSHIP.

The General Assembly of North Carolina do enact:

Section 1. The board of commissioners of the county of Cherokee, upon petition of one hundred freeholders and residents of Murphy Township in said county, shall have the power to subscribe to stock for the use and benefit of said township, and to issue bonds of the said township to aid in the construction of any railroad which has been or may hereafter be incorporated under the laws of this State, and which proposes to build, construct, maintain and operate a line of railway running from Murphy in said township to a point at or near the station of Peachtree, on the line of the Carolina-Georgia Railway Company, such subscription to stock and issuance of bonds to be made after a majority of the qualified voters of such township shall have approved same at an election to be called and held as hereinafter provided.

Sec. 2. Upon presentation to the board of commissioners of Cherokee County of a petition, signed by at least one hundred residents and freeholders of Murphy Township, requesting an election in said township upon the question of subscribing to stock in behalf of said township, and the issuance of bonds for the purpose of paying such subscription, and further setting out the amount of the stock proposed to be subscribed, the name of the corporation to whose stock the subscription is to be made, and the amount of the bonds proposed to be issued for payment thereof, the board of commissioners of Cherokee County shall thereupon order an election to be held in said township, submitting to the qualified voters thereof the question of subscription to the stock of such railway company and the issuance of bonds for the pur-
pose of paying the same, which order shall specify the amount of
stock to be subscribed, the amount of bonds to be issued in pay-
ment of such subscription, the date of maturity of such bonds and
rate of interest they shall bear. A notice of such election shall be
published in some weekly newspaper published in said township
at least once a week for four successive weeks prior to such elec-
tion. The election so called shall be held in the same manner and
under the same rules and regulations as are prescribed by law
for the election of county officers, and the board of commissioners
may order a new registration of voters, under the rules now
prescribed by law, for the purpose of holding said election, and
returns thereof shall be made by the registrar and judges of
election to the board of commissioners of Cherokee County.

Sec. 3. At such election voters desiring to cast their votes in
favor of such proposition so submitted to them shall vote a written
or printed ballot with the words “For Stock Subscription and
Bond Issue” thereon; and those opposing said proposition shall
vote a written or printed ballot with the words “Against Stock
Subscription and Bond Issue” thereon.

Sec. 4. The board of commissioners at the next meeting after
said election shall canvass the returns, and shall determine the
result and enter same upon their minutes. If a majority of the
qualified voters of said township shall be determined as having
been cast in favor of the proposition so submitted, then it shall
be lawful for and the duty of the board of commissioners of
Cherokee County to subscribe to the stock of such railway com-
pany and issue bonds in behalf of Murphy Township, for the
amount set out in the call for election, which bonds shall be signed
by the chairman of the board of commissioners and attested by
the clerk of said board, and authenticated by the county seal.
Such bonds so issued shall mature in thirty years from the date
of same, which date shall be determined and fixed by the board
of county commissioners, and shall bear such rate of interest,
payable at such times, as the board shall have determined in the
order of election.

Sec. 5. The board of commissioners of Cherokee County shall,
in order to provide for the payment of the said bonds at maturity
and to provide for the interest becoming due thereon, compute and
levy each year, at the time of levy of county taxes, a sufficient
tax upon the property of said township to pay the interest upon
the bonds so issued and to provide a sinking fund to retire the
said bonds at their maturity. Such taxes shall be collected in
the same manner and under the same rules and regulations as
shall be in force for the payment of county taxes, and paid over
to the officer authorized to act as treasurer of Cherokee County
and such funds shall be kept separate from all other funds, and
disbursed solely for the purposes authorized by this act.
Sale of bonds. Sale below par forbidden.

Payment of subscription.

Trustees.

Certificate of appointment to have force of proxy.

Sec. 6. The bonds so issued may be sold at public or private sale by the board of commissioners of Cherokee County at not less than their par value, the proceeds to be paid over from time to time upon the subscription to the capital stock of such railway company, as work upon said railway progresses, or the board of commissioners, in their discretion, may pay for said subscription in such bonds and, as work progresses upon actual construction of such railroad, may deliver same to said railway company.

Sec. 7. The board of commissioners of Cherokee County shall, at their first meeting in each year, appoint three residents of Murphy Township, who shall, in behalf of said township, act as trustees and shall have the power to vote said stock at all corporate meetings of such railway company at which stockholders have the privilege of voting, and the certificate of such appointment shall have the force and effect of a proxy for such purpose.

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

Ratified this the 26th day of February, A.D. 1923.

CHAPTER 245

AN ACT TO MAKE UNLAWFUL THE SUNDAY SALE OF MERCHANDISE AND SOFT DRINKS WITHIN TWO MILES OF CERTAIN CHURCHES IN GASTON COUNTY.

The General Assembly of North Carolina do enact:


Sec. 1. That within two miles of Landers Chapel Methodist Episcopal Church, South, Webbs Chapel Baptist Church, Mt. Beulah Baptist Church or Bethel Lutheran Church in Gaston County, it shall be unlawful for any person, firm or corporation to sell or offer for sale, on Sunday, between the hours of five a.m. and midnight, twelve p.m., any goods, wares, or merchandise, cold or soft drinks in bottles or at fountains, cigars, tobaccos, cigarettes from open stand or shop, mercantile or other establishment.

Sec. 2. It shall be unlawful for any person or persons to operate a moving picture show, carnival or minstrel within two miles of the aforesaid churches or any one of them, on Sunday.

Sec. 3. It shall be unlawful for any number of persons to assemble for the purpose of using profane language, engage in any boisterous conversation or conduct themselves in such a manner calculated to disturb other public gatherings within two miles of the aforesaid churches or any one of them.

Sec. 4. That the keeping open of any shop, stand, store or other mercantile establishment within the said prescribed district, namely, within two miles of either of the said churches mentioned herein, and within the prohibited time and hours named,
shall be prima facie evidence of the intent to sell or offer for sale: Provided, however, that this act shall not apply to a necessary sale of drugs or medicines.

Sec. 5. That any person, firm or corporation violating any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned at the discretion of the court.

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

Ratified this the 26th day of February, A.D. 1923.

CHAPTER 246

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF ASHE COUNTY TO ISSUE BONDS FOR THE CONSTRUCTION AND COMPLETION OF PUBLIC ROADS IN ASHE COUNTY, AND TO PAY EXISTING INDEBTEDNESS.

The General Assembly of North Carolina do enact:

Section 1. The board of county commissioners of Ashe County is authorized to issue, at one time or from time to time, not exceeding three hundred and fifteen thousand dollars negotiable bonds of said county, to be designated Ashe County Serial Road Bonds, for road construction and improvement and the payment of indebtedness created for road construction and improvement.

Sec. 2. Said bonds shall bear interest at such rate, not exceeding six per centum per annum, payable semiannually, and the principal and interest thereof shall be payable in such medium and at such place or places as said board may determine; they shall be in coupon form, but may be made subject to registration as to principal, as may be determined by said board, and the board shall also determine the method of executing said bonds and coupons. Whenever any portion of said bonds shall be issued, they shall be made to mature in annual installments beginning not later than ten years from date, nor extending beyond forty years from their date, and no single maturity shall be more than two and one-half times the amount of any earlier maturity; said bonds shall not be sold at less than par and accrued interest, nor until a notice of the date for receiving bids therefor shall have been published once, at least ten days before said date, in a newspaper published in said county, and also in a newspaper having general circulation throughout the State. No other or further notice of sale shall be required, nor shall a vote of the electors be necessary to authorize the said bonds.
Special tax.

Appropriation of proceeds of bonds.

Debt of good roads commission.

Investigation of debt.

Chestnut Hill Township.

Old Field Township.

Road from Tuckerdale to Nella.

Road from White Oak Schoolhouse into Pond Mountain section.

Road from John Bowers' residence to Helton.

Road from West Jefferson to Obids.

Roads in Pine Swamp Township.

SEC. 3. The said board is hereby authorized and required to levy upon all taxable property within the county, in each year after the issuance of any of said bonds, a tax over and above all other taxes authorized or permitted by law sufficient to meet the payment of the principal and interest of said bonds maturing in the following year.

SEC. 4. That money received from the sale of said bonds shall be applied by the board of commissioners as follows: Two hundred and three thousand five hundred dollars ($203,500), or so much thereof as may be necessary to the payment of valid indebtedness of the county incurred by the good roads commission thereof, but no such indebtedness shall be paid until the board of commissioners shall have made a thorough and careful investigation as to the validity and correctness of the same, and the finding of said board approving any such indebtedness shall be final and conclusive; ten thousand dollars ($10,000) to the trustees of Chestnut Hill Township, as provided for in chapter thirty-eight of the Public-Local Laws of the session of one thousand nine hundred and twenty-one, as amended by chapter one hundred and twenty-six of the Public-Local Laws of the Extra Session of one thousand nine hundred and twenty-one; twenty-five thousand dollars ($25,000) to the special commissioners of Old Field Township, as provided for by chapter thirty-eight of the Public-Local Laws of one thousand nine hundred and twenty-one, as amended by chapter one hundred and twenty-six of the Public-Local Laws of the Extra Session of one thousand nine hundred and twenty-one, and also as amended by the Public-Local Laws of the session one thousand nine hundred and twenty-three; two thousand dollars ($2,000) to the special commissioners provided for by the Public-Local Laws of one thousand nine hundred and twenty-three, for the improvement of a public road from Tuckerdale to Nella; four thousand dollars ($4,000) to the special commissioners appointed by the laws of the session of one thousand nine hundred and twenty-three for improvement of a public road from Whiteoak Schoolhouse into the Pond Mountain section; five thousand dollars ($5,000) to the special commissioners appointed by the Public-Local Laws of the session of one thousand nine hundred and twenty-three, for the improvement of a public road at or near John Bowers' residence on Phenix Creek to Helton, North Carolina; twenty-five thousand dollars ($25,000) to the special commissioners provided for by chapter one hundred and twenty-six of the Public-Local Laws of the Extra Session of one thousand nine hundred and twenty-one, for the construction of a road from West Jefferson to Obids postoffice, as amended by the Public-Local Laws of the session of one thousand nine hundred and twenty-three; also the sum of twenty-one thousand five hundred dollars ($21,500) to the respective special commissioners provided for in section one
of the Public-Local Laws of the session of one thousand nine hundred and twenty-three, in a bill entitled "An act to amend chapter one hundred and twenty-six of the Public-Local Laws of the Extra Session of one thousand nine hundred and twenty-one," relative to the public roads of Ashe County, for the purpose of improving the public roads in Pine Swamp Township, the said amount to be turned over to said special commissioners for Pine Swamp Township, being specifically set out in said act, aggregating a total amount of twenty-one thousand five hundred dollars ($21,500) for Pine Swamp Township; three thousand dollars ($3,000) to the special commissioners appointed for Elk Township, as provided by the Public-Local Laws of the session of one thousand nine hundred and twenty-three; ten thousand dollars ($10,000) to the special commissioners appointed for Laurel Township, as provided by the Public-Local Laws of the session of one thousand nine hundred and twenty-three; one thousand dollars ($1,000) to W. J. Ray, Garfield Hodgson and Dan Graybeal, who are hereby appointed special commissioners to spend said amount on the public road from the ford of the creek near the Tom Graybeal place to the Buffalo Church, in their discretion:

Provided, however, that the purchaser of said bonds shall not be required [to see to the proper application of the proceeds of said bonds.]

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

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

Ratified this the 26th day of February, A.D. 1923.

CHAPTER 247

AN ACT TO AMEND CHAPTER 218, PUBLIC-LOCAL LAWS OF 1911, RELATIVE TO REDREDGING POTTS CREEK.

The General Assembly of North Carolina do enact:

Section 1. That chapter two hundred and eighteen of Public-Local Laws of one thousand nine hundred and eleven, "An act to drain the lowlands of Potts Creek and its tributaries, in Lincoln and Catawba counties," be amended by adding at end of said chapter the following:

"That Potts Creek Drainage Commission, as incorporated under section one of said chapter, and its successors and commissioners, shall from time to time as it may become necessary and required in their judgment, redredge said creek and tributaries, in the same manner, under the same rules and conditions as dredged in the first instance under said act, and in said redredging all authority and powers vested in said commission under said act in
the first instance of dredging shall be vested and are hereby
given to redredge and to impose the assessments, penalties and
rights of collection of the said assessments and costs of said
redredging as in the first instance.”

That said act be further amended: “That the landowners along
said creek shall meet on the first Saturday in August, one thou-
sand nine hundred and twenty-three, at Grace Academy in
Catawba County, at two p.m., for the purpose of electing the com-
mmissioners, who shall serve for a term of two years, and there-
after shall meet every two years for like purpose.”

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

Ratified this the 26th day of February, A.D. 1923.

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CHAPTER 248

AN ACT TO PROHIBIT CARNIVALS FROM EXHIBITING IN
ALAMANCE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any traveling carnival
company to exhibit in Alamance County; and it shall be unlawful
for any board of commissioners or board of aldermen, or other
governing body of any city or town in the county of Alamance, or
board of commissioners for the county of Alamance to grant or
issue any license or permit authorizing or permitting any travel-
ing carnival company to exhibit at any place in the county of
Alamance: Provided, the words “traveling carnival” shall be
construed to mean a traveling show consisting of three or more
distinct attractions, conducted for profit, and filling week or part
of week-stand engagements, whether under canvas or not: Pro-
vided further, that this act shall not apply to circuses, menageries,
wild-west and dog and pony shows: Provided further, that when
the officers of an agricultural fair association of Alamance County
petition the board of county commissioners to permit a carnival
to exhibit in connection with and as a part of said agricultural
fair, the board of county commissioners may, in its discretion,
issue such license for this purpose only.

SEC. 2. Any person or persons, company or corporation, or any
board of county commissioners, town commissioners or town alder-
men, or other governing body of any city or town in the county of
Alamance violating the provisions of this act shall be guilty of a
misdemeanor, and punished or fined in the discretion of the court.

SEC. 3. That chapter seventy-five of the Public-Local Laws of
one thousand nine hundred and twenty, Extra Session, be and the
same is hereby repealed.
Sec. 4. That all laws and clauses of laws in conflict with this act are hereby repealed.

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

Ratified this the 26th day of February, A.D. 1923.

CHAPTER 249

AN ACT TO AUTHORIZE ROCKINGHAM COUNTY TO ISSUE BONDS.

The General Assembly of North Carolina do enact:

Section 1. The board of county commissioners of Rockingham County is authorized to issue, at one time or from time to time, not exceeding five hundred and fifty thousand dollars negotiable bonds of said county for the purpose of redeeming, with interest, five hundred and forty-two thousand five hundred dollars notes of said county issued to secure moneys to construct roads and bridges therein, or renewals of said notes, fifty thousand dollars of said notes being payable February twenty-seven, one thousand nine hundred and twenty-three; one hundred and fifteen thousand dollars, March twenty-five, one thousand nine hundred and twenty-three; seventeen thousand five hundred dollars, March twenty-eight, nineteen hundred and twenty-three; sixty thousand dollars May twenty-nine, one thousand nine hundred and twenty-three, and three hundred thousand dollars July first, one thousand nine hundred and twenty-three.

Sec. 2. Said bonds shall bear interest at such rate, not exceeding six per centum per annum, payable semiannually, and shall mature at such time or times not more than twenty-five years from their respective dates, and the principal and interest thereof shall be payable in such medium and at such place or places as said board may determine; they shall be in coupon form, but may be made subject to registration as to principal alone or as to both principal and interest, as may be determined by said board, which board shall also determine the method of executing said bonds and coupons.

Sec. 3. Any of said bonds bearing interest at a rate not greater than five and one-fourth per cent per annum may be exchanged par for par for a like amount of such outstanding notes with the consent of the holders of such notes and without advertisement, but no sale of any of said bonds shall be made at less than par and accrued interest nor until a notice of the date for receiving bids therefor shall have been published once, at least ten days before said date, in a newspaper published in said county, and also in a financial journal published in New York City. No other

General repealing clause.

Bond issues authorized.

Amount.

Purpose.

Maturity of notes.

Interest.

Maturity.

Form.

Method of execution.

Exchange of bonds for notes.

Sale of bonds not below par.

Notice of sale.

Further notice and election not required.
or further notice of sale shall be required, nor shall a vote of the electors be necessary to authorize the said bonds.

Sec. 4. The said board is hereby authorized and required to levy upon all taxable property in each year, after the issuance of any of said bonds, a tax over and above all other taxes authorized or permitted by law sufficient to meet the payment of the principal and interest of said bonds at the maturity or maturities thereof, and is further authorized to levy in each of said years a tax for the maintenance of roads constructed by the proceeds of said notes, which tax shall not in any year exceed five per centum of the face value of the bonds herein authorized and then outstanding.

Powers additional. Sec. 5. The powers granted by this act are in addition to existing powers of said county.

Sec. 6. This act shall be in force from and after its ratification. Ratified this the 26th day of February, A.D. 1923.

CHAPTER 250

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF BRUNSWICK COUNTY TO ISSUE BONDS TO REFUND JAIL BONDS AND TO PAY OFF THE INDEBTEDNESS OF SAID COUNTY INCURRED FOR NECESSARY EXPENSES.

Whereas it appears that a bond issue of Brunswick County, dated June first, nineteen hundred and three, for building the county jail vaults in the courthouse and county home bonds will mature June first, nineteen hundred and twenty-three, in the sum of twelve thousand dollars ($12,000), and that the sinking fund which had been set aside by said county to meet the obligation has been lost by the failure of the Citizens Bank of Shallotte, during the year nineteen hundred and twenty-one, whereby the said fund is not available, and is necessary to be refunded; and

Whereas it appears that owing to the failure to collect from the former sheriff of said county a balance of the nineteen hundred and twenty tax on the several county and special funds aggregating approximately thirty thousand dollars ($30,000), as shown by the books of said county, the county has been forced to make good the deficit; and

Whereas by reason of the failure of the said Citizens Bank of Shallotte, during the year nineteen hundred and twenty-one, the county and special funds lost approximately ten thousand dollars ($10,000), which amount the board of commissioners have had to borrow in order to meet the necessary expenses of said county, and the several special funds; and
Whereas extra bridge expenses have been incurred by the board of commissioners from time to time and extensive repairs have been made to the county courthouse, which has exceeded the tax of the county, and there is now a deficit, including the foregoing items, in the county fund of at least seventy thousand dollars ($70,000), over and above the probable revenues of said county for the year nineteen hundred and twenty-two, making it necessary for the county to refund the said indebtedness incurred, and that it will be to the best interest of the taxpayers of said county that the said indebtedness be paid off and refunded by an issue of bonds of said county: Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Brunswick County be and it is hereby authorized and empowered to issue and sell interest-bearing, serial, coupon bonds of said county in an amount not exceeding seventy-five thousand dollars ($75,000) in such denominations as the said board of commissioners may determine, interest payable semiannually, at such rate and at such time and place as may be determined and deemed advisable by said board of county commissioners. The said bonds are to be of such form and tenor and the principal and interest payable at such time and place as said board may determine, the maturity not to exceed twenty years from date, and shall be styled “Brunswick County Refund and Courthouse Bonds.”

SEC. 2. That said bonds and coupons shall be numbered, and the bonds shall be signed by the chairman of the board of county commissioners, and countersigned by the register of deeds of said county, the clerk ex officio to the board, and the coupons shall bear the facsimiles of their signatures, and the coupons shall be numbered on each bond.

SEC. 3. That the board of county commissioners shall annually, at the time of levying other taxes, levy a special tax on all real and personal property in said county sufficient to pay the interest on said bonds, and to create a sinking fund to pay off said bonds at their maturity.

SEC. 4. That it shall be the duty of the board of county commissioners to establish a sinking fund to pay off said bonds at their maturity, and it shall also be the duty of said board of county commissioners to have placed in said sinking fund such net sum or sums of money as shall be collected from the said Citizens Bank of Shallotte and the sureties of said bank on account of funds that were deposited in said bank by reason of its being financial agent of said county, at the time of its closing, which belonged to the county and special funds of said county; and it shall be the duty of the said board of commissioners of said county to have deposited in said sinking fund such net sum or sums of money as shall be collected by the county from the
ex-sheriff of Brunswick County, or his sureties, on account of
taxes for the year one thousand nine hundred and nineteen, and
one thousand nine hundred and twenty, in contemplation of which
suits are now pending, which may belong to the said county and
special funds of said county.

Sec. 5. That the said sinking fund shall be a separate fund, and
shall be drawn on from time to time to meet the payment of the
said serial bonds that may fall due; and any surplus that may
accumulate from time to time in said sinking fund may, in the
discretion of said board of county commissioners, be invested in
State bonds of the State of North Carolina, United States bonds,
or in Brunswick County bonds, as may be directed by the board
of county commissioners from time to time; and a separate bond
shall be required by the board of county commissioners from any
treasurer, financial agent, or legal depository for the county for
the safe-keeping of and accounting for monies or securities belong-
ing to said sinking fund. The bonds herein provided for shall
not be sold for less than their par value, and shall not bear interest
at a rate greater than six per cent.

Sec. 6. That the funds derived from the sale of said bonds shall
be used to pay the said issue of county bonds and interest thereon
maturing June first, one thousand nine hundred and twenty-three,
and the remainder of said funds shall be used to pay the current
indebtedness of the said county and the special and county funds
of said county dependent upon the tax levy for the year one
thousand nine hundred and twenty.

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

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

Ratified this the 26th day of February, A.D. 1923.

CHAPTER 251

AN ACT TO AUTHORIZE THE STATE TREASURER, BY
AND WITH THE CONSENT OF THE GOVERNOR AND
COUNCIL OF STATE, TO BORROW MONEY AND ISSUE
SHORT-TERM NOTES THEREFOR IN ANTICIPATION OF
THE SALE OF BONDS AUTHORIZED BY LAW.

The General Assembly of North Carolina do enact:

Section 1. The State Treasurer, by and with the consent of the
Governor and Council of State, is hereby authorized to borrow
money at the lowest rate of interest obtainable in anticipation
of the sale of any bonds authorized by any act or acts of the
General Assembly, for the purposes for which said bonds are
authorized to be issued. The State Treasurer is hereby further authorized, by and with the consent of the Governor and Council of State, to borrow money at the lowest rate of interest obtainable for the purpose of paying the interest on any bonds authorized to be issued, in the event that there are not sufficient funds in the State Treasury with which to pay said interest or installments of principal as they respectively fall due. The State Treasurer shall execute and issue notes of the State for the money so borrowed, and he is hereby authorized to renew any such notes from time to time by issuing new notes. The rate of interest, the date of payment of said notes or renewals, and all matters and details in connection with the issuance and sale thereof shall be fixed and determined by the Governor and Council of State. Such notes when issued shall be entitled to all the privileges, immunities and exemptions that the bonds authorized to be issued are entitled to. The full faith, credit and taxing power of the State are hereby pledged for the payment of such notes as may be issued, and all interest thereon. The proceeds received from said notes, other than notes that may be issued to pay interest or installments of principal of the bonds, shall be placed by the State Treasurer in the State Treasury and used for the purposes for which the bonds are authorized to be issued, and for no other purpose. The notes issued in anticipation of the sale of the bonds shall be paid with funds derived from the sale of bonds, unless otherwise provided for by the General Assembly. The notes issued for the payment of interest shall be paid from the funds provided by the General Assembly for that purpose when collected.

Sec. 2. This act shall be in force from and after its ratification. Ratified this the 6th day of March, A.D. 1923.

CHAPTER 252

AN ACT TO AMEND CHAPTER 138, PRIVATE LAWS OF 1907, RELATING TO THE MAINTENANCE OF A FREE LIBRARY IN THE CITY OF WILMINGTON, AND PROVIDING FOR EXTENSION OF LIBRARY FACILITIES TO RESIDENTS OF NEW HANOVER COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred thirty-eight, Private Law amended. Laws of one thousand nine hundred and seven, be amended by adding after section three thereof and before section four thereof the following:

"Sec. 3 (a). The county commissioners of New Hanover County, after and under agreement with the trustees of said
library, may appropriate annually a sum, not to exceed two thousand dollars, for the maintenance and support of said libraries, for the free use of the people of the county of New Hanover residing outside of the limits of the city of Wilmington."

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

Ratified this the 26th day of February, A.D. 1923.

CHAPTER 253

AN ACT TO PROHIBIT EXHIBITION OF CARNIVALS IN MADISON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. It shall be unlawful for any traveling carnival company to exhibit in Madison County; and it shall be unlawful for any board of county commissioners of said county or any board of town commissioners or town aldermen in any town in said county to grant or issue any license or permit authorizing or permitting any traveling carnival to exhibit at any place in said county: Provided, the words "traveling carnival" shall be construed to mean traveling shows consisting of three or more distinct attractions conducted for profit, whether under canvas or not, but shall not apply to circuses and wild-west shows.

Sec. 2. Any person or persons, company or corporation, or any board of county commissioners, town commissioners or town aldermen violating the provisions of this act shall be guilty of a misdemeanor and punished by fine or imprisonment in the discretion of the court.

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

Ratified this the 26th day of February, A.D. 1923.

CHAPTER 254

AN ACT TO REQUIRE THE AUDITOR OF BUNCOMBE COUNTY TO ENTER CERTAIN DEEDS ON TAX ASSESSOR'S RECORD.

The General Assembly of North Carolina do enact:

Section 1. That from and after the thirty-first day of May, one thousand nine hundred and twenty-three, the register of deeds of Buncombe County shall, each day, present to the auditor of Buncombe County all deeds which have been filed in his office for registration during the previous twenty-four hours, whereby the
title to any lands situated in the county of Buncombe is conveyed in fee, and upon such presentation of any such deed it shall be the duty of the auditor of Buncombe County forthwith to enter such transfer of title upon a record to be kept by him showing the names of the owners, and lot numbers, of all real estate in the said county of Buncombe.

Sec. 2. That the expense incurred for clerical work, or for extra labor required to be performed by said auditor, or his deputy, for and on account of registration, and for providing, keeping and maintaining said map or record, shall be borne by the county of Buncombe, the amount of such compensation to be fixed by the board of commissioners of Buncombe County.

Sec. 3. That this act shall be construed as an addition to chapter six hundred and seventy-three, Public-Local Laws, session one thousand nine hundred and eleven, and not as repealing any part thereof.

Sec. 4. That this act shall be in force and effect from and after the thirty-first day of May, one thousand nine hundred and twenty-three.

Ratified this the 26th day of February, A.D. 1923.

CHAPTER 255

AN ACT TO AMEND CHAPTER 691 OF THE PUBLIC-LOCAL LAWS 1915, AS AMENDED, RELATING TO THE SALARIES OF THE SHERIFF, DEPUTY SHERIFF, REGISTER OF DEEDS, AND CLERK OF THE COURT OF FRANKLIN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section six of chapter six hundred and ninety-one of the Public-Local Laws one thousand nine hundred and fifteen, as amended, relating to the salary of the sheriff of Franklin County, be and the same is hereby amended by striking out in lines one and two of said section the words “twenty-two hundred” and inserting in lieu thereof the words “three thousand.”

Sec. 2. That section seven of chapter six hundred and ninety-one of the Public-Local Laws one thousand nine hundred and fifteen, as amended, relating to the salary of the deputy sheriff of Franklin County, be and the same is hereby amended by striking out in line three of said section the words “eighteen hundred” and inserting in lieu thereof the words “twelve hundred.”

Sec. 3. That section ten of chapter six hundred and ninety-one of the Public-Local Laws one thousand nine hundred and fifteen, as repealed and enacted by section two of chapter four hundred
and ten of the Public-Local Laws one thousand nine hundred and nineteen, relating to the salary of the register of deeds of Franklin County, be and the same is hereby amended by striking out in line five of said section two the words and figures "twenty-six hundred dollars ($2,600)," and inserting in lieu thereof the words and figures "three thousand dollars ($3,000)."

Sec. 4. That section twelve of chapter six hundred and ninety-one of the Public-Local Laws one thousand nine hundred and fifteen, as repealed and enacted by section three of chapter four hundred and ten of the Public-Local Laws one thousand nine hundred and nineteen, relating to the salary of the clerk of the Superior Court of Franklin County, be and the same is hereby amended by striking out in lines five and six of said section three the words and figures "twenty-six hundred dollars ($2,600)," and inserting in lieu thereof the words and figures "thirty-two hundred dollars ($3,200)."

Sec. 5. That section fourteen of chapter six hundred and ninety-one of the Public-Local Laws one thousand nine hundred and fifteen, relating to an allowance for clerical assistance for register of deeds of Franklin County for making out tax list, be and the same is hereby amended by striking out in line four of said section the words "two hundred and fifty" and inserting in lieu thereof the words "three hundred and fifty."

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

Sec. 7. That this act shall be in force from and after the first Monday in March, nineteen hundred and twenty-three.

Ratified this the 26th day of February, A.D. 1923.

CHAPTER 256

AN ACT TO PROVIDE FOR THE ELECTION BY THE PEOPLE OF MONTGOMERY COUNTY OF AN ATTORNEY FOR SAID COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the office of county attorney of Montgomery County is hereby created.

Sec. 2. That the board of county commissioners of Montgomery County is hereby authorized, empowered and directed to elect an attorney for said county, who shall be a qualified elector of said county, and who shall hold office until his successor is elected and duly qualified as hereinafter provided.

Sec. 3. That at the next general election of county officers of Montgomery County, and biennially thereafter, there shall be elected by the people of said county an attorney for Montgomery
AN ACT TO REGULATE THE FEES OF THE SHERIFF OF SURRY COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the sheriff of Surry County shall be allowed the following fees and expenses and none other, namely: Executing summons or any other writ or notice, one dollar; but the board of county commissioners may fix a less sum than one dollar, but not less than fifty cents, for the service of each road order.

Arrest of a defendant in a civil action and taking bail, including attendance to justify, and all services connected therewith, one dollar and fifty cents.

Arrest of a person indicted, including all services connected with the taking and justification of bail, one dollar and fifty cents.

Imprisonment of any person in a civil or criminal action, thirty cents; and release from prison, thirty cents.

Executing subpoena on a witness, forty cents.

Conveying a prisoner to jail to another county, ten cents per mile. For prisoner's guard, if any necessary and approved by the county commissioners, going and returning, per mile for each, five cents.

Expenses of guard and all other expenses of conveying prisoner to jail or from one jail to another for any purpose or to any place of punishment, or to appear before a court or justice of the peace in another county, or in going to another county for a prisoner, to be taxed in the bill of costs and allowed by the board of commissioners of the county in which criminal proceedings were instituted.
Allotment of years' support. For allotment of widow's year's allowance, one dollar and fifty cents.

Claim and delivery. In claim and delivery for serving the original papers in each case, one dollar, and for taking the property claimed, one dollar and fifty cents, with the actual cost of keeping the same until discharged by law, to be paid on affidavit of the returning officer.

Conveying prisoners to penitentiary. For conveying prisoners to the penitentiary, two dollars per day and actual necessary expenses; also one dollar a day and actual necessary expenses for each guard, not to exceed one guard for every three prisoners, as the sheriff upon affidavit before the clerk of the Superior Court of his county shall swear to be necessary for the safe conveyance of the convicts, to be paid by the State Treasurer upon the warrant of the Auditor, out of any money in the Treasury not otherwise appropriated. The sheriff shall file with the Auditor the affidavit above mentioned, together with a fully itemized account, to be sworn to before the Auditor, showing the number of days requisite for coming and returning and the actual expense of conveying said convict and the guard necessary for their safe-keeping, and if the Auditor approves said account he shall issue his warrant on the Treasurer for the amount thereof.

Payment by State Treasurer. Providing prisoners in county jail with suitable beds, bedding, clothing, other clothing and fuel, and keeping the prison and grounds clean, whatever sum shall be allowed by the commissioners of the county.

Itemized account. Collecting executions for money in civil actions, five per cent on the amount collected to the amount of one hundred dollars, and two and one-half per cent on the balance; and the like commissions for all moneys which may be paid to the plaintiff by the defendant while the execution is in the hands of the sheriff.

Advertising sales. Advertising a sale of property under execution at each public place required, twenty-five cents.

Seizing property. Seizing specific property under order of a court, or executing any other order of a court or judge, not specially provided for, to be allowed by the judge or court.

Taking bonds. Taking any bond or undertaking, including furnishing the blanks, one dollar.

Expense of keeping property. The actual expense of keeping all property seized under process or order of court, to be allowed by the court on the affidavit of the officer in charge.

Summoning jurors. Summoning a grand or petit jury: for each man summoned, forty cents, and twenty-five cents for each person summoned on the special venire.

Service with posse. For serving any writ or other process with the aid of the county, the usual fee of one dollar and fifty cents, and the expense necessarily incurred thereby, to be adjudged by the county commissioners, and taxed as other costs.
All just fees paid to any printer for any advertisement required by law to be printed.

Bringing up a prisoner upon habeas corpus to testify or answer to any court or before any judge, two dollars, and all actual and necessary expenses for such services, and ten cents per mile by the route most usually traveled, and all expenses for any guard actually employed and necessary.

For summoning and qualifying appraisers, and for performing all duties in laying off homesteads and personal property exemptions, or either, three dollars, to be included in the bill of costs.

For levying an attachment, one dollar and fifty cents.

For attendance to qualify jurors to lay off dower or commissioners to lay off year's allowance, one dollar and fifty cents; and for attendance to qualify commissioners for any other purpose, one dollar.

Executing a deed for land or any interest in land sold under execution, one dollar and fifty cents, to be paid by the purchaser.

Service of writ of ejectment, one dollar and fifty cents.

For every execution, either in civil or criminal cases, one dollar.

For other services, such fees or compensation as the court or the county commissioners may allow.

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

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

Ratified this the 26th day of February, A.D. 1923.

CHAPTER 258
AN ACT TO PLACE CERTAIN PUBLIC OFFICERS IN TRANSYLVANIA COUNTY ON SALARIES.
The General Assembly of North Carolina do enact:

SECTION 1. That the clerk of the Superior Court of Transylvania County shall be paid an annual salary of one thousand eight hundred dollars ($1,800) in full compensation for all services rendered by him in his said office, whether as clerk of the Superior Court, probate judge or any other work done or services performed by him in or by virtue of his said office, said salary to be in lieu of the fees now allowed said clerk by law or which may hereafter be so allowed, which said salary shall be paid to said clerk by the treasurer of said county in monthly installments of one hundred and fifty dollars ($150), to be paid on the first Monday of each month; and the said clerk shall continue to collect all fees, costs and commissions as he has heretofore done

Printing advertisement.
Bringing up prisoner on habeas corpus.
Summoning and qualifying appraisers.
Levying attachment.
Qualifying jurors and commissioners.
Executing deed.
Service of ejectment.
Execution.

Salary of clerk of court.
Payment of salary.
Clerk to collect and pay over fees.
and as are allowed by law, and he shall pay over the same to
the treasurer of said county monthly on the first Monday of each
and every month, and each and all of said fees and commissions
so collected and paid by the said clerk shall be placed to the
credit of a fund to be called “A Salary Fund,” and the said clerk
shall keep a true, accurate and proper account and record of all
moneys received by him by virtue of his said office, and shall file
an itemized statement, which said statement shall be sworn to by
him with the county commissioners on the first Monday of each
and every month, of all said fees, costs and commissions collected
by him during the previous month.

Sec. 2. That the register of deeds of Transylvania County shall
be paid an annual salary of one thousand eight hundred dollars
($1,800) a year in full compensation for all services rendered by
him in his office or by virtue thereof, including the making up of
any and all tax lists, also for acting as clerk of the board of
county commissioners, also as entry taker, and each and every
other act and thing done or required to be done under color or
by virtue of his office; said salary to be in lieu of all fees and
allowances or other compensation whatsoever now allowed him by
law or which may be hereafter so allowed, which said salary
shall be paid in monthly installments of one hundred and fifty
dollars ($150) on the first Monday in each month by the treasurer
of said county to the register of deeds.

The register of deeds shall keep a true and accurate record of all
moneys received by him from whatever sources by virtue of his
said office, and shall file a sworn itemized statement of same with
the county commissioners of said county on the first Monday in
each month, showing all amounts so collected by him during the
previous month, and he shall pay over and account for same to
the treasurer of the county. The said register of deeds shall
collect all fees and allowances as he has heretofore done and as
are allowed by law or which may hereafter be allowed, and shall
be responsible on his official bond for all fees, moneys and allow-
ances so collected or which by law ought to have been so collected
by him. All moneys paid over to the county treasurer by the
register of deeds as above provided shall be placed in a fund known
as “A Salary Fund.”

Sec. 3. That the county commissioners of Transylvania County
shall appoint a finance committee of not more than three mem-
ers, who shall examine and audit the accounts of the clerk of
the court and register of deeds once during each fiscal year, and
make a report thereof to the board of county commissioners.

Sec. 4. Said county commissioners of Transylvania County are
hereby directed, authorized and empowered to pay to said clerk
of the Superior Court and register of deeds said sum of one
hundred and fifty dollars ($150) each per month, as hereinbefore
set forth, out of a fund kept by the county treasurer known as "A Salary Fund," and in the event that the receipts from said office of clerk of the Superior Court and register of deeds are not sufficient either respectively or collectively to pay such salaries, as herein provided for, the said county commissioners are hereby directed, authorized and empowered to pay such deficit out of the contingent fund of said county, and if there be no money in said fund, then to provide said salaries by such tax levy or by issuing county script or note as may be necessary to pay said salaries to said officers as herein provided.

Sec. 5. That this act shall be in full force and effect as to the clerk of the Superior Court of Transylvania County from and after the first Monday in April, one thousand nine hundred and twenty-three, and as to the register of deeds of said county from and after the first Monday in December, one thousand nine hundred and twenty-four.

Sec. 6. That all laws and clauses of laws in conflict herewith are hereby repealed.

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

Ratified this the 26th day of February, A.D. 1923.

CHAPTER 259

AN ACT TO REPEAL CHAPTER 51 OF THE PUBLIC-LOCAL LAWS OF 1919, RELATING TO GAME IN UNION COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That chapter fifty-one of the Public-Local Laws of one thousand nine hundred and nineteen be and the same is hereby repealed.

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

Ratified this the 27th day of February, A.D. 1923.

CHAPTER 260

AN ACT TO AMEND CHAPTER 549 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, 1913.

The General Assembly of North Carolina do enact:

Section 1. That section one, chapter five hundred and forty-nine of the Public-Local Laws of North Carolina, one thousand nine hundred and thirteen, be stricken out and in lieu thereof the following be inserted: "That upon application by petition to the
clerk of the Superior Court, signed by three or more citizens, landowners on any creek or some of its tributaries in the county of Forsyth, setting forth that it is their desire to have the said creek or some portion thereof or its tributaries drained under the provisions of this act, describing the land sought to be drained lying on said creek and each and all of its tributaries as well as possible, and the manner of drainage, and giving the names of the several and respective owners thereof, and praying said court to declare all of the territory described in said petition a drainage district, the clerk of the Superior Court shall appoint a day for hearing and shall hear said petition, after not less than ten days notice to each owner of said land on said creek and its tributaries who are affected; and upon said hearing, if it shall appear that it shall be to the advantage of the several and respective owners of the lowlands described in the petition, or a majority of them, to have their land drained, he shall in each case make an order declaring and defining a drainage district, to be taken charge of and drained under the direction of drainage commissioners, and shall appoint not less than three nor more than five persons, landowners on said creek or its tributaries, to be designated as drainage commissioners for said district, and numbered in the order in which it is granted, such number to be a part of the corporate name of the respective drainage district provided for in section thirteen, chapter four hundred and sixty-nine, Public Laws of North Carolina, one thousand nine hundred and nine, from which order any persons whose rights are affected shall have the right to appeal to the Superior Court, upon giving bond in the sum of two hundred dollars, conditioned to pay such cost as shall be adjudged against him."

Sec. 2. That section two, chapter five hundred and forty-nine of the Public-Local Laws of North Carolina, one thousand nine hundred and thirteen, be stricken out and in lieu thereof the following be inserted: "That the said drainage commissioners so appointed shall, upon notice by the said clerk, meet at a place by him designated, and shall organize by electing one of their number chairman and by electing a secretary and treasurer; that at said meeting and all subsequent meetings a majority of said commissioners shall constitute a quorum for the transaction of all business; that any vacancy occurring for any cause in said board of drainage commissioners and any vacancy occurring in the office of the chairman or secretary and treasurer shall be filled by the commissioners herein appointed or a majority of them, or in case they fail to fill said vacancy within a reasonable time the same shall be filled by the said clerk of the Superior Court."

Sec. 3. That section three, chapter five hundred and forty-nine of the Public-Local Laws of North Carolina, one thousand nine hundred and thirteen, be stricken out and in lieu thereof the fol-
lowing be inserted: "That as soon as the drainage district has been divided and subdivided, as provided for in section three, chapter four hundred and sixty-nine, Public Laws of one thousand nine hundred and nine, the clerk of the Superior Court shall, upon application of the board of drainage commissioners and upon notice of not less than ten days to all of the owners of lowlands to be affected, appoint a jury of three disinterested freeholders, whose duties it shall be to go upon the lands to be drained, make an estimate of the number of acres of sobbed or overflowed land belonging to each owner within the drainage district, and describe the mode and means to be used to best secure the drainage, and to condemn and authorize the removal of dams and other obstruc-
tions thereon, and also an estimated cost of draining the same, and shall at the same time estimate and assess the damages, if any, and the benefits to such owners arising out of the drainage thereof; and said jury shall make a report of their action to the clerk of the Superior Court within ten days after the completion of their work."

Sec. 4. That section four, chapter five hundred and forty-nine of the Public-Local Laws of North Carolina, one thousand nine hundred and thirteen, be stricken out and in lieu thereof the follow-
ing be inserted: "That upon filing said report the clerk of the Superior Court shall issue a notice to each landowner to appear on a day appointed by him for hearing, which notice shall be served at least ten days before such hearing, notifying each land-
owner to appear and file exceptions to said report, if they see proper. The commissioners shall also be notified by mail of said hearing. Upon the hearing the clerk shall pass upon all questions presented by exceptions and enter his findings in the form of a judgment, from which judgment any parties interested may appeal to the Superior Court upon giving bond as hereinbefore required for costs; that said judgment shall be docketed on the judgment docket of the Superior Court in the name of the board of drainage commissioners of the designated district against the owners of the tracts of land upon which the assessment by the jury is made, and such judgment shall be a lien upon the lands of the several and respective landowners."

Sec. 5. That section five, chapter five hundred and forty-nine of the Public-Local Laws of North Carolina, be amended as fol-
ows: By striking out all of the first and second lines of said section, and in lieu thereof insert:

"Sec. 5. That all of section fifteen, chapter four hundred and sixty-nine of the Public Laws of North Carolina, one thousand nine hundred and nine, be stricken out and the following inserted in lieu thereof:"

Sec. 6. That section six, chapter five hundred and forty-nine of the Public-Local Laws of North Carolina, one thousand nine
hundred and thirteen, be amended as follows: By striking out all of lines one and two after the figure "six" in the first line and inserting in lieu thereof the following: "That section sixteen of Public Laws of North Carolina, one thousand nine hundred and nine, chapter four hundred and sixty-nine, be stricken out and the following be inserted in lieu thereof:"

That section six, chapter five hundred and forty-nine, Public-Local Laws of one thousand nine hundred and thirteen, be amended by striking out in lines thirteen and fourteen, after the word "the" in line thirteen and before the word "naming" in line fourteen the words "board of county commissioners" and inserting in lieu thereof "clerk of the Superior Court." By striking out the words "board of county commissioners" in lines twenty and twenty-one of said section, after the word "the" in line twenty, and before the word "and" in line twenty-one, and in lieu thereof inserting the words "clerk of the Superior Court"; by striking out the words "board of county commissioners" in line twenty-four of said section after the word "the" and before the word "said" and inserting in lieu thereof the words "clerk of the Superior Court"; by striking out the word "board" in line twenty-four of said section, after the word "said" and before the word "shall," and inserting in lieu thereof the word "clerk"; by striking out the words "board of county commissioners" in line twenty-seven of said section after the word "the" and before the word "shall" and inserting in lieu thereof the words "clerk of the Superior Court"; by striking out the words "board of county commissioners" in the forty-seventh line of said section after the word "the" and before the word "said" and inserting in lieu thereof the words "clerk of the Superior Court"; by striking out in lines sixty-one and sixty-two of said section after the word "the" and before the word "in" the words "board of county commissioners" and inserting in lieu thereof the words "clerk of the Superior Court"; by striking out the words "board of county commissioners" in the sixty-sixth line of said section, after the word "the" and before the word "the" and inserting in lieu thereof the words "clerk of the Superior Court"; by striking out the words "board of county commissioners" in lines sixty-seven and sixty-eight of said section after the word "the" in line sixty-seven and before the word "shall" in line sixty-eight and inserting in lieu thereof the words "clerk of the Superior Court"; by striking out the words "board of county commissioners" in lines seventy-three and seventy-four of said section after the word "the" in line seventy-three and before the word "shall" in line seventy-four and inserting in lieu thereof the words "clerk of the Superior Court"; by striking out the words "board of county commissioners" in line eighty-seven of said section at the beginning of said line and before the word "shall" in said line, and inserting in lieu thereof the words "clerk of the
Superior Court”; by striking out the words “board of county commissioners” in lines eighty-eight and eighty-nine of said section after the word “the” in line eighty-eight and before the word “shall” in line eighty-nine and inserting in lieu thereof the words “clerk of the Superior Court”; by striking out the words “board of county commissioners” in line ninety-three after the word “the” and before the word “bonds,” and inserting in lieu thereof the words “clerk of the Superior Court”; by striking out the words “board of commissioners” in line ninety-four of said section after the word “the” and inserting in lieu thereof the words “clerk of the Superior Court.”

Sec. 7. That all laws and clauses of laws inconsistent with this act are hereby repealed, in so far as they relate to Forsyth County.

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

Ratified this the 27th day of February, A.D. 1923.

CHAPTER 261

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF MONTGOMERY COUNTY TO ISSUE BONDS FOR BUILDING, REBUILDING, REPAIRING OR OTHERWISE IMPROVING THE ROADS AND BRIDGES OF SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. The board of county commissioners of Montgomery County are hereby authorized to issue and sell bonds of the county to an aggregate amount not exceeding two hundred and fifty thousand dollars ($250,000) for the purpose of building, rebuilding, repairing or otherwise improving the roads and bridges of said county. The said bonds shall be in denominations of one hundred dollars ($100) or multiples thereof, and shall be in such form and tenor and be transferable in such a way, and be payable at such time or times, not exceeding thirty years from the date thereof, and at such place or places, and bear such rate of interest, not exceeding six per cent per annum, payable semi-annually in such manner and at such place or places as the board of county commissioners may determine, notwithstanding the provisions of any other act, general or special. Said bonds shall be signed by the chairman of the board of county commissioners and attested by the clerk of said board, and the seal of the county affixed thereto, and the interest coupons shall bear the signature of the clerk of said board, but his signature thereon may be lithographed or engraved facsimile. The said board of county

Bond issue authorized.

Amount.

Purpose.

Denominations.

Maturity.

Interest.

Authentication.

Sale of bonds.
commissioners of Montgomery County are authorized and empow-
er the said commissioners of Montgomery County are authorized and empow-
ered to sell or dispose of the said bonds by public sale, by sealed bids, and they shall give notice thereof in one or more newspapers published in Montgomery County, and said board of commissioners of Montgomery County may also advertise the sale of said bonds in one or more newspapers published within or without the State, which may make a business of advertising such sales.

Sec. 2. It shall be obligatory upon the board of county com-
misioners of Montgomery County to issue and sell all or any part of said bonds upon request of the board of road trustees of said county.

Sec. 3. In order to pay the interest on said bonds and to create a sinking fund to pay them at maturity the said board of commissioners shall annually, at the time of levying other taxes, levy a sufficient special tax on all the taxable property in the county.

Sec. 4. The powers hereby conferred are additional to any other powers conferred by and are not affected by any limitation imposed by any other act, general or special, including acts already or hereafter passed at this session of the General Assembly.

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

Ratified this the 27th day of February, A.D. 1923.

CHAPTER 262

AN ACT RELATING TO THE PUBLIC HOSPITAL OF NUM-
BER SIX TOWNSHIP, CLEVELAND COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the board of trustees of the Shelby Hospital, as provided for in chapter ninety-one, Public-Local Laws, Extra Session one thousand nine hundred and twenty-one, entitled "An act to authorize Number Six Township, Cleveland County, to erect and own a hospital and issue bonds therefor," be and they are hereby authorized and empowered to expend any balance which may remain in their hands from the sale of said bonds after the construction and equipment of said public hospital, as provided for in said act, for the maintenance and support of said hospital.

Sec. 2. That, after the construction and equipment of said hospital, the treasurer of Cleveland County is hereby authorized and directed to pay to the treasurer of the board of trustees of the Shelby Hospital, when ordered to do so by said board of trustees, such sum as may remain in the hands of said treasurer of
Cleveland County realized from the sale of said hospital bonds, and the receipt of the treasurer of the board of trustees of the Shelby Hospital for said surplus fund shall operate as a full and complete release to the treasurer of Cleveland County for any responsibility in connection with said unexpended balance of the fund realized from the sale of said bonds.

Sec. 3. That the board of commissioners of Cleveland County be and they are hereby authorized and directed to appropriate, out of the general funds of the county under their control, an amount sufficient to take care of the charity patients of Cleveland County in said public hospital of Number Six Township, known as Shelby Hospital.

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

Ratified this the 27th day of February, A.D. 1923.

CHAPTER 263

AN ACT TO REPEAL CHAPTER 260, PUBLIC LAWS OF NORTH CAROLINA, SESSION 1905, RELATIVE TO BUNCOMBE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That chapter two hundred and sixty of the Public Law amended. Laws, session one thousand nine hundred and five, be and the same is hereby repealed.

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

Ratified this the 27th day of February, A.D. 1923.

CHAPTER 264

AN ACT TO AMEND SECTION 5403, CONSOLIDATED STATUTES.

The General Assembly of North Carolina do enact:

Section 1. That section fifty-four hundred and three of the Section amended. Consolidated Statutes of North Carolina be and the same is hereby amended as follows: strike out in line two of said section County stricken between the words "Burke" and "Camden" the word "Caswell." out.

Sec. 2. That this act shall be in force and effect from and after April first, one thousand nine hundred and twenty-three.

Ratified this the 27th day of February, A. D. 1923.
CHAPTER 265
AN ACT TO PROTECT GAME AND FISH IN MADISON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person, corporation or firm to trap, or use a steel trap or any other device for the purpose of catching any kind of game or wild animals of any description whatever, in Madison County.

SECTION 2. That it shall be unlawful for any person, firm or corporation to kill squirrels in Madison County by shooting or otherwise, except from the fifteenth of September to the first of December, which shall be the open season for killing squirrels in said county.

SECTION 3. That it shall be unlawful for any person to hunt or kill any quail or bob-white in Madison County, except between the first day of December and the fifteenth day of January, and during the open season it shall be unlawful for any person to kill more then ten of these birds in one day.

SECTION 4. That it shall be unlawful for any person, firm or corporation to shoot or kill foxes in Madison County in any manner whatsoever, except in chase with dogs for sport.

SECTION 5. That it shall be unlawful for any person, firm or corporation to buy or sell pheasants, quail or partridge.

SECTION 6. That it shall be unlawful for any person, firm or corporation to ship or transport squirrels, pheasants, quail or partridges out of Madison County at any season, except a nonresident who has secured his hunting license as herein provided, and said nonresident shall be permitted only to carry or ship out the game which he has himself killed.

SECTION 7. That it shall be unlawful for any person or persons to fish or hunt in Madison County without first obtaining a written license from the clerk of the Superior Court of Madison County. The license fee for nonresidents of the county shall be fifteen dollars and for residents of the county one dollar per year. The said license shall be good from January first to December thirty-first, of the year in which issued. The cost of printing and preparing the said license shall be paid from fees obtained from same, and all other funds received from said source shall be set aside in a special fund known as a "Hunters' License Fund," and shall be used only for such things as will add to the protection and increase of game and fish in said county.

SECTION 8. That it shall be unlawful for any persons to catch fish with seine, drag-nets, purse-nets, or hauling nets of any description, or baskets of any kind. That any fish taken, less than six inches in length, shall be placed immediately back into the water.
SEC. 9. That the commissioners of Madison County shall appoint a suitable person in each township and ward of Madison County as game warden, whose duties it shall be to enforce the provisions of this act, and other acts pertaining to game and fish protection, such as dynamiting streams, putting sawdust in streams, etc., and who shall be paid for their services the sum of five dollars ($5.00) for each conviction, together with the regular officers' fees. The five dollars ($5.00) shall be taxed against the defendant convicted as a part of the cost in the case.

SEC. 10. It shall be unlawful for any person in Madison County to hunt upon the lands of any person, corporation or firm without the permission of the owner, in writing.

SEC. 11. That any person, firm or corporation violating the provisions of this act shall be fined not less than fifteen dollars ($15.00) nor more than fifty dollars ($50.00) or imprisoned not over thirty days nor less than fifteen days.

SEC. 12. This act shall apply to Madison County only.

SEC. 13. That all laws and clauses or parts of law in conflict with this act be and the same are hereby repealed.

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

Ratified this the 27th day of February, A.D. 1923.

CHAPTER 266

AN ACT TO AMEND AN ACT TO REVISE THE FINANCIAL SYSTEM OF THE COUNTY OF BUNCOMBE.

The General Assembly of North Carolina do enact:

SECTION 1. That Senate Bill number one hundred and forty-nine, the same being House Bill number two hundred and seventy-five, of the session of the General Assembly of North Carolina one thousand nine hundred and twenty-three, be and the same is hereby amended by adding a new section to be known as section fifteen-A, as follows: "That this act shall not be so construed as to affect the hours of employment of part-time employees of the county of Buncombe and of the county board of education and of school teachers employed by said county board of education in the county of Buncombe."

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

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

Ratified this the 27th day of February, A.D. 1923.
CHAPTER 267

AN ACT TO FIX THE SALARY OF THE SHERIFF, TREASURER, AND TO PLACE THE REGISTER OF DEEDS AND CLERK OF THE COURT ON FEES, AND TO CREATE THE OFFICE OF AUDITOR IN CASWELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the sheriff of Caswell County shall receive for his services for the collection of taxes, waiting on court and summoning jurors for the Superior Court, the sum of two thousand four hundred dollars per annum, to be paid in equal installments monthly by the board of county commissioners.

Sec. 2. The sheriff shall receive in addition to the salary above named all other fees that he may earn and as by law provided.

Sec. 3. The treasurer of Caswell County shall receive a salary of six hundred dollars per annum, to be paid in equal monthly installments by the board of county commissioners.

Sec. 4. That the commissions now allowed by law to the sheriff for collection of taxes and the fees or commissions now allowed by law to the treasurer, shall be placed by the treasurer to the credit of the general county fund.

Sec. 5. The salary of the county superintendent of schools shall be not to exceed the sum of two thousand dollars per year, to be fixed by the board of education, in lieu of all other compensation whatsoever, and the board of education or the board of county commissioners shall not make any further appropriation to him or for him for any assistant or clerk, stenographer, or otherwise for this office.

Sec. 6. The office of auditor or tax clerk is hereby created, whose duties shall be to assist the sheriff in his office in the collection of taxes, to make out tax books and other work incident to making out tax books as may be required of him by the board of county commissioners. That said auditor shall be appointed by the sheriff of Caswell County for such term as he may see fit, not to exceed two years, and whose appointment shall be approved by the board of county commissioners, and in the event the board of county commissioners fail to approve or confirm the appointment of said auditor, then the sheriff shall appoint another, but who shall be approved by the board of county commissioners before entering upon his duties. Said auditor shall give such bond as may be required of him by the sheriff and board of county commissioners. Said auditor may be removed by the sheriff or the board of county commissioners, and in case of removal, death or resignation or otherwise, the vacancy shall be filled by the sheriff as herein provided. The salary of said auditor or tax collector shall be three hundred
dollars per year, to be paid in monthly installments by the board
of county commissioners, and such fees as may be allowed by
law and the board of county commissioners for the work done
by him in making out tax books and work incident thereto. Said
auditor shall see that all taxable property is on the tax books.

Sec. 7. That said auditor shall make all reports to the State
Auditor, Revenu Commissioner, Board of Education, and other
reports that are now required of the register of deeds to make,
concerning the taxes in the county.

Sec. 8. That chapter five hundred and two of the Public-
Local Laws of one thousand nine hundred and fifteen, as amended
by chapter five hundred and twenty-five of the Public-Local.
Laws of one thousand nine hundred and nineteen, be and the
same is hereby repealed.

Sec. 9. That from and after the fifth day of March, one
thousand nine hundred and twenty-three, the register of deeds
and clerk of Superior Court of Caswell County shall receive as
compensation for the work done by them the fees allowed by
law.

Sec. 10. That section five of this act shall be in force and
effect after July first, one thousand nine hundred and twenty-
three; and all other sections shall be in full force and effect
from and after the fifth day of March, one thousand nine hundred
and twenty-three.

Ratified this the 27th day of February, A.D. 1923.

CHAPTER 268

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS
OF NEW HANOVER COUNTY TO APPROPRIATE MONEYS
TO PROTECT THE TOWN OF WRIGHTSVILLE BEACH,
IN SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of New Hanover
County be and they are hereby authorized and empowered to
expend from the general funds of the county a sum not exceeding
ten thousand dollars for the purpose of building and construct-
ing jetties, bulk-heads or other structures that might become
necessary to protect the town of Wrightsville Beach, in said
county of New Hanover, from encroachments of the tides and
waves of the Atlantic Ocean, and thereby protect and save the
taxable property in said town of Wrightsville Beach, in said
county.

SEC. 2. That said board shall not make such expenditure unless
the town of Wrightsville Beach and the Tidewater Power Com-
pany.
pany shall, each, make a like expenditure up to said amount of ten thousand dollars.

Sec. 3. That the said fund so to be provided may be expended under the supervision and control of a commission of three, to be composed of a member from the board of commissioners of New Hanover County, a member of the board of aldermen or other governing board of the town of Wrightsville Beach, and the other from the board of directors or officers of the Tidewater Power Company.

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

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

Ratified this the 27th day of February, A.D. 1923.

CHAPTER 269

AN ACT IN RESPECT TO THE KILLING OF FOXES IN ALLEGHANY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person to bring foxes to the county of Alleghany from outside the county and turn them loose for the purpose or intent of having the foxes chased by dogs. Should anyone violate the provisions of this section they shall be guilty of a misdemeanor and fined or imprisoned in the discretion of the court.

Sec. 2. That all laws heretofore enacted prohibiting the killing of foxes in said county are hereby repealed.

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

Ratified this the 27th day of February, A.D. 1923.

CHAPTER 270

AN ACT RELATIVE TO COMPULSORY SCHOOL ATTENDANCE IN MITCHELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That every parent, guardian or other person in Mitchell County having charge or control of a child between the ages of seven and sixteen shall cause such child to attend school continuously for a period equal to the time which the public school in the district in which the child resides is in session.
The principal, superintendent or teacher in charge of such school shall have the right to excuse the child from temporary attendance on account of sickness or distance of residence of the child from the school, or other unavoidable cause which does not constitute truancy as defined by the State Board of Education.

Sec. 2. That this act shall correspond with the general compulsory act for the State of North Carolina in all respects except as to the age limit.

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

Ratified this the 27th day of February, A.D. 1923.

CHAPTER 271

AN ACT AUTHORIZING AND REQUIRING THE COMMISSIONERS OF MADISON COUNTY TO OPEN UP AND BUILD A ROAD FROM THE MOUTH OF IVY, UP THE FRENCH BROAD RIVER TO THE BUNCOMBE COUNTY LINE ON THE EAST SIDE OF THE RIVER.

The General Assembly of North Carolina do enact:

Section 1. That the commissioners of Madison County shall open up and build a first-class road from the mouth of Ivy up the French Broad River to the Buncombe County line.

Sec. 2. That the said commissioners of Madison County shall provide the means for the building and opening up of the said road. They shall use at least fifty per cent of all road funds for Number One Township for the construction of said road, until said road is finished as herein provided.

Sec. 3. That the commissioners of said county shall cause work to commence constructing the said road within ninety days from the ratification of this act. And the work of construction shall commence at the mouth of Ivy Creek and continue up the river, following the old stage road as nearly as practicable until the said road is finished to the Buncombe County line.

Sec. 4. That the county commissioners for said county of Madison shall confer with the State Highway Commission with the view to have the State Highway Commission adopt this route as the State highway between the city of Asheville and the town of Marshall. If the State Highway Commission adopts the said route for the State highway between Asheville and Marshall, the said highway shall be built under the supervision of the State and that the funds provided by the commissioners for opening up the said road for a county highway shall be available to the State in the construction and building of said road.

19—Public-Local
Sec. 4a. That the county convicts shall be put to work on the construction of the said road as soon as the Pine Creek Road is finished, but the commencement of the building of this road shall not be delayed on account of the building of the Pine Creek Road, and the work of opening up this road shall commence within the time hereinbefore specified.

Sec. 5. That the road from the mouth of Hayes Run to the mouth of Ivy Creek shall be put in first-class repair by the said commissioners.

Sec. 6. That section six of chapter three of the Public Laws of North Carolina, extra session, one thousand nine hundred and twenty, shall not apply to the commissioners of Madison County in providing funds for the construction of the aforesaid road.

Sec. 7. That whereas the State of North Carolina permitted the North Carolina Railroad Company to take and occupy the old stage road through Madison County along the French Broad River, and whereas the County of Madison has never been compensated by the State for the taking of the said road by the railroad, and whereas the State formerly undertook to build with State convicts fifteen miles of public highway in Madison County in lieu of said old stage road, and whereas the State only built eleven miles of the said road, and whereas the State caused a survey to be made of the road herein provided for, between the mouth of Ivy Creek and the Buncombe County line along the east side of said river, and whereas the State removed the State convicts that had been put to work building this particular piece of road, and whereas the State removed the said convicts with the explicit promise and express understanding that the said convicts should be returned to Madison County and for the purpose of finishing the said link of road between Ivy Creek and the Buncombe County line: Now therefore, the State authorities in charge of the State convicts be and they are hereby instructed to send the first convicts available under the supervision of the State to Madison County to build said link of road, according to the survey heretofore made by the State, or according to such amendments thereto as the State Highway Commission may deem expedient and proper. The State Treasurer is hereby authorized and directed out of any money not otherwise appropriated to pay to the State's Prison the regular per diem for each convict furnished by the said State's Prison on this project, the cost of the transportation of the convicts so furnished to and from the project, together with the necessary camp equipment and the cost of the necessary employees sent with said convicts; this to include also the cost of the transportation of said employees to and from the project. The Auditor of the State shall issue his warrant to the State Treasurer monthly during the progress of the work.
upon the presentation by the superintendent of the State's Prison
of an itemized statement of the cost as above defined, which
accrued the preceding month, and the Treasurer shall pay said
warrant.

Sec. 8. That all laws and clauses or parts of laws in con-
Repealing clause.

flict with this act be and the same are hereby repealed.
Sec. 9. That this act shall be enforced from and after its
ratification.

Ratified this the 28th day of February, A.D. 1923.

CHAPTER 272

AN ACT TO AMEND SECTIONS 2111 AND 2114 OF THE
CONSOLIDATED STATUTES, EXTENDING THE TIME FOR
HUNTING OPOSSUMS AND SQUIRRELS IN JOHNSTON
COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section two thousand one hundred and
eleven of the Consolidated Statutes be and the same is hereby
amended by striking out the words "March first to November
first" after the word Johnston and inserting in lieu thereof the
words "March first to October first."

Sec. 2. That section two thousand one hundred and fourteen
of the Consolidated Statutes be and the same is hereby amended
by striking out the words "March first to November first" after
the word Johnston and inserting in lieu thereof the words
"March first to October first."

Sec. 3. That this act shall be in force from and after its rat-
fication.

Ratified this the 28th day of February, A.D. 1923.

CHAPTER 273

AN ACT TO PROTECT GAME IN CATAWBA COUNTY,
NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Section 1. The county commissioners of Catawba County, Enforcement of
North Carolina, are hereby required, authorized and empowered to enforce the provisions of this bill.

Sec. 2. The clerk of the Superior Court of Catawba County Clerk to prepare
shall have prepared a license which he shall issue for a fee of one dollar and twenty-five cents ($1.25) to all applicants com-
License fee.
plying with the provisions of this act.
Compensation of clerk.

SEC. 3. The clerk of the court shall receive for his services twenty-five cents (25c.) of the fee of one dollar and twenty-five cents ($1.25), and turn the remainder over to the county commissioners of said county, who shall use it or as much thereof as may be necessary for the enforcement of the provisions of this act, and dispose of any remainder, if any, as they may determine.

Use of license fees.

SEC. 4. No person in said county shall sell or offer for sale any quail to any person, corporation, hotel or restaurant, or ship or otherwise send any quail outside of said county, except that a hunter may send his own kill to his home for home consumption.

Sale and exportation of game forbidden.

SEC. 5. This act shall not prohibit a landowner from hunting on his own lands without a license.

Exception.

SEC. 6. Any person hunting in said county without having complied with the provisions of this act shall be guilty of a misdemeanor and shall be fined not less than ten dollars nor more than fifty dollars, or imprisoned not less than ten nor more than thirty days or both within the discretion of the court: Provided, however, that this act shall apply only to the hunting and sale of quail.

Landowners.

SEC. 7. All laws or clauses of laws in conflict with this act are hereby repealed.

Misdemeanor.

SEC. 8. This act shall be in full force and effect on and after its ratification.

Punishment.

Ratified this the 28th day of February, A.D. 1923.

Proviso: application of act.

CHAPTER 274

AN ACT TO AMEND CHAPTER 69 OF PRIVATE LAWS OF 1921, ENTITLED "AN ACT TO AMEND CHAPTER 380, PRIVATE LAWS OF 1915, RELATING TO THE CHARTER OF THE TOWN OF SANFORD, AND AN ACT TO AUTHORIZE THE TOWN OF SANFORD TO PAVE AND IMPROVE ITS STREETS, ASSESS COST ON ABUTTING PROPERTY AND ISSUE BONDS THEREFOR."

The General Assembly of North Carolina do enact:

Amount of bond issue.

SECTION 1. That section ten of chapter sixty-nine of the Private Laws of the General Assembly of North Carolina, enacted at the session of one thousand nine hundred and twenty-one, be and the same is hereby amended by striking out the words "two hundred and fifty thousand dollars" and inserting in lieu thereof the words "three hundred and fifty thousand dollars."

Tax rate.

SEC. 2. That section twelve of said act be and the same is hereby amended by striking out the word "forty," and inserting in lieu thereof the words "fifty-five."
Sec. 3. That all paving districts created and assessments Acts validated, levied and made in accordance with said chapter of Private Laws of one thousand nine hundred and twenty-one, by the board of aldermen of said town of Sanford, are hereby validated.

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

Ratified this the 28th day of February, A.D. 1923.

CHAPTER 275

AN ACT TO PROHIBIT THE USE OF OPEN MUFFLER CUT-OUTS ON CERTAIN ROADS IN STANLY COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That no motor vehicle shall be operated with the muffler cut-out open on any graded, sand-clay or soil public road in Stanly County. Any person, firm or corporation violating the provisions of this act shall be fined not exceeding fifty dollars or imprisoned not exceeding thirty days.

Sec. 2. That within thirty days after the ratification of this act the county commissioners of Stanly County shall cause to be erected on all highways entering said county signs giving warning of the provisions of this act, and that said signs shall be not less than three feet in length and not less than two feet in width, and that the warning shall be easily legible.

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

Ratified this the 28th day of February, A.D. 1923.

CHAPTER 276

AN ACT TO PLACE THE SHERIFF OF MITCHELL COUNTY ON A SALARY.

The General Assembly of North Carolina do enact:

Section 1. That the sheriff of Mitchell County shall receive a salary of eighteen hundred dollars per annum, payable monthly by the treasurer or fiscal agent of Mitchell County, together with process fees, and the said sheriff shall receive no other compensation for his services.

Sec. 2. That all fees and other moneys (except process fees) collected by the sheriff of Mitchell County shall be paid monthly by said sheriff to the treasurer or fiscal agent of said county.
Sec. 3. That for the faithful performance of his duties the sheriff of Mitchell County shall give bond in such an amount as the county commissioners of said county shall name, and the cost of said bond shall be paid by said commissioners.

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

Sec. 5. That this act shall be in force from and after the expiration of the term of office of the present sheriff of Mitchell County.

Ratified this the 28th day of February, A.D. 1923.

CHAPTER 277

AN ACT TO AMEND CHAPTER 477, PUBLIC-LOCAL LAWS OF THE SESSION OF THE GENERAL ASSEMBLY OF 1917, RELATIVE TO SCHOOL FUNDS NOW IN HAND IN NEW HANOVER COUNTY.

Whereas, under chapter four hundred and seventy-seven of the Public-Local Laws of the session of the General Assembly of one thousand nine hundred and seventeen, the qualified voters of New Hanover County were authorized and empowered to vote upon a bond issue for the purpose of enlarging and improving the public school system of New Hanover County, and in said act certain schools were named to which the funds should be applied if the bond issue carried, which bond issue did carry, and after the bonds were sold it was discovered that the apportionment under said act to the various schools named therein was insufficient to be of any material advantage in the enlargement of school buildings; and

Whereas there is now in the hands of the county auditor of New Hanover County from said bond issue the sum of forty-seven thousand five hundred and fifty-seven dollars and thirty-three cents lying idle and of no material benefit to the advancement of education in said county, and there being no available funds for the building of colored schools in New Hanover County, and the board of education of New Hanover County being desirous of constructing an annex to the Peabody School, which is a colored school in the city of Wilmington, North Carolina, and is unable to do so on account of insufficient funds: Therefore,

The General Assembly of North Carolina do enact:

Section 1. That the board of education of New Hanover County is authorized and empowered to borrow from the county auditor of New Hanover County the said sum of forty-seven thousand five hundred and fifty-seven dollars and thirty-three
cents or so much thereof of said sum as is unused under said act, the same to be used for the building and construction of an annex to the said Peabody School in New Hanover County. And the county auditor of New Hanover County is authorized, empowered and directed to loan said sum or so much thereof as may be necessary for the erection and construction of said annex to said Peabody School at Wilmington, North Carolina.

Sec. 2. The board of education of New Hanover County is authorized and empowered to execute its note to the said county auditor of New Hanover County for said sum so unused and the said county auditor of New Hanover County, upon the execution of said note by the board of education of New Hanover County, is directed to pay to the board of education, upon proper vouchers issued by said board of education, such sums of money as may be drawn on the county auditor of New Hanover County on said sum unused under chapter four hundred and seventy-seven of the Public-Local Laws of the session of the General Assembly of one thousand nine hundred and seventeen.

Sec. 3. That the board of education of New Hanover County is authorized and empowered to pay said note so executed out of any available funds coming into its hands for school purposes, and said note so executed shall run over a period of time for as much as three (3) years from the date of the execution of the same.

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

Ratified this the 28th day of February, A.D. 1923.

CHAPTER 278

AN ACT TO AUTHORIZE REMOVAL OF CERTAIN CEMETORIES IN FORSYTH COUNTY.

The General Assembly of North Carolina do enact:

Section 1. The board of county commissioners of Forsyth County, North Carolina, are hereby authorized and empowered to purchase suitable locations to be used as a white cemetery and a colored cemetery, and they are authorized and empowered to remove the bodies from the white cemetery now situated on the east side of White Street in the city of Winston-Salem, North Carolina, known as the North Liberty Graveyard, and they are empowered to remove the bodies from the colored graveyard situated on the west side of White Street in the city of Winston-Salem, North Carolina, and to rebury said bodies in the sites above mentioned which shall be selected by said board for cemeteries.
Sale of present sites. Sec. 2. The said board of county commissioners of Forsyth County, North Carolina, are hereby authorized and empowered, after the removal of the bodies in the cemeteries above mentioned on White Street, to sell at public sale the land above mentioned which is now used as cemeteries.

Use of proceeds of sale. Sec. 3. The said commissioners of Forsyth County, North Carolina, are authorized and empowered to use the funds, or such portion of said funds as may be necessary, which will be derived from the sale of said cemeteries on White Street in the purchase of new sites for said cemeteries and in the payment of the cost of removing the bodies from the cemeteries on White Street, and they shall spend such funds from time to time as may be necessary to keep in proper condition the new cemeteries above mentioned.

Removal of tombstones, monuments and markers. Sec. 4. All tombstones, monuments or markers which are at the graves in the cemeteries above mentioned on White Street shall be moved and placed at the graves in the new cemeteries by said board of county commissioners of Forsyth County.

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

Ratified this the 28th day of February, A.D. 1923.

CHAPTER 279

AN ACT TO REGULATE HUNTING AND TRAPPING OF FOXES AND OTHER GAME IN RANDOLPH COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That it shall be unlawful for any person or persons to hunt, kill or trap any game of any sort in Randolph County, upon the lands of any other person, firm or corporation in said county without having first obtained permission to do so from the owner or owners of said land or such person as may have charge of said land.

Sec. 2. That it shall be unlawful for any person or persons who do not reside in Randolph County to hunt with dogs or otherwise or to kill or trap foxes in said county without having first obtained from the clerk of the Superior Court of said county a written license so to do, and without having first paid a license fee of twenty-five dollars to the clerk of the court of said county payable upon the issuance of said license. The license fee thus collected by the clerk, less the cost of issuing said license, shall be paid by him to the county treasurer or financial agent of said county, and shall be placed to the credit of the general county fund: Provided, that this act shall not
prohibit nonresidents who own land from hunting on their own land without having first obtained a license from said clerk.

SEC. 3. That any violation of the provisions of this act shall be a misdemeanor and shall subject the offender to the payment of a penalty of twenty-five dollars or imprisoned not exceeding twenty-five days, one-half of said penalty to be paid to the game warden or other person who informs upon such offender and procures his conviction and the other half to be paid into the county school fund of said county.

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.

Ratified this the 28th day of February, A.D. 1923.

CHAPTER 280

AN ACT TO REGULATE THE HUNTING AND TRAPPING OF FOXES IN THE COUNTY OF McDOWELL.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person or persons to shoot, kill, trap, catch or take in any manner fox in McDowell County: Provided, that between the first day of September and the fifteenth day of March of the succeeding year it shall be lawful to hunt and catch fox with dogs, and at no other time; and Provided further, that this act shall not prevent any person from killing foxes when the same are committing depredations upon his property.

SEC. 2. That it shall be unlawful for any person or persons not residents of the county of McDowell to hunt foxes with dogs in said county without first having obtained from the clerk of the Superior Court of said county a written or printed license so to do, and paying therefor as a condition precedent to obtaining such license the sum of twenty-five dollars ($25.00). The license fee thus collected, less the costs of issuance, to be paid by the clerk to the county treasurer and by the county treasurer to be placed to the credit of the general county fund: Provided, that this section shall not prohibit nonresidents who own land in McDowell County from hunting upon their own lands without first having obtained a license from said clerk as aforesaid; and Provided further, that this section shall not be construed to give permission to hunt upon the lands of any person without first obtaining permission from such person as now required by law.
Misdemeanor. Sec. 3. That any person or persons violating any provision of this act shall be guilty of a misdemeanor and upon conviction shall be fined not exceeding fifty dollars ($50) or imprisoned for not more than thirty days.

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

Repealing clause. Sec. 5. That this act shall be in force and effect from and after the first day of March, one thousand nine hundred and twenty-three.

Ratified this the 28th day of February, A.D. 1923.

CHAPTER 281

AN ACT TO REPEAL CHAPTER 305, PUBLIC LAWS OF 1909, IN SO FAR AS IT RELATES TO CASWELL COUNTY, AND TO REPEAL CHAPTER 16, PUBLIC-LOCAL LAWS OF 1915; CHAPTER 26, PUBLIC-LOCAL LAWS 1917; CHAPTER 131, PUBLIC-LOCAL LAWS 1917; CHAPTER 485, PUBLIC-LOCAL LAWS 1919; CHAPTER 312, PUBLIC-LOCAL LAWS 1921; CHAPTER 297, PUBLIC-LOCAL LAWS 1921; CHAPTER 183, PUBLIC-LOCAL LAWS, SPECIAL SESSION 1921, AND CHAPTER 67, PUBLIC-LOCAL LAWS, SPECIAL SESSION 1921, RELATING TO PUBLIC ROADS OF CASWELL COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That chapter three hundred and five of the Public Laws of one thousand nine hundred and nine, in so far as it relates to Caswell County, chapter sixteen of the Public-Local Laws of one thousand nine hundred and fifteen, chapter twenty-six of the Public-Local Laws one thousand nine hundred and seventeen, chapter one hundred and thirty-one of the Public-Local Laws one thousand nine hundred and seventeen, chapter four hundred and eighty-five of the Public-Local Laws of one thousand nine hundred and nineteen, chapter three hundred and twelve of the Public-Local Laws one thousand nine hundred and twenty-one, chapter two hundred and ninety-seven of the Public-Local Laws one thousand nine hundred and twenty-one, chapter one hundred and eighty-two, Public-Local Laws, Extra Session, one thousand nine hundred and twenty-one, and chapter sixty-seven of the Public-Local Laws of the special session of one thousand nine hundred and twenty-one, be and the same are hereby repealed.

Section 2. That the board of county commissioners of Caswell County are hereby given full supervision and control of the public roads and bridges of Caswell County.
Sec. 3. That the said board of county commissioners of Casswell County in opening new highways, widening and straightening old roads and repairing the same, is hereby authorized through its agents to enter upon any land and locate and build such highways. If the board of commissioners and the owner or owners of said land cannot agree as to the damages, if any, claimed by the owner or owners of said land, the board of county commissioners shall, after sixty days after said highway is completed, select one disinterested freeholder and the owner or owners of the land shall select one disinterested freeholder. These two shall select one disinterested freeholder who shall be summoned by said commissioners to go upon the lands and assess the damages and benefits under the general law as it now exists: Provided, however, that before entering upon said lands as authorized by this section, it shall be the duty of said commissioners to serve notice upon the owner or owners of said lands, notifying them that the highway is to be located on said land under authority of this act; and Provided further, that in assessing the damages sustained by any landowner, the jury shall take into consideration the special benefits, if any, accruing to the landowner, and in determining such benefits consideration shall be given to the benefits the landowner has derived from the fact that any old road right of way has reverted back to said landowner by reason of the relocation and construction of the new road; and it is Provided further, that no suit shall be instituted by the landowner for damages on account of location of the road under this act or the taking of timber or material until after sixty days after the completion of the road across the lands of such landowner, and no suit shall be brought by any landowner unless the same is commenced within six months after the completion of the road by or across the lands of the claimant; and Provided further, that either party may appeal to the Superior Court for the assessment of damages and benefits, where the matter shall be heard by the court and jury de novo.

Sec. 4. That the board of county commissioners is hereby authorized, through its agents, to enter upon any land in said county, to cut and carry away any timber except trees or groves on improved land planted or left for shade or ornament, dig or cause to be dug and carry away any gravel, sand, clay, dirt, or stone which may be necessary for the proper repair and construction of roads in said county, and make or cause to be made such drains or ditches upon any land adjoining or lying near any road in said county that the said commissioners may deem necessary for the better condition of the road; and the drains and ditches so made shall not be obstructed by the occupants of such lands or any other person; and that any person obstructing such drains or ditches shall be guilty of a
misdeemeanor: Provided, however, that before entering upon land as authorized by this section it shall be the duty of the said commissioners through its agents to serve notice upon the owner or owners of said land notifying them that certain material authorized to be taken by this section is required for the road work.

Sec. 5. That the board of county commissioners, through its agents, is hereby authorized to enter upon any land adjoining or bordering on any county road and cut the trees on such land for a distance in width of not over thirty feet from the edge of the right of way of said road: Provided, that this is necessary for the maintenance of said road; and Provided further, that they shall not cut trees or groves on improved land planted or left for shade or ornament: Provided, due compensation shall be made for any damage sustained by the landowner, to be ascertained under the same rules and regulations provided in section three of this act.

Sec. 6. The owner of any land from which any timber or other material has been removed may present to the county commissioners his claim therefor, in writing, and upon such presentation it shall be the duty of the said county commissioners to set a day, not later than thirty days thereafter, for the purpose of hearing and determining such claim. Under the hearing and determinations thereof, the claimant may appeal to the Superior Court of said county to have his cause tried as in other civil cases.

Sec. 7. The highways in Caswell County constructed or improved under this act shall have a right of way of not less than forty feet, except where the road authorities deem it impracticable to acquire such width, and in such cases the width shall be as determined by said authorities.

Sec. 8. That the moneys on hand now in the county treasury of Caswell County, North Carolina, for road purposes shall be disbursed by the board of county commissioners of Caswell County for road purposes as now provided by law for the disbursement thereof, and that all teams, material, machinery, tools, supplies now belonging to Caswell County, the title to which is vested in any other commission or commissioners, shall now be vested in the board of county commissioners of Caswell County, and to be used by them for and in whatever they deem best in constructing or improving the roads of said county. And it shall be the duty of the highway commission of Caswell County to render to the board of county commissioners an itemized inventory of all the property belonging to the highway commission or in their control for Caswell County, and stating where the same is now situated. Said inventory or report to be made on the first Monday in March, one thousand nine hundred and twenty-three.
Sec. 9. That the board of county commissioners of Caswell County shall appoint some competent person as superintendent of the public roads of Caswell County, for such length of time as they may desire not to exceed one year, and at such salary as they may fix, and they shall require of said superintendent to give such bond as they may think necessary for the faithful performance of his duties. Said superintendent shall approve all accounts for road work and material used in the construction and repair of the public roads of Caswell County, and shall make a report in writing at each meeting of the board of county commissioners on the first Monday in each month, showing the amount of work done during the preceding month, which report shall be filed in the office of the register of deeds and shall be open for the inspection of the public at any and all times. Said superintendent may employ, with the consent of the board of county commissioners, all labor necessary for building and repairing roads in said county, and may discharge the same at any time. The said board of county commissioners may, at any time, remove the said superintendent and appoint another man in his stead, if in their judgment it is to the best interest of the county to do so. Said superintendent shall perform such duties as may be prescribed by law, and as directed by the board of county commissioners: Provided, however, that in case of a vacancy in the office of road superintendent or until said superintendent may be appointed as herein provided, the said chairman of the board of county commissioners shall perform the duties herein imposed upon the road superintendent, and it shall be a part of his duties as county commissioner, and he shall receive as compensation therefor the same per diem and mileage as are now allowed him as commissioner: Provided further, that in the event any matter arises between the meetings of the board of county commissioners relative to the management and control of the public roads of the county or working of the same, which the board of commissioners have made no order concerning same, authority is hereby given to the chairman of the said board of county commissioners to make such orders as may be necessary to meet the emergency, and said order or orders not to extend beyond the regular meeting of the board of county commissioners. At said meeting the said chairman shall report to said board his actions relative to such matters as acted upon by him, and at said meeting the board of commissioners shall make such order or orders as to them may seem just and proper regarding the same.

Sec. 10. The board of county commissioners shall divide the said county into at least three road working districts, and shall keep at work in each district at least one road-working outfit for such length of time as may be necessary to keep the roads...
in their district in good condition. The said commissioners shall at all times in working said roads give preference to roads that have been built by bond issue, and that said roads built by bond issue shall be kept in repair. Then the said board of county commissioners shall require the connecting and other public roads to be worked. In case of serious damage to roads by rain, storm or otherwise, and it is necessary to repair the same immediately, the said commissioners may cause the road outfits, or any two of them to be put to work and repair the damage to said road or roads, and after repairing said damage the said outfit or outfits are to be returned to their respective districts: Provided, that the road superintendent and the board of county commissioners or the chairman thereof shall designate one of the men with each outfit as foreman of said working outfit, who shall be in charge and direct the road-working outfit, and carry out the instructions given to him by the board of county commissioners and the road superintendent, and shall make a daily report of the amount of work done, the number of men employed, and the hours worked by each, and file said report at least once a week with the road superintendent, and the said road superintendent shall file said reports with his monthly report in the office of the register of deeds for Caswell County. The reports of the foremen and the road superintendent shall be made upon blanks furnished to them by the board of county commissioners; said foreman shall be required to give such bond as may be required by the board of county commissioners for the faithful performance of his duties.

Sec. 11. The board of county commissioners of said county are hereby authorized to levy, and shall levy at the time of levying the other taxes in said county, annually, for public road purposes not to exceed twenty cents on the one hundred dollars valuation of the property, and the board of county commissioners shall cause the same to be placed upon the tax list for the current year to be included in and collected in the annual taxes, and the road tax when thus assessed shall be collected by the sheriff or other tax collector of said county, under the penalty laid down for the collection of other taxes for the said county, and paid to the treasurer of the county, who shall keep the same separate and apart from all other taxes. The same to be paid out by the treasurer of the county by order of the board of county commissioners: Provided, however, that the taxes herein provided to be levied are in lieu of the taxes authorized to be levied by chapter three hundred and five, Public Laws, one thousand nine hundred and nine, and the amendments thereto, and shall not be construed to affect in any way any other law or laws that now exist under which taxes are now levied in Caswell County.
Sec. 12. That the register of deeds of Caswell County shall cause to be published at the courthouse door, at least once a month, a statement showing the disbursements of the board of county commissioners of the funds created under this act, and the treasurer of the county is hereby directed to publish a statement at the courthouse door, at least once a month, showing the amount of funds received by him under this act, and to whom paid.

Sec. 13. That any and all laws, whether general or special, now relating to free labor on the roads of Caswell County be and the same are hereby repealed, and there shall not be required of any one after the ratification of this act to work on the roads of Caswell County without due compensation therefor.

Sec. 14. That any person violating the provisions of this act shall be deemed guilty of a misdemeanor, and shall be fined or imprisoned at the discretion of the court.

Sec. 15. That all laws and clauses of laws in conflict with this act are hereby repealed.

Sec. 16. That this act shall be in full force and effect from and after March fifth, one thousand nine hundred and twenty-three.

Ratified this the 28th day of February, A.D. 1923.

CHAPTER 282

AN ACT TO AMEND SECTION 12, AND TO REPEAL SECTIONS 8, 9, AND 10, OF CHAPTER 172 OF THE PUBLIC-LOCAL LAWS OF 1915, AND SECTION 7, CHAPTER 326, OF THE PUBLIC-LOCAL LAWS OF 1921, AND TO PROVIDE FOR THE MAINTENANCE OF THE PUBLIC ROADS OF MITCHELL COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That for the purpose of constructing, maintaining and repairing the public roads and bridges of Mitchell County, which are not maintained by the State Highway Commission, the board of road commissioners of Mitchell County shall employ annually for full time a competent, able-bodied, maintenance man in each and every township in said county for repairing and maintaining the public roads and bridges of said township. The board of road commissioners shall pay said maintenance man as compensation not less than two dollars nor more than three dollars per day, in the discretion of said board, for such labor as he has labored and patrolled upon his said roads. And for the purpose of carrying out this act the board of road commissioners may delegate to said maintenance man such powers as they may deem
necessary, such as employing teams or other labor and working the same in constructing, repairing and maintaining his said roads. Said maintenance man shall work all roads under the advice and direction of said commissioners, and shall hold his position for one year from the date of his employment: Provided, that said maintenance man may be discharged by the board of road commissioners if he fails to perform his duty to the satisfaction of said board. Said maintenance man shall make an itemized statement, under oath, monthly to the board of road commissioners, reporting all work and labor done and performed by him, and for any other labor and teams employed by him in assisting on the public roads, and said maintenance man shall furnish a list of names of all the free labor that he shall have summoned and worked on said roads, giving the date or dates when said work was performed. Said statement shall be made to the board of road commissioners for all work done and performed by him or by any other person under his direction for the previous month. Said board of road commissioners shall require all road supervisors to make a list in duplicate of all tools, machinery and supplies belonging to said county or to any township which has been entrusted in their care and which is in their possession, and deliver to the board of road commissioners. Said road supervisors shall deliver all of said tools, machinery and supplies to the board of road commissioners or to such maintenance man or men as said board may name. It shall be the duty of said maintenance man or men to make and construct sufficient tool boxes for the storage of all tools and supplies which might be stolen, said boxes to be kept under lock and key when not in use. It shall further be the duty of said maintenance man or men to account for all tools, machinery and supplies which may come into his hands by virtue of his employment or which may be entrusted to his care by the board of road commissioners or under and by virtue of this act. That any road maintenance man who shall wilfully or negligently misplace any tools, machinery or supplies coming into his possession shall be guilty of embezzlement, and upon conviction shall be punished for embezzlement.

Sec. 2. That every able-bodied male person, between the age of twenty-one and forty-five years, shall be liable to work on the public roads of Mitchell County six days of ten hours each in each and every year. And the road maintenance man employed in each township in said county, if subject to road duty, shall perform the same amount of road work as is required of any other person in said township.

Sec. 3. That the road maintenance man shall give to each and every person subject to road duty in his township at least six days notice, except in case of washouts, in which case said person shall appear and work immediately upon being notified by the
towmship maintenance man. Said notices shall be sent by said
maintenance man or some one under his direction, and may be
by letter or postal card; and the postage necessary for said notices
shall be included in the monthly statement of said maintenance
man and shall be charged to the county or township road fund.
Said notice shall state when and where work is to be performed,
naming the tool or implement such person so warned is required
to bring. Said road maintenance man shall use his discretion in
permitting such person to work near his own residence: Provided,
that any person desiring to do so may pay the secretary of the
said road commissioners of said county on or before July first of
each year the sum of five dollars in lieu of the six days labor said
person is required to perform. In case any person fails to pay to
the secretary of the said road board the sum of five dollars before
July first as hereinbefore provided, then such person shall perform
eight days labor of ten hours per day, or pay to the secretary of
the county road commission the sum of six dollars. It shall be
the duty of the secretary of the board of road commissioners to
whom such payment is made to issue to said person a receipt,
keeping a stub or a copy, stating the amount paid and the year for
which said payment was made. The secretary of said board shall
account for all such funds received by him and shall deposit the
same with the county treasurer or in some bank designated by
the board of road commissioners. Said funds shall be expended
in the township from which said funds were collected. The clerk
of the Superior Court of Mitchell County shall keep a complete
list of the names and addresses of all men in Mitchell County be-
tween the ages of twenty-one and forty-five years, and furnish a
copy of the same to the board of road commissioners of Mitchell
County.

Sec. 4. That section twelve of chapter one hundred and seventy-
two of the Public-Local Laws of one thousand nine hundred and
fifteen be and the same is hereby amended by inserting in line
four of said section after the word “not” and before the word
“more” the following words: “less than twenty cents nor.”

Sec. 5. That sections eight, nine and ten of chapter one hundred
and seventy-two of the Public-Local Laws of one thousand nine
hundred and fifteen, and section seven of chapter three hundred
and twenty-six, Public-Local Laws of one thousand nine hundred
and twenty-one, are hereby repealed, and that all other laws in
conflict with the provisions of this act are hereby repealed.

Sec. 6. That any person violating any of the provisions of this
act shall be guilty of a misdemeanor, and upon conviction shall be
punished in the discretion of the court.

Sec. 7. That this act shall be in force from and after the
thirtieth day of June, one thousand nine hundred and twenty-
three.

Ratified this the 28th day of February, A.D. 1923.

20—Public-Local
CHAPTER 283

AN ACT TO REPEAL CHAPTER 268, PUBLIC-LOCAL LAWS 1921, RELATING TO FISH IN ROBESON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That chapter two hundred and sixty-eight, Public-Local Laws one thousand nine hundred and twenty-one, be and the same is hereby repealed.

Sec. 2. That all laws repealed or affected by the enactment of chapter two hundred and sixty-eight, Public-Local Laws one thousand nine hundred and twenty-one, are declared now to be in full force and effect to the same extent as if chapter two hundred and sixty-eight, Public-Local Laws one thousand nine hundred and twenty-one, had not been enacted.

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

Ratified this the 28th day of February, A.D. 1923.

CHAPTER 284

AN ACT TO REGULATE THE ESTABLISHING OF FREE FERRIES ACROSS THE CAPE FEAR RIVER IN BLADEN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the board of commissioners of Bladen County shall establish and maintain a free ferry across the Cape Fear River at Elizabethtown, Bladen County, and at such other points as the public service may demand.

Sec. 2. That the board of commissioners shall keep and maintain good and sufficient flats and boats for transporting persons, automobiles, trucks, horses and all other stock and vehicles across said river at Elizabethtown every day in the week, including Sundays, from sunrise to sunset, free of charge.

Sec. 3. That where the board of commissioners shall establish a free ferry under section one of this act, other than the ferry at Elizabethtown, they shall keep and maintain good and sufficient flats and boats for transporting persons, horses, automobiles, trucks and other vehicles across said river on such days and during such hours as the public service may demand, free of charge.

Sec. 4. That said board of commissioners may contract with any firm or corporation for keeping said ferries and may require good and sufficient bond for the faithful maintenance of said ferries to the lowest responsible bidder, and pay the expenses of
keeping said ferries out of the general fund: Provided, that the person, firm or corporation operating the ferry at Elizabethtown under the provisions of this act shall operate the said ferry during the hours between sunset and sunrise at a price regulated by the board of commissioners: Provided further, that the board of commissioners shall not be required to operate a ferry at Elizabethtown after a bridge is built across the river and opened for traffic.

Sec. 5. That said board of commissioners may make all necessary rules for the proper management of said ferries not in conflict with the provisions of this act.

Sec. 6. That in case any claim to franchise rights in the already existing ferries or contracts be violated by the provisions of this act, the county commissioners shall pay a reasonable compensation to the owner of such rights or contract.

Sec. 7. That the board of commissioners shall have the power to change or discontinue any free ferry now established or that may be established by this act, other than the ferry at Elizabethtown, as the public service may demand.

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

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

Ratified this the 28th day of February, A.D. 1923.

CHAPTER 285

AN ACT FIXING THE FEES FOR SERVICE OF CIVIL AND CRIMINAL PROCESS IN ORANGE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That officers authorized and required by law to serve civil and criminal process shall receive for their services the following fees: For the service of summons or other writ or notice in a civil case, seventy-five cents; for the arrest of any person in any civil or criminal action, one dollar and fifty cents; for the service or execution of a subpoena, fifty cents; for the service of summons and the execution of claim and delivery, two dollars; for serving all other process, either civil or criminal, fees are to remain as now fixed by law, and said fees are to be paid to the salary fund as now required by law.

Sec. 2. This act shall apply only to Orange County.

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

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

Ratified this the 28th day of February, A.D. 1923.
AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS FOR GRAHAM COUNTY TO PROVIDE READY FUNDS FOR THE PAYMENT OF CURRENT EXPENSES, AND TO ISSUE BONDS TO FUND THE INDEBTEDNESS OF THE ROAD FUND FOR YELLOW CREEK TOWNSHIP.

Whereas the tax books are not placed in the hands of the sheriff and tax collector from Graham County for collection until after a portion of the tax levy has necessarily been appropriated for general county purposes; and

Whereas said appropriations or claims issued therefor on account of lack of funds in the treasury must be discounted by the holder or carried several months before cash payment can be realized thereon; and

Whereas this condition is burdensome, and expensive to both the receiver and holder of county vouchers and to Graham County as well; and

Whereas there is a present outstanding indebtedness against the road funds for certain townships in Graham County: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners for Graham County be and are hereby authorized to issue county serial bonds in denomination of five hundred dollars each, to an aggregate amount not to exceed seven thousand dollars, bearing interest at a rate not to exceed six per cent per annum. Said bonds shall be paid and retired serially and at the rate of two bonds with interest each year, until all of said bonds are retired, beginning next succeeding year after date of issue: Provided, the said board of county commissioners may at any time call and pay any or all of said bonds.

Sec. 2. That the said board of county commissioners may issue a sufficient number and amount of said bonds necessary to provide a sufficient cash fund in the treasury for Graham County to pay all outstanding orders or vouchers when properly issued by the board of county commissioners, pending the collection of the general taxes for the current year.

Sec. 3. That the said board of county commissioners shall provide for the payment of any such bonds issued at maturity and interest thereon, and shall for that purpose levy a special tax each year not to exceed ten cents on the one hundred dollars valuation, to be applied to the payment of any and all of said bonds and interest at its or their maturity.
Sec. 4. That said board of county commissioners may sell any or all of said bonds issued, at private or public sale: Provided, that said bonds shall not be sold below their par value. The proceeds of any and all of said bonds shall be placed in the treasury of Graham County as general funds for Graham County: Provided, any of said bonds may be exchanged for or paid in lieu of any outstanding due notes or indebtedness of Graham County.

Sec. 5. That said board of county commissioners shall have made and preserved in the minute proceedings of said board a complete record of the issue, sale, and payment of any and all of said bonds; and upon delivery, funds derived therefrom to the tax collector or treasurer, and he shall be charged therefor and his receipt therefor taken.

Sec. 6. That for the purpose of paying the outstanding indebtedness against the road funds for certain townships in Graham County, the board of county commissioners are authorized and empowered to issue county bonds in denomination of five hundred dollars, not exceeding in aggregate amount the sum of three thousand dollars, said bonds to bear interest at a rate not to exceed six per cent per annum, and made payable serially and annually, at a rate of two bonds per year, until all bonds are paid, beginning the next succeeding year from date of issue of said bonds.

Sec. 7. A sufficient number of said bonds may be sold by the board of county commissioners at public or private sale, but no bond shall be sold below its par value. The proceeds of said bond sale shall be placed in the treasury of Graham County to the credit of the road fund for said townships owing an outstanding indebtedness, and shall be used for no other purpose.

Sec. 8. That any and all of the proceeds of said bonds which may be apportioned to the road funds of any township shall be charged against the road funds of said township, and at the time of apportioning of the general road tax fund to the various townships. The board of county commissioners shall appropriate and set aside out of the road fund of any township to which any of the proceeds of said bonds have been appropriated and used by said township, each year, sufficient to pay two of said bonds and interest, until all the bonds used in said township are paid; and the board of county commissioners shall apply the funds so appropriated and set aside to the payment and retirement of said bonds and interest, and said fund shall be used for no other purpose.

Sec. 9. That for the purpose of providing funds to purchase and provide a rock crusher to be used for making and repairing the public roads in Graham County, the board of county commissioners are authorized and empowered to issue serial bonds in denomination of five hundred dollars each, not to exceed in aggregate...
Amount. 
Interest. 
Maturity. 
Sale of bonds. 
Not below par. 

Payment provided for. 

Specific appropriation. 
Use of rock crusher. 
Subject to orders of commissioners. 
Sale or lease of crusher. 

Repealing clause. 

gate amount the sum of three thousand dollars, bearing interest at a rate not to exceed six per cent per annum. Said bonds shall be made payable serially at the rate of two bonds each year until all said bonds are retired. Said board of county commissioners may sell said bonds at public or private sale: Provided, that said bonds shall not be sold below par value.

Sec. 10. That the board of county commissioners shall, before the general road funds are apportioned to the various townships, each year appropriate and set aside out of the general road funds of the county a sufficient amount to pay two of said bonds with interest, which shall mature in said year, and said fund when so appropriated or set aside shall be applied to the payment of said bonds and interest, and shall be used for no other purpose.

Sec. 11. That said rock crusher may be used by the road authorities of the various townships for an equal period of time each year, and shall at all times be under the control and subject to the orders of the board of county commissioners for Graham County: Provided, the board of county commissioners shall have authority to sell said rock crusher to any corporation or person, or may lease the same for a definite period of time, upon such terms and conditions as to said board of county commissioners may appear to be just and to the best interest of the county.

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

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

Ratified this the 28th day of February, A.D. 1923.

CHAPTER 287
AN ACT TO AMEND CHAPTER 37 OF THE PUBLIC-LOCAL LAWS OF 1919, IN REGARD TO SALARIES OF COUNTY OFFICERS OF ORANGE COUNTY.

The General Assembly of North Carolina do enact:

Section amended.

Salary of clerk of Superior Court. 

Fees as receiver.

"Sec. 2. The clerk of the Superior Court of Orange County shall receive a salary of eighteen hundred dollars per annum, payable monthly on the first Monday of every month in lieu of all fees and commissions received by virtue of said office, except that all sums allowed as fees in cases where said clerk is now or may hereafter be appointed receiver of the estates of minors or persons non compos mentis shall belong to said clerk personally, and shall not be turned over to the salary fund of said county."
SEC. 2. That section four of chapter thirty-seven, Public-Local Laws of one thousand nine hundred and nineteen, be stricken out and the following section inserted in lieu thereof:

"Sec. 4. That the treasurer of Orange County shall receive a Salary of treasurer salary of twelve hundred dollars per annum, payable monthly on the first Monday of every month, in lieu of all fees and commissions received by virtue of said office."

Sec. 3. The county of Orange shall pay the premiums on the official bonds of the clerk of the Superior Court and register of deeds in like manner as the premiums on the official bonds of the sheriff and treasurer are now paid.

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

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

Ratified this the 28th day of February, A.D. 1923.

CHAPTER 288

AN ACT TO AMEND CHAPTER 613 OF THE PUBLIC-LOCAL LAWS, REGULAR SESSION 1913, RELATING TO RECORDER'S COURT AT MOORESVILLE, IREDELL COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter six hundred and thirteen of the Law amended. Public-Local Laws of the Regular Session of one thousand nine hundred and thirteen be amended so as to include within the jurisdiction of the recorder's court of Mooresville the whole of Davidson Township, Iredell County.

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

Ratified this the 28th day of February, A.D. 1923.

CHAPTER 289

AN ACT TO PROTECT GAME IN SURRY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person to net, Netting, trapping trap, sell or offer for sale at any time, game in Surry County, and buying or except rabbits, opossums, raccoons, minks, skunks, muskrats and weasels. Exceptions.

Sec. 2. That it shall be unlawful for any person to kill or in Close season, quail. any manner destroy bob-white (partridge or quail) from January first to November fifteenth in any year.
Close season for opossums.

Close season for foxes.

Shooting or trapping foxes.

Close season for squirrel.

For rabbits.

Proviso: killing on owner's land.

Limit of bag, quail.

Protection of woodcocks, robins, bluebirds.

Selling or shipping quail.

Hunting without permission.

Nonresidents to apply for license.

License fee.

License for non-resident of county.

License fee.

Clerk of Superior Court to issue licenses.

Commission.

Payment to game wardens.

Payment for license blanks.

Remainder to school fund.

Sec. 3. That it shall be unlawful for any person to hunt, kill or destroy any opossums from January first to October first in any year.

Sec. 4. That it shall be unlawful for any person to hunt, pursue, take, capture, wound, kill or destroy any wild fox from January fifteenth to October first in any year.

Sec. 5. That it shall be unlawful for any person to shoot or trap a fox or foxes in Surry County.

Sec. 6. That it shall be unlawful for any person to kill squirrel or squirrels from February first to September first in each year; rabbits from February first to October first in each year: Provided further, that owners of land may kill squirrel and rabbits on their own lands at any time during the year.

Sec. 7. That it shall be unlawful for any person to kill more than fifteen quail or partridge in any one day, between the fifteenth day of November and the first day of January, in any year.

Sec. 8. That it shall be unlawful for any person to kill any woodcock, robin, bluebird in Surry County.

Sec. 9. That it shall be unlawful for any person, firm or corporation to sell, ship or transport partridge or quail out of Curry County in any manner whatsoever for a period of five years.

Sec. 10. That it shall be unlawful for any person to hunt partridge or quail, rabbits or squirrels on the lands of another without his, her, or their permission.

Sec. 11. That it shall be unlawful for any person who is a nonresident of the State of North Carolina to hunt in Surry County, North Carolina, without first applying to the clerk of the Superior Court of Surry County and paying a fee of fifteen dollars ($15.00) and securing a nonresident hunter's license.

Sec. 12. That it shall be unlawful for any person who is a nonresident of Surry County, North Carolina, but a resident of the State, to hunt in Surry County without first applying to the clerk of the Superior Court of said county and paying a fee of five dollars ($5.00) and securing a nonresident license.

Sec. 13. That the clerk of the Superior Court of Surry County shall issue all nonresident hunters' licenses in accordance with sections eleven and twelve of this act, and shall receive five per cent commission for his services in issuing said license, and shall pay out of the moneys derived from said licenses to the game wardens of Surry County the sum of three dollars ($3.00) upon conviction of any person violating any of the provisions of this act and pay so much thereof as may be necessary to procure blank license for purpose of issuing, and if any moneys in excess of twenty-five dollars ($25.00) remain in the hands of said clerk on the first Monday in October in each year it shall be turned over to the school fund of Surry County.
SEC. 14. That the sheriff of Surry County, his deputies and the constables of Surry County are hereby constituted game wardens for Surry County, as provided by the laws of North Carolina.

SEC. 15. That any person violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be fined not more than fifty dollars ($50.00) or be imprisoned not more than thirty days.

SEC. 16. That this act shall apply only to the county of Surry and to the game and birds mentioned in this act.

SEC. 17. That all laws and clauses of laws inconsistent with this act are hereby repealed.

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

Ratified this the 28th day of February, A.D. 1923.

CHAPTER 290

AN ACT PROVIDING FOR AN ELECTION IN ROCKY POINT TOWNSHIP, PENDER COUNTY, RELATIVE TO THE CONTINUANCE OF THE SPECIAL ROAD TAX.

Whereas, under chapters three hundred and thirty-six and four hundred and forty-five of the Public-Local Laws of one thousand nine hundred and thirteen an election was held in Rocky Point Township, Pender County, on the question of levying a special tax annually for working the public roads in said township, at which election a majority of the votes cast were in favor of levying said special tax, and in pursuance of which said special tax has been levied annually thereafter; and

Whereas a large majority of the voters and freeholders in said township have asked for the privilege of holding another election for the purpose of discontinuing said special tax: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Pender County are hereby authorized, empowered and directed within six months from the date of the ratification of this act to order and provide for holding an election in Rocky Point Township, Pender County, to ascertain the will of the voters therein as to whether the special road tax heretofore annually levied in said township shall continue to be levied. Said election shall be advertised for thirty days preceding the day of election, by posting notices at the courthouse door and at three public places in said township. The county commissioners shall appoint a registrar and two pollholders, and may, in their discretion, order a new registration, and the election shall be held under the laws governing general elections, as nearly as may be. At such election
Ballots.

those who favor the continuation of the special road tax shall vote a ballot on which shall be printed or written "For special road tax," and those opposed to the continuation of the special road tax shall vote a ballot on which shall be printed or written "Against special road tax." If a majority of the votes cast at said election shall be "For special road tax," the board of county commissioners shall continue annually to levy such special road tax as heretofore voted under chapters three hundred and thirty-six and four hundred and forty-five, Public-Local Laws of one thousand nine hundred and thirteen; but if a majority of the votes cast at said election are "Against special road tax," then no further special tax shall be levied by said county commissioners in Rocky Point Township.

Effect of election.

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

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

Ratified this the 28th day of February, A.D. 1923.

CHAPTER 291

AN ACT PROVIDING FOR AN ELECTION IN BURGAW TOWNSHIP, PENDER COUNTY, RELATIVE TO THE CONTINUANCE OF THE SPECIAL ROAD TAX.

Preamble: tax heretofore voted.

Whereas, under chapters three hundred and thirty-six and four hundred and forty-five of the Public-Local Laws of one thousand nine hundred and thirteen, an election was held in Burgaw Township, Pender County, on the question of levying a special tax annually for working the public roads in said township, at which election a majority of the votes cast were in favor of levying said special tax, and in pursuance of which said special tax has been levied annually thereafter; and

Preamble: petition for election removing tax.

Whereas a large part of the voters and freeholders in said township have asked for the privilege of holding another election for the purpose of ascertaining the will of the people of said township: Now, therefore,

The General Assembly of North Carolina do enact:

Section 1. That the board of commissioners of Pender County are hereby authorized, empowered and directed within six months from the date of the ratification of this act to order and provide for holding an election in Burgaw Township, Pender County, to ascertain the will of the voters therein as to whether the special road tax heretofore annually levied in said township shall continue to be levied. Said election shall be advertised for thirty days preceding the day of election, by posting notices at the
courthouse door and at three public places in said township. The county commissioners shall appoint a registrar and two pollholders, and may, in their discretion, order a new registration, and the election shall be held under the laws governing general elections, as nearly as may be. At such election those who favor the continuation of the special road tax shall vote a ballot on which shall be printed or written "For special road tax," and those opposed to the continuation of the special road tax shall vote a ballot on which shall be printed or written "Against special road tax." If a majority of the votes cast at said election shall be "For special road tax," the board of county commissioners shall continue annually to levy such special road tax as heretofore voted under chapters three hundred and thirty-six and four hundred and forty-five, Public-Local Laws of one thousand nine hundred and thirteen; but if a majority of the votes cast at said election are "Against special road tax," then no further special tax shall be levied by said county commissioners in Burgaw Township.

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

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

Ratified this the 28th day of February, A.D. 1923.

CHAPTER 292

AN ACT TO AUTHORIZE LINCOLN COUNTY TO ISSUE BONDS FOR THE CONSTRUCTION AND REPAIR OF ROADS AND BRIDGES.

The General Assembly of North Carolina do enact:

Section 1. That for the purpose of laying out, constructing and repairing, and permanently improving the public roads and bridges of Lincoln County, the board of commissioners of said county is hereby authorized, empowered and directed to issue (without submitting the question of such issue to a vote of the people), from time to time or at one time as they deem best, bonds of said county not exceeding in amount five hundred thousand dollars, which bonds shall be printed, engraved or lithographed and be of such denominations, form and transferable in such manner and principal thereof payable at such time or times not exceeding thirty years from the date of issue, and at such place or places as the board of commissioners of said county may prescribe. Said bonds shall bear interest from date of issue at a rate not exceeding six per centum per annum, payable semiannually at such time and place or places as said commissioners may prescribe, and be evidenced by coupons attached to said bonds.
SEC. 2. Said bonds shall be numbered and signed by the chairman of the board of county commissioners of Lincoln County and shall be attested by the signature of the clerk of the said board and bear the corporate seal of said county. The coupons attached to said bonds shall be numbered and shall bear the facsimile signature of the clerk of said board of county commissioners lithographed upon each coupon, and when executed as prescribed in this act said bonds and coupons shall be binding obligations of the county of Lincoln.

SEC. 3. The bonds authorized by this act are in addition to any bonds heretofore authorized or issued by said county and not in substitution therefor, and the bonds authorized by this act may be issued notwithstanding any limit, condition or restriction in any other act.

SEC. 4. The board of commissioners of Lincoln County are authorized to sell said bonds either at public or private sale, with or without advertising said sale, as in their discretion they deem best: Provided, no bonds issued under the provisions of this act shall be sold or otherwise disposed of for less than their par value.

SEC. 5. That the money arising from the sale of bonds under this act shall be set apart and constitute a separate fund to be applied to the laying out, construction, maintenance and improvement of the public roads and bridges of Lincoln County. Said fund may be used in connection with or to supplement the State or Federal-aid road funds that may be available to aid in the laying out and construction of roads in Lincoln County.

SEC. 6. That in order to pay the interest on said bonds as it may accrue and create a sinking fund for the payment of said bonds as they mature the board of commissioners of Lincoln County shall annually levy a special tax of such amount as may be necessary to pay the interest on the outstanding bonds issued for said road purposes and sufficient to create a sinking fund to pay the said bonds issued as they mature. Said tax shall be levied and collected as other county taxes and shall be imposed upon such property and subjects of taxation as are now or hereafter may be subject of taxation under the laws of the State, and shall be collected as other county taxes are collected. Taxes hereby authorized shall be in addition to all other taxes authorized to be levied in Lincoln County, and when collected shall be kept as a separate fund available only for the purposes for which levied.

SEC. 7. That all laws and clauses of laws in conflict herewith are repealed.

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

Ratified this the 28th day of February, A.D. 1923.
CHAPTER 293

AN ACT TO REGULATE THE HUNTING AND KILLING OF
QUAIL AND TURKEYS IN PAMLICO COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful to hunt, trap, or kill partridge, or quail, and wild turkeys from March first to November first in any year.

Sec. 2. That in the open season allowed by section one of Limit of bag. this act no person shall take, trap or kill in any day more than ten partridge or quail, or more than two wild turkeys.

Sec. 3. That this act shall apply to Pamlico County only. Application of act.

Sec. 4. That any person or persons who shall violate the provisions of this act shall be guilty of a misdemeanor and shall be punished by a fine not exceeding fifty dollars or imprisoned for thirty days, or both, in the discretion of the court.

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

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

Ratified this the 28th day of February, A.D. 1923.

CHAPTER 294

AN ACT TO CHANGE THE LOCATION OF THE PUBLIC ROADS IN POPULAR TOWNSHIP, MITCHELL COUNTY, AND FOR OTHER PURPOSES.

The General Assembly of North Carolina do enact:

SECTION 1. That section twenty-three (b), chapter sixty-four, Public-Local Laws, extra session, one thousand nine hundred and twenty-one, be amended by striking out in lines four and five of said section the words “schoolhouse near Paul Peterson’s house on Poplar Creek,” and inserting in lieu thereof the following words: “Indian Grave Gap on top of the Unaka Mountain.”

Sec. 2. That section twenty-three, chapter three hundred and twenty-six, Public-Local Laws of one thousand nine hundred and twenty-one, be amended by inserting in line number five of said section between the comma and the word “and” the following: “or may, if they so desire, contract with the road governing authorities of Yancey County for the construction of a bridge across Toe River near Forbes Station on condition that Mitchell County shall pay for one-half of the cost of said bridge out of the funds belonging to Red Hill Township, and that Yancey County shall pay for the other half of the cost of said bridge: Provided, the county commissioners of Yancey County shall, at a regular session, pass favorably on the proposition. The said law as amended, SECTION and law amended. Alternative power. Condition. Proviso: favorable action by Mitchell County.
Further expenditure discretionary.

Section and law validated and re-enacted.
Construction of section.

Repealing clause.
road commissioners of Mitchell County are hereby authorized to expend the balance of the proceeds of the thirty thousand dollars bond issue for Red Hill Township upon the public roads in said township wherever they think best."

Sec. 3. That section twenty-one, chapter three hundred and twenty-six, Public-Local Laws of one thousand nine hundred and twenty-one, is hereby validated and reënacted, and said section shall be so construed as not to be in conflict with section eight, subsection twenty-three (a), chapter sixty-four, Public-Local Laws, Extra Session, one thousand nine hundred and twenty-one.

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

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

Ratified this the 28th day of February, A.D. 1923.

CHAPTRER 295

AN ACT TO INCREASE THE FEES OF THE CLERK OF THE SUPERIOR COURT IN PERQUIMANS COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one, chapter five hundred and seventy-six, Public-Local Laws of one thousand nine hundred and nineteen, be and the same is hereby amended by inserting at the end of said section the following: "That this act shall also apply to Perquimans County."

Sec. 2. That all laws and clauses of laws providing for the fees to be collected by the clerk of the Superior Court of Perquimans County in conflict with the provisions of this act are hereby repealed.

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

Ratified this the 28th day of February, A.D. 1923.

CHAPTRER 296

AN ACT TO AUTHORIZE LENOIR COUNTY TO ISSUE BONDS TO FUND EXISTING DEBT.

The General Assembly of North Carolina do enact:

SECTION 1. The board of county commissioners of Lenoir County is hereby authorized to issue bonds of said county in an aggregate principal amount not exceeding one hundred thousand dollars for the purpose of funding or paying the whole or any
part of the following described notes of said county, viz.: ten
notes, each for the sum of ten thousand dollars, dated August
fifteenth, one thousand nine hundred and twenty-two, payable
August fifteenth, one thousand nine hundred and twenty-three,
bearing interest at the rate of five and one-half per centum per
annum, and issued pursuant to a resolution adopted by the board
of county commissioners of said county on August eighteenth, one
thousand nine hundred and twenty-two. The said notes are
hereby legalized and validated, and it is hereby determined that
said notes were duly issued for necessary expenses of said
county.

Sec. 2. That said bonds shall be issued in such form and
denomination, and with such provisions as to time, place and
medium of payment of principal and interest as the said board
of county commissioners may determine, subject only to the
limitations and restrictions of this act. The said bonds shall
be serial bonds, and shall so mature that the aggregate principal
amount of the issue shall be payable in annual installments,
beginning not more than three years after the date of issue of the
bonds and ending not more than thirty years after the date of
issue. The said annual installments may be equal or unequal in
amount, but no installment shall be more than two and one-half
times as great in amount as the smallest prior installment. The
bonds shall bear interest at a rate not exceeding six per centum
per annum, payable semiannually. They may be either coupon
bonds or registered bonds, and if issued in coupon form may be
made registrable as to principal or as to both principal and
interest. They shall be signed by the chairman of the said
board of county commissioners, and the seal of said county shall
be affixed to or impressed on each bond and attested by the
register of deeds of said county; and the interest coupons of
said bonds shall bear a printed, lithographed or engraved facsimile
signature of said chairman who is in office at the date of said
bonds. The delivery of bonds signed as aforesaid by officers in
office at the time of such signing shall be valid notwithstanding
any changes occurring after the such signing.

Sec. 3. The said bonds shall be sold by the said board of
county commissioners in the manner provided by the Municipal
Finance Act for the sale of bonds of cities and towns. They shall
not be sold for less than par and accrued interest.

Sec. 4. The said board of county commissioners shall levy
annually a special tax ad valorem upon all taxable property in
Lenoir County, for the special purpose of paying the principal
and interest of all bonds issued under this act, as such principal
and interest become due, which tax shall be in an amount
sufficient for said purpose and in addition to all other taxes
which the said board of commissioners is authorized by law to
levy.
Powers additional.  Sec. 5. The powers conferred by this act are conferred in addition to and not in substitution for existing powers of Lenoir County, and are not subject to any limitations or restrictions contained in any other act.

Repealing clause.  Sec. 6. All acts and parts of acts in conflict with this act are hereby repealed.

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

Ratified this the 28th day of February, A.D. 1923.

CHAPTER 297

AN ACT TO AMEND CHAPTER 64 OF THE PUBLIC-LOCAL LAWS OF 1921, ENTITLED "AN ACT TO PROVIDE FOR THE CONSTRUCTION AND MAINTENANCE OF THE PUBLIC ROADS OF BURKE COUNTY."

The General Assembly of North Carolina do enact:

Law amended.  Section 1. That section eleven of chapter sixty-four of the Public-Local Laws of one thousand nine hundred and twenty-one be and the same is hereby amended as follows: That all of said section after the word "township" in line thirteen and before the word "Provided" in line twenty-one be stricken out, and the following inserted in lieu thereof: "That all special taxes levied upon any township in Burke County for paying interest and creating a sinking fund for the payment of road bonds of said township shall be collected by the sheriff of Burke County as other taxes are collected and paid over to the board of county commissioners of Burke County, who shall apply the same to the purposes for which they are levied and collected, and to no other purpose."

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

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

Ratified this the 28th day of February, A.D. 1923.

CHAPTER 298

AN ACT TO PERMIT BOARD OF COMMISSIONERS OF McDOWELL COUNTY TO CALL AN ELECTION TO ISSUE BONDS TO BUILD A HOSPITAL.

Preamble: no hospital in county.  Whereas there is no hospital of any description whatsoever located in the county of McDowell; and
Whereas there is no provision in said county for the taking care of the sick and those needing surgical attention in said county; and

Whereas the need for a hospital is great indeed, large numbers of our citizens having to be taken to Rutherfordton, Statesville and Asheville; and

Whereas it is the desire of the public generally of McDowell County that a hospital be erected in said county for the care of the sick and those needing surgical attention in said county: Now, therefore,

The General Assembly of North Carolina do enact:

Section 1. That the board of county commissioners of McDowell County, on the application of the board of health of McDowell County, shall order an election to be held in the county of McDowell, said election to be held under the law governing general elections held in said county, said election to be held to permit the people to vote on the question of a hospital, to vote a ballot on which shall be written the word “Hospital” or a ballot on which shall be written the words “No Hospital,” and if a majority of the qualified voters of McDowell County shall cast their ballots in favor of a hospital, then it shall be the duty of the board of commissioners of McDowell County, North Carolina, to issue bonds in the sum of one hundred thousand dollars to build and equip a hospital in the county of McDowell on some suitable lot to be selected by the board of commissioners of McDowell County, North Carolina.

Sec. 2. That in event an election is carried for a bond issue for the building and equipping of a hospital as aforesaid, the commissioners of McDowell County shall levy a tax annually sufficient to pay the interest on said bonds and to create a sinking fund for the purpose of paying said bonds when due.

Sec. 3. That in case a majority of the qualified voters of McDowell County shall vote in favor of a hospital and issuing of one hundred thousand dollars for the building, erection and equipping of same, the board of county commissioners shall sell said bonds or enough of said bonds to build and equip said hospital and shall appoint a superintendent to have charge of said hospital, which said superintendent shall report to the county commissioners all receipts and disbursements from said hospital; that the board of county commissioners of McDowell County shall levy an annual tax for the purpose of supporting and maintaining said hospital; that the control and governing of said hospital shall be in control of the board of commissioners of McDowell County, who are hereby authorized and empowered to employ all surgeons, doctors, nurses and others necessary to the operation of said hospital; that the board of commissioners, as aforesaid, shall have the power to fix charges for services to
patients received into said hospital and shall have the power to make all by-laws, rules and regulations necessary for the governing of said institution.

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

Ratified this the 28th day of February, A.D. 1923.

CHAPTER 299

AN ACT TO AMEND CHAPTER 246 OF THE PUBLIC-LOCAL LAWS OF 1921, ENTITLED "AN ACT TO REGULATE HUNTING AND TO PROTECT GAME BIRDS, WILD FOWLS, RABBITS, SQUIRRELS, OPOSSUM, AND FUR-BEARING ANIMALS IN DAVIE COUNTY."

The General Assembly of North Carolina do enact:

Section 1. That chapter two hundred and forty-six of the Public-Local Laws of one thousand nine hundred and twenty-one be and the same is hereby amended as follows:

(a) In line three of section one of said act insert the word "written" after the word "the" and before the word "permission."

(b) In section five of said act strike out the period after the word "lands" in line eight and add the words "or to kill with gun or otherwise rabbits on such lands."

(c) In section seven of said act strike out the words "between the first day of March and the first day of September in any year" in lines two and three and insert in lieu thereof the words "between the fifteenth day of February and the fifteenth day of August in any year."

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

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

Ratified this the 28th day of February, A.D. 1923.

CHAPTER 300

AN ACT TO AUTHORIZE THE ROAD COMMISSIONERS OF CHOWAN COUNTY TO LEVY LICENSE TAXES FOR THE USE OF THE ROADS BY LOG WAGONS OR LOG CARTS.

The General Assembly of North Carolina do enact:

Section 1. That the board of road commissioners of Chowan County are hereby authorized and empowered to levy and collect a license or privilege tax on all persons, firms or corporations
using the public roads of the county, other than the streets of
the town of Edenton and the roads under control of the State
Highway Commission, for the purpose of hauling mill logs or
timber with log wagons or log carts.

Sec. 2. Such licenses may be issued under such reasonable rules
and regulations as to time and amount as the board of road com-
missioners may determine, but the license tax on any log wagon or
log cart shall not exceed the sum of forty dollars ($40.00) for
a period of one year, and no license tax for a shorter period than
one year shall be in an amount which would exceed a total of
forty dollars ($40.00) per year.

Sec. 3. License taxes collected are to be paid over to the
treasurer of the county for the use of the road fund.

Sec. 4. Any person, firm or corporation so using the roads of
the county, other than those under the control of the State High-
way Commission or the streets of the town of Edenton, without
first obtaining license under the rules and regulations prescribed
by the road commissioners, shall be guilty of a misdemeanor,
and upon conviction shall be fined not exceeding fifty dollars
($50.00) or imprisoned not exceeding thirty (30) days.

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

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

Ratified this the 28th day of February, A.D. 1923.

CHAPTER 301

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COM-
MISSIONERS OF CLAY COUNTY TO ISSUE BONDS FOR
BUILDING, REBUILDING, REPAIRING OR OTHERWISE
IMPROVING THE COUNTY COURTHOUSE AND FURNISH-
ING ORIGINAL EQUIPMENT THEREFOR FOR SAID
COUNTY.

The General Assembly of North Carolina do enact:

Section 1. The board of county commissioners of Clay County
are hereby authorized to issue and sell bonds of the county to an
aggregate amount not exceeding fifty thousand dollars for the
purpose of building, rebuilding, repairing or otherwise improving
the county courthouse and furnishing original equipment there-
for, for the said county. The said bonds shall be in denominations
of one hundred dollars or multiples thereof, and shall be in such
form and tenor and be transferable in such way and be payable
at such time or times, not exceeding forty years from date thereof, and at such place or places, and bear such rate of interest,
not exceeding six per cent per annum, payable semiannually in Interest.
such manner and at such place or places as the board of county commissioners may determine, notwithstanding the provisions of any other act, general or special. Said bonds shall be signed by the chairman of the board of county commissioners and attested by the clerk of said board, and the seal of the county affixed thereto, and the interest coupons shall bear the signature of the clerk of said board, but his signature thereon may be by lithographed or engraved facsimile. Said bonds may be sold by the board of commissioners at public or private sale on such terms as they may determine: Provided, such bonds shall not be sold for less than par and accrued interest.

Sec. 2. In order to pay the interest on said bonds and to create a sinking fund to pay them at maturity, the said board of commissioners shall annually, at the time of levying other taxes, levy a sufficient special tax on all the taxable property in the county.

Sec. 3. The powers hereby conferred are additional to any other powers conferred by and are not affected by any limitation imposed by any other act, general or special, including acts already or hereafter passed at this session of the General Assembly.

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

Ratified this the 28th day of February, A.D. 1923.

CHAPTER 302

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF HAYWOOD COUNTY TO BUILD CERTAIN BRIDGES IN SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Haywood County are hereby authorized and directed to locate and build or cause to be built the following bridges in said county:

(1) A double-track concrete bridge across Pigeon River in the town of Canton.

(2) An iron or concrete double-track bridge across Richland Creek in the town of Waynesville.

(3) An iron or concrete single-track bridge across the East Fork of Pigeon, near the East Fork Schoolhouse.

(4) An iron or concrete single-track bridge across Crabtree Creek near the residence of Albert Walker.

Sec. 2. The bridges herein named shall be constructed as soon as practicable and actual construction work shall be begun on each and every one of them not later than June the first, one thousand nine hundred and twenty-four.
Sec. 3. The bridges herein named are to be paid for out of funds derived from the sale of county bonds as authorized under a separate act; Provided, that the county commissioners may make a special levy of taxes to pay for part or all of them if they deem such course preferable.

Sec. 4. In the event the State Highway Commission shall locate or build or positively agree to locate and build any bridge or bridges that will serve the purpose of any one or more of the bridges herein named before June the first, one thousand nine hundred and twenty-four, then in that event this act shall not be mandatory as to that bridge or bridges, but shall be as to the rest.

Sec. 5. The county commissioners are further authorized but not directed to locate and build other additional bridges in Haywood County during the year one thousand nine hundred and twenty-three and one thousand nine hundred and twenty-four if, in their discretion, the same shall be necessary or advisable and the finances of the county will permit; Provided, that the total cost of said bridges shall not exceed ten thousand dollars; and Provided further, that the bridges authorized under this section shall be paid for out of a special bridge fund to be levied and collected for the purpose. But the limitations herein stated shall not apply to the reconstruction or replacing of any bridge or bridges now in use, and shall not apply to the construction of bridges costing less than one thousand dollars ($1,000).

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

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

Ratified this the 28th day of February, A.D. 1923.

CHAPTER 303
AN ACT TO PUT CAMDEN COUNTY UNDER GENERAL LAW OF STATE IN REGARD TO PAY OF JURORS.

The General Assembly of North Carolina do enact:

Section 1. That section three thousand eight hundred and ninety-two, Consolidated Statutes, shall apply to the county of Camden.

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

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

Ratified this the 28th day of February, A.D. 1923.
AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF HAYWOOD COUNTY TO BUILD AND MAINTAIN A COUNTY HOSPITAL.

That whereas the county of Haywood, under authority of chapter four hundred and sixty-seven, Public-Local Laws of one thousand nine hundred and twenty-one, acquired and now owns that property in the town of Waynesville, known as the Haywood County Hospital, and whereas the buildings on said property are not suitable to be used for a hospital on account of the fire risk and for other reasons, and whereas the county needs a more modern fireproof building: Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners are hereby authorized to sell the said hospital property, either as a whole or in subdivisions whenever in their judgment the county should cease to operate the same as a county hospital and when in their judgment a fair and sufficient price may be obtained for the same: Provided, however, if it should be necessary or advisable to close said hospital, as such, that it shall not be mandatory to immediately sell said property, but that such sale may be deferred until such time as in the discretion of the board the same should be made. Full authority is hereby given said board to convey said property or any part thereof in fee simple and to execute good and sufficient titles to the same, and the said board may sell at either public or private sale, but no sale shall be confirmed until due publicity is given thereto.

Sec. 2. That when such sale or sales is determined upon and made, then it shall become the duty of the county commissioners to call an election, as hereinafter provided, of the people to determine whether or not a new hospital shall be built and to provide funds for the same. If said election results in favor of such undertaking then the funds derived from said sale or sales shall be used in constructing and equipping such hospital. And if said election is unfavorable to such undertaking then the funds of such sale or sales shall be paid into the general fund of the county.

Sec. 3. That so long as the present property shall be used as a hospital it shall be governed by a board of three directors composed as follows: (1st) The chairman of the board of county commissioners, who shall also be chairman of the hospital board; (2d) a physician of the county, who shall be designated by the county medical society, and (3d) a citizen of the county (who may be a woman), to be selected by the board of county commissioners.
Sec. 4. The board so constituted shall have full power and complete control over the management of said hospital. They shall prescribe the necessary rules and regulations governing said hospital and designate the fees and charges. They shall elect a business manager, who shall be a competent person of good business ability, and any other employees they may see fit to employ, fix their compensation and prescribe their duties, and all such employees shall serve at the pleasure of the board. It shall be the duty of the hospital board through their business manager to submit to the board of commissioners, at their regular meeting the first of each month, a detailed statement of the business of the hospital for the preceding month, amounts collected and bills payable. The board so constituted shall as soon as practicable after the ratification of this act be appointed and assume the management of said hospital. They shall serve until the first Monday in December, one thousand nine hundred and twenty-three, when their successors shall be elected, and annually thereafter, to serve for one year. Any vacancies on said board by resignation, death or otherwise shall be filled by the board of county commissioners.

Sec. 5. The earnings from said hospital shall be paid as collected to the treasurer of Haywood County and shall be kept in a separate fund to be known as the hospital fund. It shall be the duty of the county commissioners, at their regular meeting, the first Monday in each month, to audit the accounts of the said business manager, settle the bills for the preceding month and provide the necessary funds for current expenses. It shall further be the duty of the board to anticipate as nearly as possible any deficit that may occur in the hospital fund; and make annually, when other taxes are levied, a sufficient levy of taxes to pay the same. Until such levy is available any deficit shall be paid out of the general fund of the county.

Sec. 6. That when the county commissioners have determined, as authorized in section one of this act, to dispose of the present hospital property by resolution duly passed and spread upon their minutes, they shall proceed to call an election for determining the will of the people on the question of issuing sufficient bonds to build and equip a new modern hospital. They shall give notice of said election by causing a notice thereof to be published in some newspaper in Haywood County, such notice to be published at least four consecutive weeks, and the first publication to be at least thirty days prior to the date of said election. The said notice shall set forth the purpose of said election and the amount of bonds necessary to issue. The county commissioners shall appoint the judges and registrars and designate the polling place and may in their discretion order a new registration. The said election shall be held as far as practicable to do so under
the laws relating to general elections for members of the General Assembly. The judges and registrars shall, not later than the Thursday following said election, file with the board of county commissioners the written returns of said election, which returns shall be canvassed by the board and the result declared and spread upon their minutes. At the said election all electors desiring to vote in favor of said bonds shall vote a ballot upon which is written or printed the words “For Hospital Bonds,” and all electors opposing the issue of said bonds shall vote a ballot upon which is written or printed the words “Against Hospital Bonds.” In the event a majority of the votes cast at said election shall be in favor of said bond issue then the board of county commissioners are fully authorized and empowered to issue and sell said bonds in an amount not to exceed fifty thousand dollars ($50,000) for carrying out the purposes set forth in the call for said election.

SEC. 7. All bonds issued pursuant to this act shall be signed by the chairman of the board of county commissioners and countersigned by the clerk, and shall bear the corporate seal of said county, and shall have affixed the requisite number of interest coupons, and it shall be sufficient for said coupons to bear the printed, lithographed, or engraved signature of the chairman of said board. The said bonds shall bear interest at not over six per cent per annum, payable semiannually, and shall not be sold for less than par and accrued interest. They shall be in such form and tenor and in such denominations and maturities and the principal and interest shall be payable at such time and place as the board of county commissioners may determine. And the county commissioners shall, at their regular time for levying taxes, levy an additional tax sufficient to pay the interest on said bonds and to create a sinking fund to pay the principal at maturity.

SEC. 9. That in the event said election is in favor of such bond issue, the board of county commissioners shall, as soon as practicable, sell said bonds or a part thereof and shall appoint a building committee of three, one of whom shall be a member of the board. This committee, with the advice and approval of the board, shall proceed to purchase a suitable building site and grounds in or near the town of Waynesville and have constructed a modern fireproof hospital, designed and constructed for such purposes, and shall equip the same with the necessary furnishings, conveniences and equipment.

SEC. 10. That any hospital built under the authority of the preceding section shall be managed and governed in the same manner as set forth in sections three, four and five of this act. And the county commissioners shall annually levy a sufficient tax to maintain said hospital in a creditable manner.
Sec. 11. That chapter two hundred of the Public-Local Laws of the special session of one thousand nine hundred and twenty-one is hereby repealed.

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

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

Ratified this the 28th day of February, A.D. 1923.

CHAPTER 305

AN ACT TO AMEND SECTION 13 OF HOUSE BILL No. 470, RELATING TO THE ROADS OF HAYWOOD COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section thirteen of House Bill number four hundred and seventy be amended by striking out the word “six” in line eight thereof and inserting the word “four.” That said section be further amended by striking out the proviso to said section, being all of said section after the word “same” in line nineteen thereof.

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

Ratified this the 28th day of February, A.D. 1923.

CHAPTER 306

AN ACT TO PROVIDE HIGHWAY COMMISSIONERS AND FOR ROAD AND HIGHWAY IMPROVEMENTS IN CABARRUS COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That George S. Kluttz, Thomas H. Webb and John W. Cress be and they are hereby appointed and constituted the board of highway commissioners for Cabarrus County. That within ten days after June first, nineteen hundred and twenty-three, and after the ratification of this act, the members thereof shall meet in the clerk’s office in the courthouse or some other suitable place in Concord, North Carolina, and organize by electing one of their number chairman of the board, and some suitable person secretary of the board, and some suitable person, bank or trust company, treasurer of the board. The term of office for George S. Kluttz shall be until March first, nineteen hundred and twenty-five; the term of office for Thomas H. Webb shall be until March first, nineteen hundred and twenty-seven; the term of office for John W. Cress shall be until March first,
nineteen hundred and twenty-nine, and until their successors shall be appointed and qualified. Each member of the board shall take and subscribe an oath before the clerk of the court of Cabarrus County for the faithful performance of his duties as a member of said board. If a vacancy shall occur by death or resignation or failure of any member to qualify, the remaining members of the board shall elect some well qualified elector of Cabarrus County to fill the vacancy for the remainder of the unexpired term; said members failing to elect such member to fill the unexpired term, then the vacancy shall be filled by an appointment made by the Governor of North Carolina. As the term of each member of said commission expires, the Legislature of North Carolina shall appoint his successor, who shall hold office for a term of six years thereafter, and until his successor is appointed and qualified.

Sec. 2. That the said board of highway commissioners of Cabarrus County, and its successors in office, be and is hereby constituted a body corporate under and by virtue of the laws of North Carolina, and by this act, under the name and style of "Board of Highway Commissioners of Cabarrus County," and shall have all powers and authority granted to corporations of like nature by the laws of North Carolina, and by that name may sue and be sued, make contracts, acquire real and personal property by purchase, gift, or devise, hold, exchange, and sell the same, and exercise such other rights and privileges as are incident to other municipal corporations of like nature, such as the condemnation of land for the construction, widening or changing of any roads, highways and bridges in the county, and such other powers as are necessary to carry out any and all provisions of this act.

Sec. 3. The highway commission herein created shall have entire control and management of the public roads, highways, and bridges of Cabarrus County. That it shall be the duty of said board to take charge of working, repairing, maintaining, altering and constructing all roads, highways and bridges of Cabarrus County, now maintained by the county as public roads, highways and bridges, and such as may be hereafter built.

Sec. 4. All moneys spent and all obligations incurred by said board in constructing, altering, repairing and maintaining the roads, highways and bridges of said county shall be deemed to be for the necessary public expense and good of the county. That all taxes for the payment of same and interest thereon shall be levied and collected as other taxes are levied and collected in Cabarrus County.

Sec. 5. That for the purpose of providing for a maintenance and road improvement fund, the board of county commissioners of Cabarrus County and their successors in office shall, annually, at such time as may be fixed by law for levying taxes, levy and
lay a special tax on all property subject to taxation within the limits of Cabarrus County, as in the case of other taxes for general purposes, of not less than twenty cents on the one hundred dollars valuation, and of not more than thirty cents on the one hundred dollars valuation of real and personal property. The rate of levy each year shall be fixed by the board of highway commissioners, and certified to the board of county commissioners; which levy and rate shall be made as certified to by the board of highway commissioners by the board of county commissioners on or before the day for levying taxes for county purposes. The taxes so levied shall be collected by the sheriff or other tax collector of the county in the same manner as other taxes are collected. The funds so collected from taxes shall be turned over to the treasurer herein provided for.

Sec. 6. That for the purpose of constructing and repairing the roads, highways and bridges in said county, the board of highway commissioners may employ or appoint a highway superintendent, engineers, overseers and such subordinates thereto as may be necessary to carry out the purposes of this act, and shall pay them with salaries, to be fixed by said board, as will compensate them for their work; and the board may delegate to them such powers as the board may think necessary to carry out the provisions of this act. The said board shall biennially from the date of its organization elect a chairman and a secretary and treasurer, who shall hold office for two years, unless discharged by said board, and until their successors have been elected and qualified. The treasurer shall have in charge all the county road funds of the county, from whatever source derived. The board shall fix his, her or its salary at not exceeding one dollar per annum, and he, she or it shall not be allowed any fees or commissions for his, her or its services in addition to the above salary. The treasurer so elected shall enter into a bond, payable to the board of highway commissioners of Cabarrus County, the amount to be fixed by said board, and such treasurer shall keep all funds on hand deposited in one or more solvent banks in Cabarrus County. The members of said highway commission shall be paid out of the road fund of said county five dollars per day, when attending the regular or call meetings of said board; and shall be paid for such other services rendered at other times as can be fixed by the board itself. Two of their number shall constitute a quorum for the transaction of business.

Sec. 7. That said board of highway commissioners shall use the road funds coming into their hands to construct, improve and maintain the public roads, highways and bridges in said county, and shall purchase and hold or contract for the use of such tools, machinery and stock, and employ such contractors, overseers, foremen and laborers as they may deem necessary for such purposes.
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<td>Sec. 8</td>
<td>Persons convicted in any of the courts of Cabarrus County, and sentenced to work on the public roads, shall be assigned to the custody and control of the board of highway commissioners of Cabarrus County. That the highway commission shall have the authority and power to contract with any board of county commissioners in any county adjoining this the Fifteenth Judicial District, for the hire of any of its prisoners sentenced to jail to be worked on the county roads, and to pay for the services of the same; Provided, that the highway commission of Cabarrus County shall have the right to return any or all of such prisoners to their respective counties at any time such prisoner or prisoners shall become a charge upon the county of Cabarrus. Said convicts, while in the custody and under the control of said board, shall be employed in the construction or repair of the roads, highways or bridges, or other work pertaining thereto under the provisions of this act, and the expenses of maintaining said convicts while so employed shall be paid out of the road funds of Cabarrus County. The said board of highway commissioners of Cabarrus County be and is hereby authorized, directed and empowered to take over from the county commissioners of Cabarrus County the present chain-gang force, together with all stock, machinery, camps and equipment of any kind whatsoever belonging thereto, together with all contracts, and assume all obligations pertaining to said chain-gang in the same force and manner as are now binding on the commissioners for the county of Cabarrus, as soon as same is organized under this act; the term of imprisonment and sentence of each and every convict so turned over shall remain and continue to be in as full force and effect as if the sentence had been originally made to serve on the public roads for Cabarrus County or the same as if said convicts had been originally sentenced to the custody and control of the board of highway commissioners of Cabarrus County.</td>
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<td>Sec. 9</td>
<td>The roads, highways and bridges to be made, opened, built, changed or improved by the board of highway commissioners under the provisions of this act shall, from time to time, be designated by said board. In designating said roads, highways and bridges, said board of highway commissioners shall take into consideration the needs of the entire county, and every part thereof, opening or improving those roads and highways which in its opinion will be of benefit to the greatest possible number of people of the county. To the end that this may be properly done the said board is authorized to employ and may employ an expert road engineer at a compensation to be fixed by it, and to be paid out of the road funds of the county. It shall be the duty of said engineer to make such surveys, plans and specifications for road or highway work, to advise the board of highway commissioners regarding the location, altering and changing</td>
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of all roads and highways, to supervise the plans and specifications for the work, and to have general supervision of all road work, and to give instructions to the road or highway superintendent and other employees and all persons elected or employed by the board of highway commissioners at any time said board may see fit or proper to do so: Provided, that if the State furnishes to the counties engineering assistance and supervision for road work, that the acceptance of such services from the State by the board of highway commissioners of Cabarrus County shall be considered as fulfilling the requirements of this section.

Sec. 10. The roads and highways of said county, constructed or improved under this act, shall have a right of way of forty feet, and more if necessary for fills and cuts, except where the board deems impracticable to acquire such width, and in such cases the width shall be at least twenty-five feet, of which not less than twenty feet shall be free from logs, stumps, rocks and drains, except where ledges of rock are encountered, or where the width is considered impracticable by the highway board or engineer. The alignment of the roads or highways shall be as straight as practicable, and with no grade over five per cent, except as such grade is considered impracticable by the board or engineer.

Sec. 11. In opening new roads or highways, widening, straightening, improving, altering, or changing old roads and highways and repairing the same, the board of highway commissioners, through its agents or employees, are hereby authorized to enter upon any lands and make all necessary surveys and locate, relocate, build, improve, change, alter, widen, and repair such roads or highways, if after the changing, locating, or relocating of any public road or highway opening or establishing any new road or highway, any person or persons be aggrieved, and if he or they and the board of highway commissioners of Cabarrus County cannot agree and fix the amount of damages, if any, for the changing, locating or relocating of any road or highway or opening or establishing of a new road or highway, he or they may then, within six months after said change or locating or relocating of said public road or highway, or the opening and establishing of a new road or highway, apply to the clerk of Superior Court of Cabarrus County, who shall appoint a jury consisting of five freeholders to assess the damages; and the said jury in determining the said damages shall take into consideration all benefits special to said land, and also all benefits, whether real or supposed, which the party may derive from the construction of said road or highway or improvements, whether said benefits be common to other land in the community or only special to the owner, and the damages, if any, sustained by the property, subtract one from the other, and the result

Supervision of work.
Instruction to employees.
Providing engineering assistance by State.
Width of right of way.
Roadbed.
Alignment.
Grade.
Entry on land for location and construction.
Claims for damage.
Application for assessment.
Procedure.
Benefits considered.
shall be their verdict; and the said damages, if any allowed, shall be paid out of the road funds coming into the hands of the said commission; and if the jury award no more damages than the amount offered by the said commission, then the party or parties aggrieved shall pay all cost for making said assessment for damages: Provided further, that the said commission or the person or persons so aggrieved shall have the right of appeal to the Superior Court, after giving good and sufficient security for cost: Provided further, that after all necessary surveys are made and the location or relocation of the road or highway determined upon, it shall be the duty of the board of highway commissioners to serve notice upon the owner or agent or party in charge of said lands, notifying them that the road or highway is to be located, changed, altered, widened, or relocated upon said lands under the authority of this act.

Entry on land for material.

Sec. 12. The board of highway commissioners is hereby authorized, through its agents or employees, to enter upon any land in said county, to cut and carry away any timber, dig or cause to be dug and carry away any gravel, sand, clay, dirt or stone which may be necessary for the proper repair and construction of roads or highways in said county, and make or cause to be made such drains or ditches upon any land adjoining or lying near any road or highway in said county that the said board may deem necessary for the better condition of the road or highway; and the drains and ditches so made shall not be obstructed by the occupants of such lands or any other person; and that any person obstructing such drains or ditches shall be guilty of a misdemeanor: Provided, however, that before entering upon land as authorized by this section it shall be the duty of said board or its representatives to serve notice upon the owner or owners of said land, notifying them that certain material authorized to be taken by this section is required for the road or highway work. The owner of any land from which any timber or other material has been removed may present to the board of highway commissioners his claim in writing, and it shall be the duty of said board to set a day, not later than thirty days thereafter, for the purpose of hearing and determining such claim. Upon the hearing and determination thereof either party may appeal to the Superior Court of said county to have his case tried de novo.

Sec. 13. That the board of highway commissioners of Cabarrus County, or its agents, is hereby authorized to enter upon any lands adjoining or bordering on any road or highway and cut the trees on such land for a distance in width of not over thirty feet from the edge of the right of way of said road or highway: Provided, that this is necessary for the maintenance of said road or highway; and Provided further, that they shall not cut trees or groves on improved land planted or left for shade or ornament: Provided, that due compensation shall be made for
any damages sustained by the landowner, to be ascertained under the same rules and regulations as provided in section twelve.

Sec. 14. That any moneys belonging to the road fund of the county in the hands or control of the county treasurer shall be paid over to the treasurer elected by said board of highway commissioners immediately after his, her or its election, and all road or highway taxes thereafter collected by the sheriff or other tax collector, belonging to the road fund of the county or any township therein, shall be likewise paid to the treasurer of the board of highway commissioners of Cabarrus County as soon as the same is collected.

Sec. 15. The highway commission is hereby empowered and authorized, when it deems necessary, to have maps and profiles made of all new roads and highways to be changed, altered, located or relocated under this act by some competent engineer, and furnish estimates of the dirt, stone or other material to be moved in the construction, location, changing, altering and improving the same; and if said highway commission shall determine to let any part of the grading, improving, or construction of said roads or highways by contract, the corporation, partnership or persons so bidding for said work shall bid upon the specifications furnished by the engineer. The said highway commission is hereby authorized to let the grading, construction, repairing and building of any section of road or highway to be built or any subdivision of any road or highway to be built or repaired by contract if it deems best; or the said highway commission may hire labor and convicts or the convicts obtained from Cabarrus and other counties in working, improving, building, repairing and maintaining said roads or highways.

Sec. 16. Any person who shall obstruct the highway commission or any of its agents, servants, or employees, in making surveys, or in altering, changing, repairing or opening new roads or highways, or in obtaining material as herein provided, or who shall stop up or obstruct any drains or ditches cut for the improvement of the roads or highways, shall be guilty of a misdemeanor and upon conviction thereof shall be fined or imprisoned or both, in discretion of the court.

Sec. 17. The treasurer of the highway commission shall, on the first Monday of each and every quarter, post at the courthouse door of said county the disbursements of the previous quarter, and furnish a copy thereof to the chairman of the highway commission. Said treasurer shall pay out money only upon vouchers issued by said highway commission, signed by its chairman and countersigned by its secretary. The highway commission shall require monthly reports in writing from all officers, superintendents and engineers, concerning the progress of their work, and to what extent and in what manner they have performed the same.
Sec. 18. All expenses incurred by said highway commission on account of duties imposed by this act, together with all other expenses necessarily incurred in the discharge of their duties, shall be paid for out of the funds provided for by this act.

Sec. 19. That the roads or highways improved inside the corporate limits of any town shall be of the same character as shall be built outside the town, and no better, and each road or highway leading into the corporate limits of any town, which receive benefits under this act, shall be built in the regular route of travel under ordinary conditions leading to the public squares in said town, and no other roads, highways or streets in any town shall be improved by said highway commission out of the funds herein. In working and improving the roads, highways or streets inside the corporate limits of the towns of the county, said highway commission shall confer and act together with the board of commissioners of the town as to all matters concerning or relating to the construction, improvement, and maintenance of the roads, highways or streets which lie within the corporate limits of said town and which receive benefits under this act.

Sec. 20. The highway commission is hereby required and directed to keep an intelligible set of books, showing all transactions and expenditures of money and for what purpose expended, including a separate itemized account of machinery, labor, building material, supplies, and all other expenditures incident to the construction and improvement of said roads or highways; also all maps and profiles made of said roads or highways. All books, records, accounts and papers of said commission shall be open at all times to the inspection and examination of the public.

Sec. 21. That whenever any Federal or State funds may be available for use in Cabarrus County in aid of roads or highway construction, maintenance or repair, the highway commission is hereby authorized and directed to appropriate from the road or highway funds of said county such sums as may be necessary to secure for the county the benefits of said Federal or State fund, and to do and perform any and all things necessary to be done to secure Cabarrus County's apportionment of Federal and State-aid funds; said board is further authorized and empowered to act with the State Highway Commission or other authorities of the State, and also to act with any authorities of the Federal Government in building, improving or maintaining the public roads, highways and bridges of Cabarrus County.

Sec. 22. That nothing in this act shall change, repeal, or affect the laws relieving the county or townships from liability for damages while exercising their governmental powers and functions on account of any failure or neglect to keep the roads, highways and bridges in safe condition, and by reason of any torts committed by their officers, agents, servants and employees.
AN ACT TO PROVIDE A ROAD LAW AND A HIGHWAY COMMISSION FOR TYRRELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the following persons be and they are hereby appointed and constituted the highway commission of Tyrrell County, to serve, each, for a period of two years and until his successor is appointed, as hereinafter provided, and duly qualified.
Commissions named.

Vacancies.

Political affiliation.

Construction, improvement and maintenance of road under supervision of commission.

Pay of commissioners.

Commissioners to meet and organize.

Organization.

Complete charge of road.

Township road commissions replaced.

Administration of funds.

Proviso: funds expended in township of origin.

Powers vested.

Commission for Scuppernong Township abolished.

...fied: W. N. Norman, Columbia Township; H. E. Cohoon, Gum Neck Township; W. C. Owens, Scuppernong Township; W. E. Bateman, Alligator Township, and W. M. Barnes, South Fork Township. In case of a vacancy occurring on said commission the successor to any member of said commission shall belong to said member's political party and shall be nominated from among the qualified voters of said member's township by the county chairman of said political party, and such nomination shall be approved by the clerk of the Superior Court of Tyrrell County. The construction, improvement and maintenance of the public roads of Tyrrell County shall be under the supervision, direction and control of the highway commission of Tyrrell County. Each member of said highway commission shall be paid three and one-half dollars per day for each day said member is in the performance of his duties, and in addition thereto each member shall receive five cents mileage for traveling to and from the county-seat.

Sec. 2. That immediately after the passage of this act the several members of the highway commission of Tyrrell County hereby appointed shall meet and organize. Said commissioners shall elect one of their number chairman and one of their number secretary, and the fiscal agent or treasurer of Tyrrell County shall be the treasurer of the said highway commission.

Sec. 3. That the highway commission of Tyrrell County shall have complete charge of the construction, maintenance and repair of the public roads in Tyrrell County; and said highway commission shall entirely replace the township road commissioners authorized by chapter six hundred and eighty of the Public-Local Laws of one thousand nine hundred and fifteen, and shall have complete charge of the administration of funds arising from special tax levy under the authority of said chapter and funds derived or to be derived from the sale of bonds for road purposes in Tyrrell County; Provided, that all funds raised in any township of Tyrrell County, by means of special tax levied under the provisions of chapter six hundred and eighty of the Public-Local Laws of one thousand nine hundred and fifteen, shall be expended by said highway commission upon the public roads of that township from which the tax was collected.

Sec. 4. That the highway commission of Tyrrell County is hereby vested with all powers, privileges and duties conferred upon the several boards of road commissioners provided for in chapter six hundred and eighty of the Public-Local Laws of one thousand nine hundred and fifteen.

Sec. 5. That the board of road commissioners of Scuppernong Township, Tyrrell County, as created and vested with power by chapter three hundred and thirty-eight of the Public-Local Laws of one thousand nine hundred and thirteen, be and the same is
hereby abolished, and all powers, privileges and duties of said board as conferred by said chapter three hundred and thirty-eight of the Public-Local Laws of one thousand nine hundred and thirteen are vested in and shall remain in the highway commission of Tyrrell County as provided for by this act: Provided, that all funds raised by means of special tax authorized by chapter three hundred and thirty-eight of the Public-Local Laws of one thousand nine hundred and thirteen shall be expended upon the public roads of Scuppernong Township, as provided and directed by said chapter.

Sec. 6. That all persons subject under the general road law to work on the public roads of any township in Tyrrell County shall continue to be subject to road duty, members of the highway commission of Tyrrell County not excepted: Provided, nevertheless, if any person subject under the general road law to work on the public roads of any township shall pay to the fiscal agent or treasurer of Tyrrell County five dollars, on or before March the first of each year, he shall be relieved from working on the public roads of said township for the period of one year. When a person subject to road duty elects to pay five dollars and obtains exemption from road work for one year, he shall receive a receipt for said money. If a receipt be lost or destroyed, upon proof thereof satisfactory to the person who issued the same, he shall issue a duplicate receipt to the person entitled thereto. Receipts for money paid for exemption from road duty shall be personal and not transferable. All receipts issued under the provisions of this section shall bear date of issue and shall cover a period only from January first to December thirty-first of the year of issue.

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

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

Ratified this the 28th day of February, A.D. 1923.

CHAPTER 308

AN ACT TO REPEAL CHAPTER 242 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, EXTRA SESSION OF 1921, RELATING TO COMMISSIONERS OF CARTERET COUNTY LEVING SPECIAL SCHOOL TAX.

The General Assembly of North Carolina do enact:

Section 1. That chapter two hundred and forty-two of the Public-Local Laws of Extra Session, one thousand nine hundred and twenty-one, be and the same is hereby repealed.
General repealing clause.

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

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

Ratified this the 28th day of February, A.D. 1923.

CHAPTER 309

AN ACT TO PROVIDE FOR THE CONSTRUCTION, IMPROVEMENT, AND MAINTENANCE OF THE PUBLIC ROADS OF WATAUGA COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Watauga County is hereby constituted the public road commission of Watauga County, and as such commission said board is authorized and empowered to construct, repair, improve and maintain the public roads of said county; and the said board is authorized, empowered and directed to levy, in addition to the five cents now levied and collected for the upkeep of bridges and roads in said county, and collect annually at the same time and in the same manner that the other county taxes are levied and collected, a special tax on all real and personal property in Watauga County not to exceed ten cents on the one hundred dollars valuation of said property and forty-five cents on the poll tax. The said tax so levied and collected shall be deposited with the treasurer or fiscal agent of Watauga County, to be kept separate and apart from the other county funds, to be used for the construction, repair, improvement and maintenance of said public roads of Watauga County, and in anticipation of the taxes to be collected under this act said board is authorized to borrow money from time to time to carry on the work herein provided for: Provided, that the money so borrowed shall at no time exceed seventy-five per cent of the county road tax levied in Watauga County for the fiscal year in which said sums are borrowed. That the board of county commissioners is empowered to hold special meetings if it may deem proper in order to carry on the road work, and its members shall receive the same pay as they now do for regular meetings.

SEC. 2. That the board of county commissioners of Watauga County, at its meeting in April, one thousand nine hundred and twenty-three, and annually thereafter, shall elect a competent person as road supervisor for Watauga County, and said supervisor shall be paid a salary not exceeding one hundred and twenty-five dollars per month for such number of months or fractional part thereof as the commissioners may require, and
for the faithful performance of his duty said supervisor shall give to said board such bond as said board may require. It shall be the duty of the road supervisor, as soon as it is practical, to classify the public roads now being kept up by free labor in such classes as he may deem proper and right so as to apply road funds where it would be the greatest benefit to the greatest number of people, but he shall not discriminate against any township or section of Watauga County and shall put the road funds on all sections of roads now being kept up by free labor in as equitable proportion as is possible for him to do, so as to keep the roads of the county in good passable condition. That he shall have the right to amend or improve the public roads where he deems it wise to do so, and the grade of said roads shall be as good as is possible to make them with the funds available.

Sec. 3. That the said road supervisor of Watauga County shall have authority and power to employ labor, let contracts for the upkeep, construction and improvement on said roads where the same are not being kept up by the State, or that may be hereafter kept up by the State. The supervisor must have the approval of the board of county commissioners for any contract for construction work. Said contract or contracts shall be let to the lowest responsible bidder, after notice of the letting of said contract shall have been given for ten days by posting in two public places such notices in the vicinity where said road to be kept up, constructed, or improved is located. Said supervisor shall have the right to reject any and all bids for said upkeep, construction or improvement if he deem proper. Said supervisor shall require of all contractors entering into contract for such work to give bond conditioned on the faithful performance of the contract in such amount as said supervisor may deem necessary. Said contractor shall be entitled to receive on the work done under the contract payments from time to time, as the work progresses, in such installments as the supervisor may deem proper, but the said supervisor shall withhold from such payment ten per cent of the whole amount due under such contract and until completion of the terms of said contract. Said supervisor shall have power to employ foremen to work on all roads not worked under contract and to pay therefor the customary wage. Said foremen in working said roads shall give employment to any person or persons in the vicinity of the roads to be worked who may be able to do manual labor, and a day's labor shall be construed to be ten hours. Said foremen shall not work at any one time less than five men each, unless they shall do equal labor themselves with the laborers each day, or unless it be in the case of emergency after storm or slide to remove obstruction from the public highway. Forms and

Supervisor to give bond.
Classification of roads.

Discrimination forbidden.

Apportionment of funds.

Improvement work.

Power to employ labor and let contracts.

Approval of contracts by board.

Award of contracts.
Notice of letting.

Right to reject bids.

Contractors to give bond.

Payments during work.

Reserve until completion.

Employment of foremen.

Employment of labor.

Day's work.

Size of squad.

Forms and record books.
record books for making reports to the county commissioners by
said road supervisor shall be furnished by the board of county
commissioners of Watauga County. The said road supervisor
shall furnish to the board of county commissioners of Watauga
County a quarterly report, which report shall be sworn to by
said supervisor and which shall show the amount of road work
performed or completed, the amount of money expended in the
performance of said work, the amount of money on hand, and
the amount of claims outstanding for work performed under
the direction or control of said supervisor, foreman or con-
tactor shall receive payments in installments in such amount or
amounts as said road supervisor deems necessary as the work
progresses. Under the supervision of said board of county com-
mis sioners of Watauga County the said road supervisor shall
expend such bond issue money as is now or may become available,
and such money as is provided for in this act for work on the
public roads of Watauga County. And the taxes collected
according to this act shall be expended as the county board of
commissioners may deem proper. The said board of county
commissioners of Watauga County is hereby authorized and
empowered to employ a road engineer to assist or to work in
conjunction with said supervisor; and the said board shall have
power to discharge or dismiss said supervisor or said engineer
or both, at its discretion. It shall be the duty of the road
supervisor to have all roads under his control worked or con-
structed by contract or worked by foremen under his super-
vision, and he has the right to dismiss any foreman or contractor
when he deems it proper and wise to do so.

Sec. 4. Where it is shown that it is necessary for the con-
struction of a new road in any part of Watauga County, the
citizens in immediate neighborhood where said new road is to
be constructed may ask the board of county commissioners to
lay out and construct said road. Said supervisor or the fore-
men in his employ may have the right to go on said land over
which said road is to be built and use such timbers, stone or
gravel, dirt or borrowing pits as is necessary for the con-
struction of said road, not to destroy more of the available
timber, stone, or gravel than is necessary. In case of damages
arising from the construction of said road or roads, if an agree-
ment cannot be arrived at with the parties concerned and the
supervisor, then the same shall be taken up with the county
commissioners, and if they cannot agree, then the said county
commissioners shall appoint one good business man and the
aggrieved party shall have the right to appoint one man, and
they shall select the third, to go over the said road or roads
and settle the dispute, taking into consideration the value of
the road to the said aggrieved party, and report their findings with
the amount of damages, if any, to the county commissioners, they paying the same out of the road funds of the above levy. In the event any difficulty arises as to damages the same shall not conflict or stop the work on said road in any way, as the same shall be adjusted after completion of said road.

Sec. 5. The said board of county commissioners of Watauga County is hereby authorized to furnish all tools on roads that are not contracted and blasting material as may be required for the upkeep of said roads. The supervisor shall provide some suitable place to keep such road tools belonging to said county, such as tool boxes or chests with lock and key, at a reasonable cost.

Sec. 6. It shall be the duty of the road supervisor of Watauga County to visit the roads let out by contract or worked by foremen and to personally direct said work on public roads, and shall not pay over the customary wages prevailing at the time of employment in Watauga County. The supervisor, foreman or contractor who shall fail to perform any duties required of him by this act shall be guilty of a misdemeanor and upon conviction shall be fined in an amount not exceeding fifty dollars.

Sec. 7. That on or after the first Monday in April, one thousand nine hundred and twenty-three, there shall be no free labor worked on the public roads of Watauga County. There shall not be any tax levied by the county commissioners except what is provided for in this act, and the five cents that is now being levied for the upkeep of the public roads.

Sec. 8. That this act shall not in any way be construed as affecting the validity of any bond issue passed in said county or the State Highway Road Law, but all other laws conflicting with this act are hereby repealed.

Sec. 9. That this act shall be in force from and after its ratification. Ratified this the 28th day of February, A.D. 1923.

CHAPTER 310

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS TO COOPERATE WITH STATE HIGHWAY COMMISSION IN LOCATING, CONSTRUCTING AND MAINTAINING ROADS IN YANCEY COUNTY.

Whereas the road governing body of the county of Unicoi, Tennessee, has set aside a sufficient amount of the public road funds of said county for the purpose of constructing and maintaining a public road from the town of Erwin in said county to a point at or near Coxes' Cove Gap, on the State line between
said county and Yancey County, upon the condition that the Highway Commission of the State of North Carolina, or the governing body of Yancey County, shall build and construct a connecting road from said point on the State line to a point at or near the mouth of Big Creek, a distance of about six and one-half miles, at which it will connect with a road heretofore constructed by Yancey County, known as the Cane River Road, extending from the last named place to a point near the Cane River postoffice on the Burnsville and Asheville Highway; and

Whereas the building of said six and one-half miles of road and the connections to be made thereby will be of great public benefit to the citizens of North Carolina and the citizens of Yancey County; and

Whereas neither the said road already constructed by Yancey County nor the said road to be constructed, nor the route of the latter, is a part of the State Highway system, as constructed or proposed: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. The county commissioners of Yancey County are directed to take all proper steps to present to the highway commissioner of the Eighth Highway District of North Carolina, and to the State Highway Commission, all the facts and circumstances which may be pertinent to an inquiry as to whether the State Highway Commission should take over, construct and maintain said proposed road as a part of the State Highway system, and to request that the same be so taken over, constructed and maintained if the State Highway Commission shall deem the same proper, upon such terms and conditions as may be agreed upon.

SEC. 2. If said request shall be granted, but if State funds for such construction shall not be available within a time deemed reasonable by the board of county commissioners, said board is hereby authorized to provide for such road building by an agreement or contract made with the State Highway Commission pursuant to section fourteen of chapter two, Public Laws of one thousand nine hundred and twenty-one, regular session. The county may finance the cost of building said road, if the State Highway Commission shall consent, by the issuance of bonds as provided in the following sections of this act, except that any bonds issued under the authority conferred by this section shall be redeemable at the option of the county on any interest-paying date not earlier than two years after the date of such bonds, upon notice to be given as may be prescribed by the board of commissioners, and the bonds shall recite such right of redemption.

SEC. 3. If said request shall not be granted before August one, one thousand nine hundred and twenty-three, the county
commissioners of Yancey County shall then and thereafter be authorized and directed to locate and construct said road as a county road and as a part of the general highway system of Yancey County, and to procure the funds for such construction by the issue of not exceeding eighty thousand dollars ($80,000) negotiable bonds of said county, to be designated "Yancey County Serial Road Bonds."

Sec. 4. Said bonds shall bear interest at such rate, not exceeding six per centum per annum, payable semiannually, and the principal and interest thereof shall be payable in such medium and at such place or places as said board may determine; they shall be in coupon form, but may be made subject to registration as to principal as may be determined by said board, and the board shall also determine the method of executing said bonds and coupons. Whenever any portion of said bonds shall be issued, they shall be made to mature in annual installments beginning not later than ten years from date, nor extending beyond forty years from their date, and no single maturity shall be more than two and one-half times the amount of any earlier maturity; said bonds shall not be sold at less than par and accrued interest, nor until a notice of the date for receiving bids therefor shall have been published once at least ten days before said date in a newspaper published in said county, and also in a newspaper having general circulation throughout the State. No other or further notice of sale shall be required, nor shall a vote of the electors be necessary to authorize the said bonds.

Sec. 5. The said board is hereby authorized and required to levy upon all taxable property within the county, in each year after the issuance of any bonds authorized by this act, a tax over and above all other taxes authorized or permitted by law sufficient to meet the payment of the principal and interest of said bonds maturing in the following year.

Sec. 6. A certificate signed by the chairman or secretary of the State Highway Commission that said commission has granted or has failed to grant the request provided for in section one of this act, and a certificate by either of said officers as to the time of availability of State funds, if such request shall be granted, shall be deemed sufficient authority to the board of county commissioners to take any action herein provided which is predicated upon any fact so stated in such certificate.

Sec. 7. That this act shall not be affected by any limit, condition or restriction contained in any other act of the General Assembly, either general or special.

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

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

Ratified this the 28th day of February, A.D. 1923.
CHAPTER 311
AN ACT FOR THE PROTECTION OF MAPS OR PLATS TO BE FILED IN THE OFFICE OF THE REGISTER OF DEEDS OF MOORE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That in order to preserve permanently all such maps or plats of land required or desired to be recorded as parts of the records in the register of deeds’ office in the county of Moore, all persons filing said maps or plats for record shall have said maps or plats prepared upon tracing cloth with black waterproof drawing ink, or shall furnish a black line or brown line print thereof made on cloth known to the trade as a medium thick: Provided, that if a print is furnished, all lines and letters shall be clear-cut and the background thereof shall be of even shade and substantially white. Said maps or plats shall have outside dimensions of twenty-two inches (22”) wide by thirty and one-half inches (30½”) long.

SEC. 2. That one copy of said map or plat, together with one blue-print thereof, shall be delivered to the register of deeds, and only one probate fee and only one record shall be charged for probating or recording such maps or plats.

SEC. 3. That the register of deeds shall preserve said maps or plats in books to be made for that purpose and to be kept as a part of the permanent records of his office.

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

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

Ratified this the 28th day of February, A.D. 1923.

CHAPTER 312
AN ACT TO PERMIT FISHING IN CERTAIN STREAMS IN GUILFORD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section seven thousand one hundred and seventeen of the Consolidated Statutes of North Carolina be amended by adding at the end thereof the following: “Nothing contained in these statutes or the rules of said board shall prevent fishing in Reedy Fork, Horsepen or Buffalo creeks in Guilford County if the municipality, corporation or persons taking any water supply from such stream shall give written permission therefor.”

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

Ratified this the 28th day of February, A.D. 1923.
CHAPTER 313

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF CHEROKEE COUNTY TO LEVY A SPECIAL TAX FOR THE PAY OF JURORS AND FOR THE SUPPORT OF THE COUNTY HOME AND COUNTY JAIL.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Cherokee County is hereby authorized and empowered to levy, for the year one thousand nine hundred and twenty-four, and the year one thousand nine hundred and twenty-five, upon all taxable property in Cherokee County, a special tax of not to exceed fifteen cents on each one hundred dollars valuation of property.

Sec. 2. That said special tax shall be levied and collected at the same time and in the same manner as other county taxes are levied and collected, and the proceeds arising from said collection shall be kept separate and apart from other county funds and shall be used for the following purposes and for no other purpose whatsoever:

(a) An amount not to exceed one-third of the amount so collected shall be used and expended in paying the jurors and State witnesses for their attendance and services rendered from and after this date.

(b) An amount not to exceed one-third of the total amount so collected shall be used and expended in maintaining and operating the county home for the aged and infirm.

(c) An amount not to exceed one-third of the total amount so collected shall be used and expended for the purpose of feeding prisoners confined in the county jail and furnishing heat and light for said jail.

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

Ratified this the 28th day of February, A.D. 1923.

CHAPTER 314

AN ACT TO FIX THE SALARIES OF THE JUDGE AND PROSECUTING ATTORNEY FOR THE COUNTY COURT FOR STANLY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the judge of the county court for Stanly County shall receive in full compensation for all services rendered by him in the trial of criminal matters the sum of one hundred and twenty-five dollars per month, the same to be paid by the
county treasurer upon warrant of the county commissioners. That all other fees taxed by him for issuing warrants, subpoenas, commitments or other papers shall be paid to the county treasurer, together with all fines collected in his court. And in each bill of cost so taxed he shall collect a fee of four dollars ($4.00) for each case tried before him, for trial and judgment, which amount shall be paid to the county treasurer.

Sec. 2. That the prosecuting attorney for the county court for Stanly County shall receive a fixed salary of one hundred and twenty-five dollars ($125.00) per month for all services rendered by him in the preparation and trial of criminal cases in the county court: Provided, that in case of appeal to the Superior Court it shall be the duty of the prosecuting attorney in all criminal cases to assist the solicitor in said court, and his fee shall be taxed in said court equal to one-half of the fees of the solicitor, as fixed by law prior to the Legislature of one thousand nine hundred and twenty-three in like cases, and the same shall be paid to him as part of his salary. And said salary shall be paid to him by the county treasurer upon warrant of the county commissioners.

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

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

Ratified this the 28th day of February, A.D. 1923.

CHAPTER 315

AN ACT TO REDUCE THE COMPENSATION OF THE TAX COLLECTOR OF BUNCOMBE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the tax collector of Buncombe County shall receive as full compensation for his services and for the services of all deputies, from and after the first day of June, one thousand nine hundred and twenty-three, until the first day of June, one thousand nine hundred and twenty-five, two per cent of all moneys collected by him or them, according to law, and after June first, one thousand nine hundred and twenty-five, the said tax collector shall receive one and one-half per cent of all moneys collected as aforesaid: Provided, however, if the board of county commissioners of said county shall extend to the present tax collector time for the collection of the taxes of one thousand nine hundred and twenty-four, such tax collector shall receive two per cent on such taxes so collected up to the time of settlement.
Sec. 2. That all laws or clauses of laws in conflict with this Repealing clause. act are hereby repealed.

Sec. 3. That this act shall be in force and effect after the first day of June, one thousand nine hundred and twenty-three.

Ratified this the 28th day of February, A.D. 1923.

CHAPTER 316

AN ACT AUTHORIZING AND DIRECTING THE COMMISSIONERS OF WAKE COUNTY TO WORK THE COUNTY HIGHWAYS RUNNING THROUGH TOWNS HAVING A POPULATION OF LESS THAN 1500.

The General Assembly of North Carolina do enact:

Section 1. That the commissioners of Wake County are hereby authorized, empowered and directed to have worked the county highways running through towns and villages in said county having a population by the last census of less than fifteen hundred.

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

Ratified this the 28th day of February, A.D. 1923.

CHAPTER 317

AN ACT TO FIX THE FEES OF THE SHERIFF OF CASWELL COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the sheriff of Caswell County shall receive the following fees: Executing summons or any other writ or notice, one dollar; but the board of county commissioners may fix a less sum than one dollar, but not less than fifty cents, for the service of each road order.

Arrest of a defendant in a civil action and taking bail, including attendance to justify, and all services connected therewith, one dollar and a half.

Arrest of a person indicted, including all services connected with the taking and justification of bail, one dollar and a half.

Imprisonment of any person in a civil or criminal action, fifty cents, and release from prison, fifty cents.

Executing subpoena on a witness, fifty cents.

For allotment of widow's year's allowance, one dollar and a half.
In claim and delivery.

Laying-off homesteads and exemptions.

Levying attachment.

Laying off dower.

Service of ejectment.

Execution.

Other fees and expenses.

Repealing clause.

In claim and delivery for serving the original papers in each case, one dollar, and for taking the property claimed, one dollar and a half, with the actual cost of keeping the same until discharged by law, to be paid on the affidavit of the returning officer.

For summoning and qualifying appraisers, and for performing all duties in laying off homestead and personal property exemptions or either, three dollars, to be included in the bill of costs.

For levying an attachment, one dollar and a half.

For attendance to qualify jurors to lay off dower, or commissioners to lay off year’s allowance, two dollars; and for attendance to qualify commissioners for any other purpose, one dollar.

Service of writ of ejectment, one dollar and a half.

For every execution, either in civil or criminal cases, one dollar.

Sec. 2. That all other fees and expenses set forth in section three thousand nine hundred and eight, Consolidated Statutes of North Carolina, shall remain the same.

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

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

Ratified this the 28th day of February, A.D. 1923.

CHAPTER 318

AN ACT TO AUTHORIZE IREDELL COUNTY TO ISSUE BONDS.

The General Assembly of North Carolina do enact:

SECTION 1. The board of county commissioners of Iredell County is authorized to issue, at one time or from time to time, not to exceed five hundred thousand dollars negotiable bonds of said county for the purpose of constructing and improving public roads and bridges therein, and paying an indebtedness heretofore contracted for one or more of said purposes, which indebtedness is now evidenced by notes of the county now outstanding and maturing in one thousand nine hundred and twenty-three, in the sum of three hundred thousand dollars.

Sec. 2. Said bonds shall bear interest at such rate, not exceeding six per centum per annum, payable semiannually, and shall mature at such time or times not more than twenty-five years from their respective dates, and the principal and interest thereof shall be payable in such medium and at such place or places, as said board may determine; they shall be in coupon form, but may be made subject to registration as to principal alone or as
to both principal and interest as may be determined by said board, which board shall also determine the method of executing said bonds and coupons.

Sec. 3. No sale of any of said bonds shall be made at less than par and accrued interest nor until a notice of the date for receiving bids therefor shall have been published once, at least ten days before said date, in a newspaper published in said county, and also in a financial journal published in New York City. No other or further notice of sale shall be required, nor shall a vote of the electors be necessary to authorize the said bonds.

Sec. 4. The said board is hereby authorized and required to levy upon all taxable property in each year, after the issuance of any of said bonds, a tax over and above all other taxes authorized or permitted by law sufficient to meet the payment of the principal and interest of said bonds at the maturity or maturities thereof, including a tax for a sinking fund for such payment of principal.

Sec. 5. The powers granted by this act are in addition to existing powers of said county.

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

Ratified this the 28th day of February, A.D. 1923.

CHAPTER 319

AN ACT TO FUND THE FLOATING DEBT OF THE COUNTY OF WAKE.

The General Assembly of North Carolina do enact:

Section 1. That for the purpose of funding the floating debt of the county of Wake, heretofore incurred for building and constructing public roads and bridges and the upkeep of the same, amounting to forty thousand dollars, and also for other necessary general county purposes and expenses, amounting to forty thousand dollars, the board of county commissioners of the county of Wake is authorized and empowered to issue and sell serial bonds of the said county of Wake, bearing interest at a rate not exceeding five and one-half per centum per annum, not exceeding in the aggregate eighty thousand dollars. The said bonds may be either coupon or registered or partly registered and coupon, as said board of commissioners may elect, and the said board may prescribe the form and denomination of said bonds and all other matters of detail connected with the issuing and sale of said bonds. But said bonds, when issued, shall be signed by the chairman of said board of county commissioners and countersigned by the clerk of said board and attested by the official seal of said county of Wake.
Powers declared. Sec. 2. That the issuing of said bonds is hereby declared to be a lawful exercise of the powers of said board of county commissioners of said county, and the powers granted in this act are in addition to the existing powers of said board and are not to be taken as limited by any restrictions contained in any other law; and the purposes for which said bonds are issued are hereby declared to be a county necessity.

Powers additional and not limited.

Necessity declared. Sec. 3. Said bonds shall mature and be payable at such times and place as said board of commissioners may determine; but the time of maturity and payment of any of said bonds shall not run longer than twenty-five years from the date of issuing any of the same. That the interest and coupons shall be payable semiannually at such place or places as shall be fixed by said board of commissioners.

Maturity of bonds. Sec. 4. That the bonds issued under this act shall be exempt from all county and municipal taxation, which shall appear on the face of said bonds, and shall be receivable in payment of all county taxes.

Interest payable semiannually.

Exemption from taxation. Sec. 5. At the time of the levying of other taxes there shall be levied by said board of commissioners and collected, as other taxes are collected each year, a special ad valorem tax upon all the taxable property of the county of Wake, sufficient and for the special purpose of paying interest on said bonds and providing a sinking fund for paying off and retiring said bonds at maturity.

Sale below par forbidden. Sec. 6. That none of said bonds shall be sold or disposed of for less than the par value of the same.

Advertisement of sale.

Special tax. Sec. 7. That the said board of county commissioners shall advertise the sale of said bonds or any part of any issue of the same, giving time and place of such sale, to the highest bidder: Provided, that said board of commissioners shall have right to reject any and all bids for said bonds.

Proviso: right to reject bids. Sec. 8. That the proceeds arising from the sale of said bonds or any part thereof issued under the provisions of this act shall constitute a separate and distinct fund to be applied to the purposes hereinbefore mentioned in this act, and no other.

Specific appropriation of proceeds. Sec. 9. That the purchaser or purchasers of the bonds issued under this act shall not be bound to see to the application of the proceeds of sale of said bonds.

Obligation of purchaser devolved.

Records of bonds. Sec. 10. That the auditor of said county shall keep a book of record in his office in which shall be entered and kept the names of all purchasers of said bonds, the number and amount of bonds purchased or sold or redeemed, and when redeemed and canceled, and the interest paid, and coupons canceled or paid.

Powers granted additional. Sec. 11. That this act grants powers and is in addition to the powers now held by said board of commissioners to issue bonds for necessary county purposes, and shall not be construed so as to limit any of said powers of said board.
SEC. 12. That all laws and clauses of laws in conflict with this Repealing clause, act be and they are hereby repealed.

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

Ratified this the 28th day of February, A.D. 1923.

CHAPTER 320

AN ACT TO AMEND CHAPTER 334, PUBLIC-LOCAL LAWS, SESSION 1921, RELATIVE TO THE PROMOTION OF CREAM ROUTES IN-BUNCOMBE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section seven, chapter three hundred and thirty-four, Public-Local Laws, session one thousand nine hundred and twenty-one, be and the same is hereby amended by striking out the words "or cream" after the word "milk" in line nine thereof and the words "five cows" in line ten of said section and inserting in line ten in lieu thereof the words "ten cows." Exemption extended.

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

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

Ratified this the 28th day of February, A.D. 1923.

CHAPTER 321

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF HAYWOOD COUNTY TO EMPLOY A COUNTY AUDITOR.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Haywood County are hereby authorized to employ a county auditor whenever in their discretion the services of such person are necessary or advisable to the best interests of the county, and it shall be his duty to assist the register of deeds in computing the various township tax lists and such other duties as the board of commissioners may require. Employment authorized.

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

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

Ratified this the 28th day of February, A.D. 1923.

23—Public-Local
CHAPTER 322

AN ACT TO PROVIDE FOR THE APPOINTMENT OF MEMBERS OF THE BOARD OF ROAD COMMISSIONERS OF GRANVILLE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That E. T. White be and he is hereby appointed a member of the board of road commissioners of Granville County for a term of four years beginning on the first day of April, one thousand nine hundred and twenty-three, and shall hold office for said term of four years and until his successor is appointed and qualified.

C. M. Fleming.

To fill vacancy.

Sec. 2. That C. M. Fleming be and he is hereby appointed a member of the board of road commissioners of Granville County as successor to W. B. Ballou, resigned, for the term ending on the first day of April, one thousand nine hundred and twenty-three.

C. M. Fleming.

For full term.

Sec. 3. That C. M. Fleming be and he is hereby appointed a member of the board of road commissioners of Granville County for a term of four years beginning on the first day of April, one thousand nine hundred and twenty-three, and shall hold office for said term of four years and until his successor is appointed and qualified.

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

Ratified this the 28th day of February, A.D. 1923.

CHAPTER 323

AN ACT TO AUTHORIZE THE COMMISSIONERS OF THE COUNTY OF WAKE TO ISSUE BONDS TO PAY OFF AND FUND ITS PRESENT BONDED INDEBTEDNESS, KNOWN AS THE OLD COURTHOUSE BONDED INDEBTEDNESS.

The General Assembly of North Carolina do enact:

Section 1. That for the purpose, and none other, of paying off, taking up, retiring, canceling or funding that part of the bonded indebtedness of the county of Wake, commonly known as the old courthouse bonded debt, at or before the maturity thereof, the board of county commissioners of the county of Wake are hereby authorized and empowered to issue and sell its registered or coupon bonds to an amount not to exceed in the aggregate the sum of twenty thousand dollars, of denominations not less than twenty-five nor greater than one thousand dollars, in the discretion of said board, with coupons attached, if coupon bonds,
calling for interest at a rate not exceeding five and one-half per centum per annum on the principal of each bond, said coupons to be due and payable on the first day of April in each year, at such place as the said board of commissioners may designate.

SEC. 2. That said bonds shall be dated as of the first day of April, one thousand nine hundred and twenty-three, and shall be due twenty years after date thereof, that is to say, on the first day of April, one thousand nine hundred and forty-three; and said county shall have the right to call in any or all of said bonds after the first day of April, one thousand nine hundred and twenty-five; that said bonds shall be signed by the chairman of the said board of county commissioners, and countersigned by the clerk of said board of commissioners and attested by the seal of said county.

SEC. 3. The auditor of said county of Wake shall keep a book suitable for the purpose, in which he shall enter and keep an accurate account of the number of bonds issued, and the amount of each bond and the name of the person to whom payable; he shall also keep an accurate record of the coupons and bonds which shall be paid, taken up or otherwise canceled, so by inspection of said book or books the true statement of this bonded debt herein provided for may be seen and ascertained by any taxpayer of said county of Wake.

SEC. 4. That none of the bonds authorized by this act shall be issued or disposed of either by sale or exchange or hypothecation or otherwise, other than for the payment, taking up, retiring or canceling of a corresponding and equal amount of bonds issued under the provisions of chapter two hundred and twenty-three of the Public Laws of North Carolina, session of the General Assembly of one thousand eight hundred and ninety-three, and commonly known as the old courthouse bonds.

SEC. 5. That the sale of said bonds shall be duly advertised by said board, giving time and place of sale, and said board may reject any or all bids for the same.

SEC. 6. That the bonds or coupons provided for by this act shall be receivable in payment of all county taxes, and shall be exempt from all county and municipal taxation, which shall be so expressed on their face; and that none of said bonds shall be sold for less than par value.

SEC. 7. That the board of county commissioners of the county of Wake, at the time of the levying of other taxes, shall levy each year a sufficient special tax on all the taxable property of said county of Wake, real and personal, for the purpose of and sufficient to pay all interest on said bonds and to create a sinking fund to pay said bonds at their maturity, which said sinking fund shall be kept separate and be safely invested by the treasurer of said county by and with the advice and approval of said board of commissioners.
Sec. 8. That all laws and clauses of laws, including chapter two hundred and twenty-three of the Public Laws of North Carolina, session of the General Assembly of one thousand eight hundred and ninety-three, in conflict with this act be and the same are hereby repealed.

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

Ratified this the 28th day of February, A.D. 1923.

CHAPTER 324

AN ACT TO AMEND AN ACT TO REVISE THE FINANCIAL SYSTEM OF THE COUNTY OF BUNCOMBE.

The General Assembly of North Carolina do enact:

SECTION 1. That Senate Bill number one hundred and forty-nine, the same being House Bill number two hundred and seventy-five, of the session of the General Assembly of North Carolina, one thousand nine hundred and twenty-three, and section two thereof, be amended as follows: By striking out the period after the word "auditor" in the last line of said section and inserting a colon in lieu thereof and adding the following: "Provided, that the chairman of the school board of said county shall sign all checks and vouchers and other orders for the payment of money drawn upon the school funds of said county."

SECTION 2. That section five be amended by striking out the period after the word "commissioners" in the last line of said section and adding the following: "Provided, that all expenses incurred in the installation of a system of bookkeeping for the county board of education, the cost of auditing the same, and the publication of such audits or statements, as provided herein, shall be paid by the board of education out of the school funds, upon a warrant drawn by the chairman of the board of education: Provided further, that the treasurer of said county shall make demand on all officers and employees of the Buncombe County school board in like manner and at such times as upon officers or employees of said county, and perform such other duties in relation to such funds of said county board of education as is required herein of said treasurer relative to such county officers or other persons having in their custody moneys or securities.

SECTION 3. That section eight thereof be amended by striking out all of said section eight and substituting in lieu thereof a new section eight as follows: "That for the purposes of this act whenever and wherever duties are imposed upon any officer of the county of Buncombe the same shall be construed to mean any officer, employee, or other person of the county of Buncombe or any officer or employee or other person of the county board of
education of Buncombe County, and all duties imposed upon officers, agents or employees of Buncombe County under the provisions of this act shall apply with full force and effect in every particular to the Buncombe County board of education, and said board of education, its employees and all other persons under its control or acting for it, shall comply fully and faithfully with each and every provision hereof relative to the daily depositing of funds with the county treasurer and with all other provisions hereof, and the books installed under the provisions of this act shall be installed at the expense of and kept at the expense of the county board of education, and said books and accounts and records shall be open to public inspection at all times and shall be audited in the same manner as other county books, and a publication of said audit made as herein provided for all other county receipts and disbursements."

Sec. 4. That section twelve thereof be amended as follows: By striking out the period after the word "particular" in the last line of said section thirteen, and inserting: "Provided, that the requirements of this section shall not apply to military organizations to which the county commissioners are now authorized by law to make contributions."

Sec. 5. That section fifteen be amended by striking out the period after the word "county" in the last line of said section and adding: "Provided, officers may absent themselves from their offices between the hours of eight thirty a.m. and five thirty p.m., upon official business: Provided further, that this section shall not apply to any officer or employee of the county whose main duties require his presence in other parts of the county for the major part of the time of his employment; and Provided further, that the provisions of this act as to deposits and payment to the county treasurer by the clerk of the Superior Court shall not apply to trust, guardianship, administrator or court funds coming into the hands of said clerk by virtue of his office, and said act shall not be construed to prevent said clerk from depositing such funds in the manner now provided by law."

Sec. 6. That nothing herein shall be construed to prohibit township deputy tax collectors from settling with the county tax collectors on the dates as appears in said act.

Sec. 7. That nothing herein shall be construed to prevent the county commissioners of said county from making arrangements for the collection of the delinquent taxes which may be the subject of litigation by special contract and requiring the report of the special employee thereon not oftener than every thirty days.

Sec. 8. That all laws in conflict with this act be and the same are hereby repealed.

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

Ratified this the 28th day of February, A.D. 1923.
CHAPTER 325

AN ACT TO REQUIRE THE ROAD SUPERINTENDENT AND ROAD OVERSEERS OF PENDER COUNTY TO WIDEN THE PUBLIC ROADS TO TWENTY-TWO FEET, AND TO CUT DOWN UNDERGROWTH ON SHARP CURVES ON THE PUBLIC ROADS.

The General Assembly of North Carolina do enact:

Section 1. That it shall be the duty of superintendent of roads of Pender County and the road overseers of said county to keep and maintain the public roads heretofore established (including ditch-ways) open for travel and clear of stumps and runners for the full width thereof; and, also, to trim the undergrowth and underbrush on sharp curves on the said roads, so that drivers of automobiles or other vehicles using said roads may be able to see each other in approaching curves.

Sec. 2. That the said superintendent of roads and road overseers in Pender County are hereby authorized and empowered to enter on lands adjoining said public roads for the purpose of carrying out the provisions of section one.

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

Ratified this the 28th day of February, A.D. 1923.

CHAPTER 326

AN ACT TO AMEND CHAPTER 684 OF THE PUBLIC-LOCAL LAWS OF 1915, RELATING TO THE AUDITOR OF HARNETT COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the board of commissioners of Harnett County shall, at their meeting on the first Monday in December, one thousand nine hundred and twenty-four, appoint some person of good moral character, who shall be a competent bookkeeper and accountant, as auditor for the county of Harnett, who shall hold office until the first Monday in January, one thousand nine hundred and twenty-seven, and until his successor shall have been duly appointed and qualified: Provided, however, the board of commissioners may at any time remove the auditor from office for cause.

Sec. 2. That on the first Monday in January, one thousand nine hundred and twenty-seven, and biennially thereafter, the board of commissioners of Harnett County shall elect or appoint a successor to said auditor, to hold office for a term of two years, unless removed from office by said board of commissioners for cause.
Sec. 3. In case of a vacancy in the office of auditor from death, resignation, removal from office by the board of commissioners, or otherwise, the said board of commissioners shall, as soon thereafter as practical, appoint a successor to said auditor to fill out the unexpired term, which appointment shall be made subject to the same conditions as stated in sections one and two of this act.

Sec. 4. The auditor for the county of Harnett shall devote such time to the duties of his office as shall be required of him by the board of commissioners of Harnett County; he shall open and keep an office to be selected and furnished by the said board of commissioners, in which office shall be securely kept the records of his office; he shall perform all the duties required of the auditor of Harnett County by chapter six hundred and eighty-four of the Public-Local Laws of one thousand nine hundred and fifteen, and in addition thereto he shall perform such other duties as shall be required of him by the board of commissioners of Harnett County.

Sec. 5. That section twenty-five of chapter six hundred and eighty-four of the Public-Local Laws of one thousand nine hundred and fifteen, in so far as the same conflicts with the provisions of this act, is hereby repealed: Provided, however, that nothing herein contained shall affect the term of office of the present auditor of the county of Harnett, which said auditor shall continue to hold office as such auditor until the expiration of his present term on the first Monday in December, one thousand nine hundred and twenty-four: Provided further, however, that in case of a vacancy in the office of the auditor of Harnett County from any cause prior to the first Monday in December, one thousand nine hundred and twenty-four, such vacancy shall be filled by the board of commissioners of Harnett County in the manner prescribed in section three of this act.

Sec. 6. That section twenty-two of chapter six hundred and eighty-four of the Public-Local Laws of one thousand nine hundred and fifteen be amended by striking out the words "twelve hundred dollars" in line three of said section and inserting in lieu thereof the words "not less than twelve hundred dollars nor more than twenty-four hundred dollars."

Sec. 7. That whenever the sheriff of Harnett County shall pay over to the treasurer of the county or to any depository exercising the duty of treasurer, or to the treasurer of any special school district, road district or other territorial division in the county of Harnett, who may be authorized by law to receive from said sheriff moneys collected from taxes levied and collected in the county or in any such district or territory, the said sheriff shall require and take from the treasurer to whom any such money is paid a duplicate receipt for said money so paid, and he shall file one copy of said receipt with the auditor of the county, and said auditor shall make a record upon books kept by him for said purpose of such payment or disbursement of money evidenced by said
receipt, charging the same to the account of the particular treasurer or depository giving said receipt; and in any settlement by the sheriff with the commissioners of the county in any year for the collection of taxes he shall not be entitled to credit for any moneys paid by him to any treasurer or depository of the county unless he shall have filed with the said auditor the receipt of such treasurer as is provided for in this section.

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

Sec. 9. This act shall be in force from and after its ratification. Ratified this the 28th day of February, A.D. 1923.

CHAPTER 327

AN ACT PERMITTING THE CITIZENS OF PINE LEVEL TOWNSHIP, JOHNSTON COUNTY, TO CALL FOR AN ELECTION FOR THE PURPOSE OF ASCERTAINING WHETHER OR NOT THE CITIZENS DESIRE TO VOTE A TAX ON THEMSELVES IN LIEU OF BOND ISSUE HERETOFORE VOTED ON. NO BONDS HAVE BEEN SOLD OR OFFERED FOR SALE UNDER SAID LAW.

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of laying out, establishing, repairing and maintaining the public roads in Pine Level Township, Johnston County, the county commissioners of said county are directed and empowered to call an election for Pine Level Township within ten days after one-half of its citizens, who are legally qualified voters of said township, asking for an election to be held to ascertain whether or not the majority of the qualified voters of said township favor increasing their road tax sufficiently to maintain the roads in said township or sell the bonds allowed by law.

Sec. 2. That the county commissioners shall appoint a registrar and two poll-holders for said election; that said election shall be conducted in all respects as elections for State and county officers.

Sec. 3. That at said election the question of increasing said tax or for selling bonds shall be by two tickets, same in size and color, and shall be written as follows: “For Additional Tax for Roads” and those against said tax shall read “For Bonds to Maintain Roads.” That a majority of the votes cast at said election will determine by what method the public highways in Pine Level Township shall be worked and maintained.

Sec. 4. That in the event the majority of the votes cast are “For Additional Tax to Maintain Roads,” the county commis-
sioners of Johnston County be authorized and empowered to levy a tax against each poll within the taxable limit in said township not exceeding one dollar, and against each and every one hour-
dred dollars worth of property a tax not exceeding fifty cents, and the tax so levied shall be collected by the sheriff of said county when the collection of other taxes are made and turned over to the treasurer of said township, when needed or demand made on said sheriff.

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

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

Ratified this the 28th day of February, A.D. 1923.

CHAPTER 328

AN ACT TO REVISE, CONSOLIDATE AND AMEND THE ROAD LAWS OF THE COUNTY OF BUNCOMBE AND AUTHORIZE A LEVY OF SPECIAL TAXES IN SAID COUNTY AND FOR OTHER PURPOSES RELATING TO SAID COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the board of commissioners of Buncombe County, at their regular meeting in June in the year one thousand nine hundred and twenty-three and at each regular annual meeting thereafter, on the first Monday in June, shall provide a fund for the construction and repairing of the public roads in said county, by levying a special tax of not exceeding twenty (20) cents on the one hundred dollars ($100) worth of all property in said county subject to taxation.

Sec. 2. That said special tax shall be included in a separate column of the tax books and shall be collected by the tax collector of said county as other taxes are collected, which said special tax shall be collected and shall constitute, when collected, a county road fund to be expended on the construction and repair of roads and bridges in said county.

Sec. 3. All male persons able to perform the labor herein required, residing in the county of Buncombe, and between the ages of twenty-one and forty-five years, shall work on the public roads of said county four days in each year, under such rules and regulations as the board of commissioners shall prescribe; but the board of commissioners shall have authority to exempt from road duty all indigent persons or persons disabled by sickness or other misfortune to perform said labor, in cases where they are not able to pay for such services, as set out in the next succeeding section hereof. The said board of commissioners may also exempt all
Commutation.

Money to be received and receipt given.

General road fund.

Proviso: petition for special election.

Order for election.

Law governing elections.

Voters.

Ballots.

Effect of election.

Tax in lieu of road duty.

Collection of special tax.

Collection. Tax kept separate.

Expenditure in township of origin.

Work let to contract.

Bond of contractor.

Alternative powers.

Bona fide active members of the State militia, and all persons actively engaged in the ministry of the gospel.

Sec. 4. Every person who may be liable to work upon the public roads in said county as in this act provided may, when summoned to perform such labor, tender and pay to the person so summoning him, in lieu of such labor, a sum of money equal to not less than one dollar and twenty-five cents ($1.25) for each day he may be required to work when so summoned, and it shall be the duty of the person so summoning him to work to receive said sum, aggregating the total of the number of days, and give receipt therefor, and all moneys collected as provided in this section of this act shall be placed in the general road fund, as provided by this act, and shall become a part thereof: Provided, however, that the board of commissioners of the county of Buncombe, upon a petition or petitions signed by a majority of the qualified voters of any township or road district requesting an election or special election upon the question of maintaining the public roads of said township by taxation instead of by free labor, may order an election to be held in such township at the voting place or places in said township where the regular election is usually held, and under the same laws, rules and regulations as are now in force for the election of representatives to the General Assembly. At said election all the duly qualified voters of said township shall have the privilege of voting for or against said proposition. A ballot with the words "For Special Tax" printed thereon shall be used by those favoring the proposition, and a ballot with the words "Against Special Tax" printed thereon shall be used by those opposed to said proposition. In case a majority of the votes cast at said election shall be favorable to the proposition of keeping up roads by taxation, the board of commissioners of said county of Buncombe may levy a special tax of not more than ten (10) cents on the one hundred dollars ($100) worth of all taxable property in said township, and may levy and collect, in lieu of the four days free labor now provided by law, the sum of not more than five dollars ($5) upon all persons subject to road duty under the present law, said five dollars ($5) to be a per capita tax. Said special tax shall be collected by the tax collector of Buncombe County in the same manner as other taxes are collected, and he shall keep the taxes so collected separate and apart from the other taxes of said county, and the board of commissioners of said county of Buncombe shall expend said taxes so collected upon the public roads and bridges of said township for the purpose of keeping up, changing, relocating and widening the same; and for said purpose or purposes said commissioners of said county of Buncombe shall have full power and authority to enter into contract with any person or persons, and shall require such bond for the faithful performance of the duties required hereunder as to them may seem reasonable; or said commissioners may maintain
said public roads and bridges in said township with a county maintenance crew as hereinafter provided, or by the patrol system, and shall do all things necessary to provide for the adequate and complete construction, reconstruction and maintenance of said roads and bridges of said township, taking into consideration the amount of money to be expended and the type and condition of the roads to be constructed, reconstructed or maintained.

Sec. 5. That all male persons confined in the common jail of said county under a final sentence or judgment final of the courts of the State of North Carolina, or the police court or city court of the city of Asheville or the police court or city court of any other incorporated town in said county of Buncombe, for crime or imprisonment or nonpayment of fines and costs, or under final judgment in cases of bastardy or under the vagrant acts, and all persons sentenced in the aforesaid courts in said county to prison for a term of less than five years, shall be worked upon the public roads under the provisions of this act. Said board of commissioners of the county of Buncombe shall provide for the care, custody and safe-keeping of all such prisoners or convicts; they shall clothe and feed them and provide medical attention. They shall select and appoint all necessary superintendents and guards and other persons to assist in the detention, maintenance and working of said prisoners or convicts, and the persons so selected shall be responsible and liable for the proper care, treatment, detention and safe-keeping of said prisoners or convicts.

Sec. 6. That in no case shall a prisoner or convict be compelled to wear stripes, unless said prisoner was convicted of a felony, when such prisoner or convict shall be compelled to wear striped convict clothing: Provided, that the board of commissioners of the county of Buncombe may regulate and designate the prison garb worn by the prisoners in the common jail of said county and in the prison camps and on the public roads in said county, and may, under such rules and regulations as the board of commissioners prescribe from time to time, prohibit clothing prisoners and convicts in said county in stripes; and said board of commissioners of said county may, in its discretion, abolish the use of striped prison clothing or garb for the use of prisoners or convicts in said county of Buncombe altogether.

Sec. 7. That no female prisoner shall be committed to or required to work on said roads.

Sec. 8. That when any prisoner or convict committed to or being worked on said roads becomes unruly, so as to make it necessary to whip said prisoner or convict, the superintendent in charge of the camp shall call in two persons of good moral character to witness the whipping, and the superintendent shall keep a record of the offense for which said prisoner was whipped, the number of blows inflicted, and the names of the witnesses present, and report the same within ten days to the commissioners of the
Proviso: superintendent to administer whipping.
Cruel and unmerciful whipping misdemeanor.

Punishment.

Record and reports of superintendent.

Records open for inspection.

Labor required.

Proviso: superintendent to administer whipping.
Cruel and unmerciful whipping misdemeanor.

Punishment.

Record and reports of superintendent.

Records open for inspection.

Labor required.

County of Buncombe: Provided, no guard or other person in charge, except the superintendent, shall whip a prisoner or convict; and any superintendent who shall whip a convict or prisoner in a cruel and unmerciful manner shall be guilty of a misdemeanor and fined or imprisoned, in the discretion of the court.

Sec. 9. That a complete record shall be kept by the superintendent in charge of all whippings, and his reports, required by this act to be made to the commissioners of the county of Buncombe, shall be filed and maintained as public records and open to public inspection.

Sec. 10. That any prisoner or convict committed to the common jail of said county of Buncombe and assigned to the county commissioners to be worked upon the public roads of said county may, in the discretion of said county commissioners, be required to perform any and all labor necessary and incident to the construction, reconstruction, relocation and maintenance of said public roads or highways and bridges, including the quarrying of stone, the manufacture and assembling of all necessary material; and said prisoners and convicts so assigned may be housed either in stationary or portable camps; and may, when necessary, be transported from place to place in said county.

Sec. 11. That said commissioners of the county of Buncombe may adopt any other method, plan or system for maintaining and keeping in repair said public roads of said county not inconsistent with the provisions of this act, and may use said road fund and labor provided for in this act under such rules and regulations as said board may prescribe.

Sec. 12. That the board of commissioners of said county may, in their discretion, purchase such improved road machinery, road equipment and other implements and tools, livestock and trucks as may be deemed necessary in constructing and maintaining said public roads, and shall employ such labor or assistance as in the opinion of said commissioners may be necessary.

Sec. 13. That the said commissioners of said county shall have discretionary power to make an appropriation or appropriations out of said fund for putting in repair any place in any public road in said county requiring more than an ordinary expenditure of money or labor.

Sec. 14. That all persons who are subject to road duty under this act shall be governed by the laws now in operation in relation to fines and penalties for the nonperformance of road duty.

Sec. 15. That said commissioners of said county of Buncombe may, on the first Monday in March, one thousand nine hundred and twenty-three, and annually thereafter on the said first Monday in March of each year, appoint a competent person to be known as the superintendent of highways of the county of Buncombe, who shall serve for a period of one year, or until his successor is appointed: Provided, said county commissioners may declare
said office vacant at any time and appoint a successor; said superintendant of highways to receive such compensation as said county commissioners may prescribe. It shall be the duty of said superintendent of highways to superintend all public road work in said county of Buncombe, under the direction of the commissioner of highways and the commissioners of said county. It shall be the duty of said superintendent of highways to certify to the commissioners of said county, each quarter after March first, one thousand nine hundred and twenty-three, the number of persons subject to road duty or road tax; the amount of work done by such persons, the amount of labor performed, and the amount due by such persons, if any, in accordance with the rules and regulations made by said county commissioners. That said superintendent of highways shall collect the road tax provided for in this act, summon all persons subject to road duty to work upon the public roads of said county, and assign such persons as do not pay the tax in money in lieu of labor to the proper official, to be worked on said public roads; collect and receipt for and pay over to the county treasurer and take a receipt for and keep a permanent record of all moneys collected in lieu of labor under this act.

Sec. 16. That said commissioners of the county of Buncombe are hereby authorized and empowered to divide the public roads or highways of said county into sections or road districts, and to appoint proper persons to constitute a maintenance squad, with one in authority in charge, and to fully equip said maintenance squad, causing to be assigned to each section or road district such persons as are required by law to work upon roads; and whenever, in the judgment of said commissioners, it is deemed best for the public interest, they may enter into a contract or contracts with any person or persons to construct, repair and maintain any of said public roads or bridges, or any portion thereof designated by said road section or district, at such prices and upon such terms as may be agreed upon, and to pay the contract price out of the common or general road fund of the county. The commissioners of said county of Buncombe may employ the prisoners or convicts in the construction and maintenance of any of the public roads or bridges, as aforesaid, in said county of Buncombe.

Sec. 17. The said commissioners of the county of Buncombe shall elect or designate a competent person or persons to act as road engineer or engineers or consulting engineers in the locating, relocating, constructing, improving and maintaining any and all public roads or bridges of said county, or in laying out or discontinuing any of said public roads or cartways. Said county commissioners may elect such person or persons to serve for a stated period or they may designate some person or persons to act as engineer or engineers in each particular case as it may arise.
Exclusive powers.

Right of condemnation. Manner of locating, changing or discontinuing roads.


Order for work. Direction of work.

Claims for damages.

Procedure for assessment.

Notice to landowners. View of premises. Benefits considered.

Benefits assessed against any landowner.

SEC. 18. That the said commissioners of the county of Buncombe shall have the exclusive power and authority over all public roads in the county, to pave or otherwise surface the same, and shall also have exclusive power and authority to lay out all new roads, to locate, relocate, change, widen or discontinue any old road or any part thereof, and to lay out, make or discontinue any and all cartways or any part thereof in said county, and for these purposes they are hereby vested with the right and power of condemnation. Said new roads, changes or discontinuances shall be made in the following manner, to wit: when the said board shall be of the opinion that it is necessary and for the public good that a new road or cartway shall be made, or that any old road or cartway shall be changed or relocated or discontinued, said board shall so declare and shall appoint one or more of its members who, together with the road engineer or a competent engineer or surveyor to be designated for that purpose, shall view the premises and lay out the same, and they shall make report of their action to the board. The board of commissioners shall either approve or disapprove said report at its next regular meeting, not exceeding thirty days thereafter, and if said board approve the same, it shall immediately order and direct the making and laying out of said road, or the making of any change or discontinuance, and the same shall be done under the direction of the commissioner of highways and those under his charge, either with free or convict labor or by letting the same to contract. If any person or persons whose land is affected by any new road or any change or relocation of any old road shall, within thirty days after such order is made directing the said making of said new road or any change in any old road, claim damages therefor, he or they shall demand of said board in writing damages for the same; and if said board and said owner or owners, or the person affected, cannot agree upon the amount of said damages, then said board, within not more than sixty days after the completion of said road, shall order a jury of three disinterested freeholders who shall not reside in the immediate vicinity of the said new road to be summoned by the sheriff or constable, who shall give landowner or owners, or their legal representatives, forty-eight hours notice of the time and place when and where said jury, after being duly sworn, shall view the premises, and shall, after taking into consideration the benefit of said new road to the public travel and to the owner or owners of the land, and the increase in value of his land by reason of said new road, shall assess the damages, and if said benefits shall be considered equal to or greater than the damages sustained, the jury shall so declare. Benefits may also be assessed by said jury against the property of any owner on said new road. Said jury shall, at the next regular meeting, file their report in writing, showing damages
and benefits, if any. The board shall either approve or reject
said report; and if damages are assessed, same shall be paid
out of the county road fund. If the jury shall assess benefits,
the same shall be a lien upon the land affected by said new
road, and the amount of the same shall be paid by the land-
owner to the treasurer of Buncombe County into the road fund of
the county. If such landowner shall, within sixty days, fail
to pay the amount of such benefits, the clerk of the board shall
certify the same to the clerk of the Superior Court, who shall
record in the judgment docket the amount of the benefits, together
with the name of the owner, and such record shall cause the same
to become a judgment against the property of the owner, and
the same shall be collected by the issuing of execution in the
same manner as other judgments are collected, as is now pro-
vided by law. The landowner or said board of commissioners may
appeal from the finding of the jury as to damages or benefits
to the Superior Court, where the question of damages or benefits
shall be heard de novo, as in the cases of appeals from justices
of the peace; or said county commissioners may, in their dis-
cretion, reject the report of the jury or any subsequent jury, and
order a new jury for the purposes herein. Upon the trial of said
issue of damages or benefits in the Superior Court the tax record
showing the assessment of said lands for taxes shall be evidence
of the value of said land; but no appeal shall be made from the
discretionary finding of said board as to the necessity for any
new road or change, location, relocation, widening or discon-
tinuance of any road. Cartways shall be laid out by said board
in the same manner as herein provided for the laying out of roads,
except that it shall not be necessary for an engineer to assist in
laying out cartways unless the petitioners request his service;
except, also, that no cartways shall be ordered or authorized
except upon petition and only after the owners of the land over
which same is to go shall have had ten days notice in writing.
The cost of construction and maintenance of all cartways, together
with damages which shall be assessed by the board of commis-
sioners at the time said cartway is laid out, shall be paid by
the person or persons petitioning for the same. Any person or
persons who may desire a cartway, or who may be opposed to
the making of a cartway, may appeal to the Superior Court from
the action of the board in either granting or refusing the same:
Provided, the county is in no event authorized to construct or
pay the cost of constructing or maintaining cartways. If the
landowner be a nonresident of the county and has no local
representative, it shall be deemed sufficient service of said notice
for said sheriff or constable to forward, by United States mail, a
written notice giving the purpose, time and place of said meeting
to said landowner seven days in advance of such meeting, and
also to post a notice of the same for seven days at the county
courthouse door.
Sec. 19. That for the purpose of carrying out the provisions of this act, the county commissioners of the county of Buncombe, its duly appointed engineer or engineers, or other employees, are hereby authorized to enter upon lands near to or adjoining any road in the county of Buncombe upon which may be located any rock or stone quarry, sand, timber or other road material, for the purpose of securing the same for use on the public roads of said county; and said commissioners are hereby authorized to condemn a road or cartway from any public road or cartway to said quarry, gravel, sand or timber or other material, and to cut and carry away timber, except trees or rows of trees upon improved lands, planted or growing for ornament or shade, and they are authorized to dig or cause to be dug or carried away any gravel, sand, clay or stone thereon, or to use any water found thereon which may be necessary to construct, pave or otherwise surface or improve any of the said public roads, doing as little injury to said land and timber or improvements thereon as the nature of the case and the public good will permit. Said county commissioners are hereby authorized to enter upon any lands near to or adjoining any road in the county of Buncombe for the purpose of locating a stationary or portable prison or convict camp; and said commissioners are authorized and fully empowered to use any water or fuel necessary for the convenience and operation of the camp. If the owner of any land or quarry, or the agent or agents of said owner or owners having in charge land over which stone, timber, gravel, sand, clay or fuel may be taken, as aforesaid, or upon which any camp for the use of prisoners or convicts is maintained, shall present an account for the same through the road engineer at any regular meeting of the county commissioners, within thirty days after the taking and carrying away of or the use of such stone, gravel, sand, clay or timber or the use of said premises for a prison camp, as aforesaid, it shall be the duty of said commissioners to pay for the same at a fair price; and before deciding on this, they may cause to be appointed an impartial jury of three freeholders, one to be selected by the road engineer, one by the party claiming the damage, and the third to be selected by these two, which jury shall report in writing to the board of commissioners their decision, for revision and confirmation by said commissioners.

Sec. 20. That the said county commissioners may receive from any other county, to be worked on the public roads of the county of Buncombe, prisoners or convicts who may be assigned by the several judges of the Superior Court to work on its roads; but said board shall have the right to refuse to receive or work any such prisoners or convicts on the roads of the county of Buncombe: Provided, when such prisoners or convicts are received and worked on said public roads, the said county com-
missioners shall not pay or allow any compensation to the county sending such prisoners or convicts for the services of such convicts, and shall only be required to provide them with proper food, clothing, housing and medical attention: Provided, said county commissioners, by special contract, may allow and pay the court cost or any part of the court cost, together with transportation of the prisoner from the county sentenced, by the most direct route or pay a sum not exceeding twenty-five cents per diem for any able-bodied prisoners sent from other counties and worked upon the public roads of the county of Buncombe.

Sec. 21. It shall be the duty of the superintendent of roads to drain or cause to be drained any public road or part of such roads in his charge, and in so doing he shall make such waterways, ditches and drains as will cause the water to run in its natural course, and the water from such roads shall be conducted through ditches to or over the lands of the abutting landowner in such manner as will best drain the road, with due regard to the interest of the landowner. If it be necessary, in order to properly drain any road, said superintendent shall dig such ditch or ditches as may be necessary over the land of the adjoining landowner, doing as little damage as possible. Whenever it shall be necessary, in the opinion of said superintendent, that such ditch or drain is required, the landowner shall permit said superintendent and his assistants to go upon his land and dig such ditches and make such drains as may be necessary to conduct the water through the same, and if any landowner or other person refuses to permit or allow such ditches or drains he shall be guilty of a misdemeanor and, upon conviction, be punished in the discretion of the court: Provided, when necessary, in the opinion of the commissioners, all ditches so dug shall be covered at the expense of the county.

Sec. 22. All prisoners or convicts worked upon the roads of the county of Buncombe shall be worked under and controlled by and shall be subject to any rules and regulations that the county commissioners of said county may, from time to time, prescribe and adopt for the control and management of said convicts and convict camps.

Sec. 23. That in addition to the duties of the superintendent of roads hereinbefore prescribed, it shall be the duty of the superintendent of roads of said county to furnish to the commissioners a list of all persons subject to road duty, residing within said county, within ninety days after his appointment, which list shall be verified and then approved by the said commissioners.

Sec. 24. That upon the approval of said list, the said commissioners shall issue a stub receipt book to the superintendent of roads and require said superintendent of roads to issue his receipt to each person performing road duty or paying the amount for road services hereinbefore prescribed, and shall

24—Public-Local
enter upon the stubs from which said receipts were taken the name of each person, the date upon which he performed road service, or if such person paid cash in lieu thereof, the amount paid, the name of the person paying, and the date upon which same was paid.

Sec. 25. That the county commissioners shall require said superintendent of roads to present his stub book to the county auditor on the first Mondays of September and March in each year for inspection, at which said times the county auditor shall take up and inspect said receipt book and file the same in the office of the board of county commissioners for reference and inspection, and shall issue new books in lieu thereof to said superintendent of roads.

Sec. 26. That all sums of money paid to the superintendent of roads in lieu of free labor shall be turned over to the county treasurer by the said superintendent of roads within ten days from the receipt of such money, and the said county treasurer shall enter upon his books the name of the superintendent of roads paying such sum, together with the amount and the date when the same was paid, and shall issue to said superintendent his receipt, which, when presented to the county auditor, shall discharge said superintendent of roads from further liability on account of the money so received. Should the superintendent of roads fail or refuse to comply with the provisions of this section, he shall be guilty of a misdemeanor and shall be fined or imprisoned, in the discretion of the court.

Sec. 27. That it shall be unlawful for any person, firm or corporation to drag logs over or along or obstruct the public roads or bridges of the county of Buncombe by throwing or wasting or dropping dirt, sand, débris or timbers upon same, or to fill or cause to be filled any drainage, drain pipes, ditches, side drains or underdrains with leaves, trash, rock, dirt, or other obstruction which shall in any manner obstruct the free passage of water, or to drain water into or upon said public roads from any field or adjacent lands, or in any manner to injure or damage the said public roads or bridges of said county.

Sec. 28. That it shall be unlawful for any person, firm or corporation to drive or cause to be driven over and upon the public roads or public bridges of the county of Buncombe any wagon, cart, traction engine, automobile or automobile truck, bus, public-service car or other vehicle, or any other conveyance propelled by horse-power, steam, electricity, gasoline or kerosene, or other motive power, which is of a weight or tonnage calculated to or which may or does do damage to said roads or bridges to any unusual extent or degree. It shall be unlawful for any person, firm or corporation to haul, drive or carry loaded wagons, carts, automobiles, trucks, busses, or other vehicles over and upon said public roads and bridges of the county of Buncombe coupled
in train in such a manner as to cut up and damage the public 
roads of the county, or to drag logs upon the surface or haul 
logs, rocks, timber, machinery, equipment or any other matter 
or substance over the public roads of Buncombe County in such 
a manner as to damage said roads to a degree in excess of that 
caused by ordinary use and travel.

Sec. 29. That no automobile, truck, tractor, or traction engine, 
steam shovel or other heavy or heavily loaded vehicle, with a 
combined weight of both vehicle and load in excess of seven 
and one-half tons, shall be driven, operated, or used in, upon 
or over any public road of the county of Buncombe: Provided, the 
county commissioners may, in their discretion, authorize the 
moving of machinery and equipment used for trade and agri-
cultural purposes, and not for motive power, over said roads and 
bridges, when proper care is exercised, and no unusual damage is 
done.

Sec. 30. That no automobile, truck, wagon, buggy, or other 
vehicle propelled either by gasoline, kerosene, electricity or other 
motive power, or drawn by horses or other animals, shall be 
operated or driven over the public roads of Buncombe County 
between the hours of thirty minutes after sunset and thirty 
minutes before sunrise, without carrying an adequate lantern or 
other lighting device placed conspicuously where the same may 
be easily discerned by the traveling public.

Sec. 31. That it shall be unlawful to place or park any 
truck, automobile, bus, public-service car, wagon, buggy, or any 
other vehicle whatsoever in the public roads of said county be-
tween the hours of ten o'clock p.m. and five o'clock a.m.: 
Provided, any such vehicle may be stopped temporarily in or 
on said highway for periods not exceeding thirty minutes during 
said hours: Provided, however, this shall not apply to accidents 
or other causes beyond the control of the driver or person in 
charge of said vehicle, provided said vehicle is properly lighted 
and easily observed by the traveling public.

Sec. 32. That all moneys collected in lieu of labor in any 
road section or district of said county shall be spent, or so much 
thereof as is necessary, upon the maintenance of the public roads 
of said section or district. That the county commissioners shall 
cause each road district to be accurately located and mapped 
and the number of miles of public roads and bridges in each 
road district shall be accurately surveyed, giving the number of 
miles of each type or character of road, together with the number 
of bridges and underdrains and the type of construction of such 
bridges and underdrains, and the aggregate of the road sections or 
districts shall constitute a road map of the county; together 
with an inventory of the number of miles of roads, the type 
of construction, the number of bridges and underdrains and the 
type of construction; and an accurate accounting shall be made
Daily reports.

Inventory of equipment.

Superintendent to perform duties of supervisors.

Supervisors abolished. Proviso: maintenance crews.

Road patrol.

Violations of act misdemeanor.

Punishment.

Liability for damages.

Damages to use of road fund.

General law applicable.

Proviso: roads in State Highway system.

Traffic law or police regulations.

Repealing clause.

of all collections and expenditures by road districts or sections, and daily reports shall be made and filed in the form of permanent records of all work done and labor performed in said county, using said road sections or districts as units.

Sec. 33. That the superintendent of roads shall, within thirty days after the appointment hereunder, make and file a complete inventory of all machinery, equipment and tools, livestock of every character and nature whatsoever, belonging to the county of Buncombe, together with its appraised value, where located, and in the charge of what person.

Sec. 34. That in addition to the other duties of the superintendent of roads herein enumerated, said superintendent shall perform all duties heretofore performed by road supervisors, not inconsistent with this act, or cause said duties to be performed, and the positions heretofore known as road supervisors are hereby abolished: Provided, nothing herein contained shall be construed to prevent the county commissioners from organizing, equipping and maintaining maintenance crews, as aforesaid, and the road patrol system wherever necessary, for the purpose of maintaining the highways of the county of Buncombe.

Sec. 35. That any person, firm or corporation violating any of the provisions of this act, other than those sections in which penalties are prescribed, shall be guilty of a misdemeanor, and, upon conviction, may be fined not exceeding the sum of fifty dollars ($50) or imprisoned not more than thirty days, and shall also be liable to the said county of Buncombe for any damages to the extent of the injuries or damages done to the said public roads or bridges in any civil action to be instituted by the said county against any person or persons violating the provisions of this act. And all sums so received in such a civil action for violations of this act shall be paid to the treasurer of Buncombe County, and shall be placed in the general road fund of said county to be used by the board of county commissioners upon the said public highways.

Sec. 36. That the provisions of chapter twenty, Consolidated Statutes, are hereby declared to be in all respects applicable to said Buncombe County, except wherein they conflict with any of the provisions of this act: Provided, that this act shall not be construed as repealing any law relative to the construction or maintenance of those roads or highways which now are or may hereafter be included in the system of State Highways in the county of Buncombe, and the same shall not be construed as repealing any traffic law or police regulations, but shall be construed as in addition to such laws and regulations.

Sec. 37. That all laws in conflict with this act are hereby repealed.

Sec. 38. That this act shall be in force from and after its ratification.

Ratified this the first day of March, A.D. 1923.
AN ACT TO AMEND CHAPTER 415 OF THE PUBLIC-LOCAL LAWS, 1915, RELATING TO THE CIVIL JURISDICTION OF THE RECORDER'S COURT OF LEAKSVILLE TOWNSHIP, ROCKINGHAM COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter four hundred and fifteen of the Public-Local Laws, one thousand nine hundred and fifteen, be and the same is hereby amended by striking therefrom all of section eight and inserting in lieu thereof the following:

"a. That in addition to the criminal jurisdiction conferred in this chapter said court shall have full concurrent jurisdiction and powers in all civil matters arising in Rockingham County which are now or may be given to courts of justices of the peace, and in addition shall have concurrent jurisdiction with the Superior Court of Rockingham County in civil actions arising in said county out of contract where the sum demanded or the value of the property in controversy does not exceed the sum of one thousand dollars; and those arising out of tort, claim and delivery, or attachment where the sum demanded or the value of the property does not exceed the sum of seven hundred dollars: Provided, that process in civil actions in which justices of the peace have concurrent jurisdiction shall not issue in violation of section one thousand four hundred and eighty-nine of the Consolidated Statutes, but said section is hereby made a part of this act.

"b. That any person desiring to appeal from the judgment of the recorder's court shall be allowed to do so in the same manner as is now provided by law for appeals in courts of justices of the peace.

"c. All civil actions in said court shall be commenced by summons issued by the recorder or clerk, returnable on the first Tuesday after service. The plaintiff shall, in all cases, file a written complaint, together with a copy thereof for use of the defendant, on the return day of the summons. The defendant shall file his written answer or demurrer on or before the following Friday after the return of said summons; but the recorder may, in his discretion, extend the time for filing pleadings and the case shall stand for trial on the first Tuesday after the return day thereof, but for good cause shown, the recorder may continue the trial of any case from time to time not exceeding sixty days from the return day thereof.

"d. Execution may issue upon judgment rendered in said court in the same manner and with the same effect as in cases where execution was issued on judgments rendered by justices of the peace. In order for judgments of the recorder's court to become docketed.

Civil jurisdiction. As of justices of the peace.

Jurisdiction concurrent with Superior Court.

Actions on contracts.

Torts, claim and delivery and attachments.

Proviso: process in civil actions within justice's jurisdiction.

Appeals from recorder's court.

Issue and return of summons.

Written complaint, time for filing.

Written answer or demurrer, time for filing.

Extension of time.

Trial day.

Continuance.
a lien on real estate, the same shall be docketed in the Superior Court, in which case said judgment shall become a judgment of the Superior Court. All judgments of said court may be docketed in the Superior Court of Rockingham County under the same rules and regulations and with the same legal effect as is now prescribed by law for judgments rendered by justices of the peace.

Option of plaintiff. "c. In all civil actions and matters within the jurisdiction of justices of the peace or the Superior Court of Rockingham County, and also within the jurisdiction of said recorder's court, it shall be optional with the plaintiff as to whether such suit or action shall be tried in said recorder's court or in the court of a justice of the peace or the Superior Court of said county, and it shall be lawful for any and all actions within the jurisdiction of said recorder's court to be tried in said court which could be brought and maintained in courts of justices of the peace or the Superior Court of said county, jurisdiction being concurrent.

Civil-issue docket. "f. The recorder or clerk of said court shall keep a civil-issue docket, in which shall be recorded a note of all processes issued, the names of the parties and the date returnable, with such other entries as may be necessary. He shall also keep a judgment docket in which all judgments shall be recorded, which docket shall be cross-indexed. At the end of each judgment so docketed there shall be reserved a blank space on which shall be noted the date of issuing execution and the returns thereon, together with such other entries as may be necessary concerning the judgment. The recorder or clerk shall make out all bills of cost in all proceedings, which shall be taxed against the parties to the action or proceeding as is prescribed by law for taxing cost in the Superior Court, including the cost of jurors in case the issues are submitted to a jury: Provided, that actions may be instituted and prosecuted in forma pauperis as prescribed by law.

Addition to recorder's salary. "g. The costs to be taxed in said court in civil matters shall be as follows, which shall be additional compensation to the salary prescribed for the recorder of the recorder's court of Leaks ville Township: The recorder shall receive the sum of two dollars for the trial of an action or proceeding where the amount in controversy does not exceed two hundred dollars, and where the amount involved is more than two hundred dollars and does not exceed the sum of seven hundred dollars, he shall receive three dollars; and in all cases where the sum demanded or the value of the property in controversy does not exceed the sum of one thousand dollars, he shall receive a fee of four dollars. There shall also be taxed in the bill of cost the sum of fifty cents for each summons issued, twenty-five cents for the seal of the court, twenty-five cents for making out and sending up case on appeal and twenty-five cents for each execution issued. No summons
shall be issued until the plaintiff makes a deposit or furnishes security approved by the clerk or the recorder in an amount sufficient to pay such cost. In all matters where the Superior Court has concurrent jurisdiction, the plaintiff shall file with the clerk or recorder a bond approved by the clerk or recorder in the sum of one hundred dollars to secure defendant’s cost in case of his recovery.”

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

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

Ratified this the first day of March, A.D. 1923.

CHAPTER 330

AN ACT TO GIVE THE BOARD OF ROAD COMMISSIONERS OF STANLY COUNTY POWER TO ESTABLISH AND OPEN CARTWAYS; AND TO AMEND THE ROAD LAW OF STANLY COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That in addition to the powers conferred upon the road commissioners of Stanly County by chapter four hundred and three, Public-Local Laws of one thousand nine hundred and twenty-one, they shall have full power to lay out and establish cartways, tramways, and church roads; and the machinery for doing so shall be the same as is now prescribed by the general law of the State for said purposes.

Sec. 2. That it shall be the duty of the county commissioners of Stanly County to annually levy and collect a sufficient amount of special tax to pay the interest on the road and bridge bonds issued by the road commissioners of Stanly County, under chapter four hundred and three, Public-Local Laws of one thousand nine hundred and twenty-one, and provide for a sinking fund to pay the principal of same as it becomes due.

Sec. 3. That section five of chapter four hundred and three, Public-Local Laws of one thousand nine hundred and twenty-one, be amended by adding after the word “A” and before the word “maintenance” in line one of said section the words “building, construction.”

Sec. 4. That section nine of chapter four hundred and three, Public-Local Laws of one thousand nine hundred and twenty-one, be amended by adding to the end thereof the following: “The road commissioners of Stanly County shall have the power, and it shall be their duty, to make and prescribe rules and regulations for the management and control of the chain-gang

Bond for defendant’s costs.

Repealing clause.

Additional powers.

Cartways, tramways and church roads.

Machinery.

Special tax for road and bridge bonds.

Use of special tax.

Rules and regulations for management of chain-gang.

Rules to be binding in law.
and the management, discipline and punishment of the prisoners, and said rules and regulations shall be binding in law."

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

Sec. 6. This act shall apply to Stanly County only.

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

Ratified this the first day of March, A.D. 1923.

CHAPTER 331

AN ACT TO VALIDATE CERTAIN PLATS AND SUBDIVISIONS OF LAND AND DEEDS FOR SAME IN THE COUNTY OF DUPLIN.

The General Assembly of North Carolina do enact:

SECTION 1. That all plats, subdivisions and blue-prints of land heretofore filed in the office of the register of deeds of Duplin County, and either transcribed or attached to the record books in said office, are hereby declared valid and effectual to the same extent as if all the provisions of section three thousand three hundred and eighteen, Consolidated Statutes, had been complied with in all respects.

Sec. 2. That all deeds heretofore executed or hereafter executed referring to said plats, subdivisions or blue-prints for description shall be as good and effectual and valid as if said plats, subdivisions and blue-prints had been sworn to, probated, recorded and indexed with all the requirements and provisions set forth in section three thousand three hundred and eighteen, Consolidated Statutes: Provided, this act shall not apply to suits now pending.

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

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

Ratified this the first day of March, A.D. 1923.

CHAPTER 332

AN ACT TO PROTECT WILD BIRDS AND GAME IN MITCHELL COUNTY.

The General Assembly of North Carolina do enact:

Hunting regulated. Section 1. That it shall be unlawful for any person or persons to hunt, with dog or gun, for quail, partridges, wild turkeys, or squirrels, in Mitchell County, except as hereinafter provided.
Sec. 2. That the open season for hunting quail or partridges in Mitchell County shall be from the first day of November till the first day of January of each year.

Sec. 3. That it shall be unlawful to hunt for or kill wild turkeys or pheasants in Mitchell County for a period of five years from January first, one thousand nine hundred and twenty-three.

Sec. 4. That before any citizen or landowner of Mitchell County shall hunt for any game, not on his own land, in said county, he shall at first procure a license from any justice of the peace in any township of the county, and pay therefor the sum of two dollars, for said hunting season; and before any non-resident of the State shall hunt for any game or wild birds, except he be a landowner in said county, he shall pay for said license the sum of ten dollars. That said license shall be as follows:

To WHOM IT MAY CONCERN:—This is to show that a hunting license has this day been issued to ........................................ for the hunting season of the year....................................., for which license the said ........................................ has paid a fee of ..................................................
This license is nontransferable.

Sec. 5. That the fund collected from parties procuring hunting license, by said justice of the peace, shall be turned over to the county commissioners of Mitchell County, and they shall pay same out as hereinafter provided; that said county commissioners shall keep said funds separate and apart from all other funds pertaining to Mitchell County.

Sec. 6. That any person who secures the conviction or gives sufficient information to the officers of the law to convict any person or persons for violating any section of this law, he or they shall receive the sum of five dollars, to be paid out of the funds held by the said county commissioners upon the order of the justice of the peace who tried said cause. That for each license issued by said justice of the peace, he or each of them may charge a fee of twenty-five cents, to be paid by the party to whom said license is issued. That said justice of the peace shall make a full report to said county commissioners on the first Monday of each year.

Sec. 7. That it shall be unlawful for any person to kill more than eight quail or partridges in any one day of the hunting season.

Sec. 8. That it shall be unlawful for any person or persons or corporation, owning land in Mitchell County, to allow any person or persons to hunt for game on his or their said land unless said person or persons shall exhibit a license as above cited.
CHAPTER 333

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF BRUNSWICK COUNTY, THE TRUSTEES OF THE SOUTHPORT HIGH SCHOOL DISTRICT, AND THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHPORT, TO CANCEL A PART OF THE LIABILITY OF THE BANK OF SOUTHPORT WITH OTHER DEPOSITORS, WHEN SURETIES ON OFFICIAL BONDS AGREE TO BECOME BOUND FOR FULL PAYMENT.

Whereas the Bank of Southport was the financial agent of Brunswick County, and was closed on the second day of February, one thousand nine hundred and twenty-three, with school and county funds aggregating about one hundred and fifty-two thousand dollars on deposit in said bank, together with certain funds of the city of Southport, and also funds of the board of trustees of the Southport High School District; and

Whereas the depositors desire to assist the said bank to reopen and resume business by canceling and remitting such portion of their deposits as will cover the loss sustained by said bank on account of the failure and closing of the Commercial National Bank of Wilmington, North Carolina, in the sum of about one hundred and sixty-two thousand dollars, which portion is to be arrived at by the Corporation Commission of North Carolina; and

Whereas it is deemed advisable and proper to authorize the board of county commissioners, the board of trustees of the Southport High School District, and the board of aldermen of the city of Southport to join with the other depositors of the Bank of Southport in perfecting such arrangements, if the same is finally approved by the Corporation Commission, and in the
discretion of the said board of commissioners of Brunswick County, the board of trustees of the Southport High School District, and the mayor and board of aldermen of the city of Southport is found desirable, upon certain conditions: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Brunswick County, and the mayor and board of aldermen of the city of Southport, and the board of trustees of the Southport High School District, be and they are hereby authorized to remit and cancel the same proportion or part of deposits in said bank to the credit of the county, school, high school district and city government, and all special funds of said governments as may be agreed upon by the other depositors under the supervision of the Corporation Commission, if deemed advisable and proper by said boards in order to assist the said bank to resume business, upon such terms as may be agreed upon by said depositors and the Corporation Commission with the said bank: Provided, that nothing herein contained shall operate to release any surety or sureties on any official bond or bonds heretofore given and executed by the said bank for the safe-keeping, proper paying over and accounting for such funds to the proper authority; nor to release any principal or surety on any bond given and executed to the city of Southport for the safe-keeping, proper paying over and accounting for such funds to the proper authority; nor to release any principal or surety on any bond given and executed to the Southport High School District for the safe-keeping, paying over and accounting for such funds to the proper authority: Provided further, that the said board of county commissioners, the board of trustees of the Southport High School District, and the mayor and the board of aldermen of the city of Southport shall not have the authority to release, remit or cancel any part of any deposits in said bank to the credit of any of the boards hereinbefore mentioned unless and until the surety or sureties on any official bond or bonds given and executed for the safe-keeping, proper paying over and accounting for such funds shall agree to become, be and remain bound for the difference in the actual amount received and paid over to said several boards and the amount designated in the bond or bonds heretofore given and executed for the safe-keeping, proper paying over and accounting for such funds to the proper authority. The agreement herein mentioned shall be in writing, and shall indemnify the said several boards against any loss.

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

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

Ratified this the first day of March, A.D. 1923.
AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF THE COUNTY OF BUNCOMBE, UPON PETITION OF PROPERTY OWNERS, TO PAVE ROADS IN SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That when two-thirds of the abutting property owners shall petition, in writing, the board of commissioners of the county of Buncombe to pave any roadway, either public or private, or any section or part of said roadway in said county, the board of commissioners may, in its discretion, ascertain whether said roadway or section thereof is a public roadway, and if not a public roadway may, in its discretion, under the road law of said county, declare said roadway or section thereof a public highway, and may ascertain whether two-thirds of the abutting property owners have petitioned therefor, and when said board shall have found as a fact that said roadway so petitioned to be paved is a public highway, or shall have declared the same a public highway, and found the further fact that two-thirds of the abutting property owners on the highway or the section of the highway to be paved have petitioned for the same, said board of commissioners of said county may, in its discretion, order that said highway or section thereof shall be paved, and said commissioners shall have full power and authority to grade, pave and otherwise improve for travel any public highway or section thereof in the county of Buncombe, when the foregoing facts have been found and made a matter of record, and to put down crossings, curbs, water lines and sewer lines, cross drains, and otherwise properly improve said highway. Said commissioners shall, when they so determine, begin said work at once and prosecute the same as vigorously as practical, under the provisions of this act: Provided, that this act shall not be construed to authorize the paving or improving of a private roadway; and Provided further, that the nature and kind of material used in such improvement shall be left to the discretion of said board of commissioners; and Provided further, that said board shall have power and authority to widen said highways and do such other things as they may deem necessary to fully carry out the intents and purposes of this act.

SEC. 2. That in order to more fully carry out the duty imposed by this act, the said board of commissioners shall assess two-thirds of the total cost of the grading, paving and improvement of said highway and all necessary drains and crossings, in making said improvement, on the real estate abutting on said roadway or portion thereof so improved, assessing one-third of the cost of such improvement on the real estate abutting on each side of said highway or the part thereof so improved.
Sec. 3. That to equalize the assessments on real estate for the purposes described in sections one and two of this act, the said board of county commissioners shall estimate the total cost of such improvement made throughout the entire length of such work and improvement, and shall then prorate the cost thereof on the real estate abutting thereon in proportion to the frontage on the road or portion of the road or highway so improved, and charge to and assess upon the real estate upon each side of the highway upon which said work is done its pro rata share of one-third of the cost of such improvement made under the provisions of this act: Provided, however, in order to avoid obstructing landowners in dividing and selling their property by reason of the liens hereby created upon the same, such landowners may subdivide their lands in such manner as they may see fit, and shall file in the office of the county clerk a plat of subdivisions, making the lots fronting on the highway so paved or improved of any desired frontage, but not less than one hundred and fifty feet in depth, and the assessments made and the liens created by virtue hereof for highway improvements shall hereafter affect and attach to such front lots only, not less than one hundred and fifty feet in depth, and where in such cases any lands fronting on such improvements are so subdivided into lots, each of said lots fronting on such improvements shall be and remain charged with its ratable proportion of said assessments and lien according to its frontage; and it shall be the duty of the said board to have the said highway accurately surveyed and a permanent grade thereof established, and cause an accurate map to be made of the various lots and lands abutting on said highway or portion thereof so proposed to be improved, showing the exact frontage of each lot, and also the subdivisions, if any, and the said map shall be filed in the office of the county clerk, to be subject to public inspection; and when the assessments and liens herein provided for shall have been made upon the various lots and properties on the highway, the said county clerk shall write upon the said map the amount assessed upon the same, and he shall keep a proper record book showing such assessments, liens, and the date and amount of all payments made on any of said assessments and liens.

Sec. 4. That the amount of the assessments for such highway improvements as hereinbefore provided, being estimated on each piece of real estate as above directed, shall be a lien on such real estate, and the said board of county commissioners shall cause the county engineer to make a survey and a report of the amount of work done and the cost thereof, showing the name of each abutting property owner thereon, the number of front feet of each lot, and the prorata shares of such cost of such highway improvement to be assessed against such real estate, and upon the adoption and approval of said report, the liens authorized

Equalization of assessments.

Estimate of cost.

Prorate expense.

Proviso: subdivision of lands.

Plat of subdivisions.

Attachment of liens.

Charge on lots.

Survey and grade.

Map of abutting lots.

Map filed for public inspection.

Assessments entered on map.

Record of assessments and payments.

Lien on real estate for assessments.

Survey and report of work and cost.

Liens complete and operative.
Priority of liens. herein shall become complete and operative, and shall be paramount to all other liens on said real estate except the liens for taxes thereon, and the said report shall be transcribed upon the minutes of said board of commissioners, and the amount of said liens and said assessments against all property abutting on said highway, as aforesaid, shall become instantly due and payable: Provided, however, that the board of commissioners may, in its discretion, permit said landowners to pay their said liens and assessments in deferred payments of one-fifth in thirty days after the adoption of said report and the balance in four equal annual installments, which deferred payments shall bear interest at the rate of six per centum per annum from the date of the approval of said report until paid; and the said board of commissioners may, in its discretion, allow two per cent discount to any landowner who wishes to pay his entire assessment in cash, and upon the filing of said report the said board of commissioners shall cause ten days notice to be given by publication in some newspaper published in the city of Asheville, stating that such report has been filed in the office of the county clerk, and that at the first regular meeting of the said board of commissioners to be held after the expiration of said ten days notice, the said board of commissioners would consider said report, and if no valid objection be made thereto, the same would be adopted and approved by said board. Any owner of land affected by said lien for assessments shall have the right to be heard concerning the same before the said board of commissioners by filing objections thereto in writing, in the office of the county clerk, prior to the first meeting of the board at which said report may be approved and confirmed, and any person so objecting to the confirmation or approval of said report shall state in said objections in writing what part, if any, of said assessments he admits to be lawfully chargeable to his said land, and what part thereof he disputes, and said board of commissioners shall hear objections, and shall thereafter approve or confirm said report, and overrule said objections or modify or correct said report in such manner as to make the same correspond with the true intent and meaning of this act. Any person shall have the right, within ten days after the approval or confirmation of the same by the said board, and not after that time, to appeal from the said decision of the said board of commissioners to the next term of the Superior Court of Buncombe County, North Carolina, by serving upon said county notice in writing of his intention so to do, and specifying in said notice the item or items in said report which he disputes, and by filing within said time in the office of the clerk of the Superior Court of Buncombe County a written undertaking in an amount of at least the sum of his said liens or assessments, with sufficient surety, to be justified before and approved by said clerk, to the effect that said appellant will pay the said
county all such costs and damages as it may sustain by reason of such appeal, if the court shall finally render judgment against such appellant. In case of an appeal, as aforesaid, a copy of said report, in so far as it affects the property of the appellant, as the same was approved by the board of commissioners, a copy of the objections of the appellant thereto and of said notice duly certified by the county clerk, shall constitute the record on appeal, and when filed in the office of the clerk of the Superior Court, the same shall be docketed on the civil-issue docket in the name of the person taking such appeal against the commissioners of Buncombe County as "an appeal from an assessment," and the cause shall then be deemed to be an issue without any further plea on the part of said county; but said county shall have the right to file a further answer or defense thereto, and said cause shall stand for trial at the next term of the court beginning more than ten days after the docketing of said appeal: Provided, that if said appeal is not docketed and said bond is not filed by the appellant within ten days after the confirmation of said report, all right to prosecute such appeal shall be thereby forfeited; and upon the trial of the issues arising on such appeal, if all the issues be found in favor of the appellant, the lien for said assessment shall be discharged. If, however, the issues, or any of them, be found in favor of the county of Buncombe to any amount, and if it be thereby ascertained that the appellant is due to said county any amount by virtue of the matters therein referred to, or that said land is subject to a lien for said assessments or any part thereof, then the amount so found in favor of the county of Buncombe, with interest thereon, together with costs thereon accrued, which costs shall be assessed as costs in other civil actions, shall be and constitute a lien against the property upon which the original assessment was placed, from the date of the approval of said report by said board of commissioners, and shall be collected by the tax collector in such manner as other taxes and assessments herein provided for are collected. The adoption and approval of said report of the county engineer by the said board of commissioners shall complete the said liens for the amount therein stated against each of the separate pieces of real estate therein described, and the same shall become due and payable as aforesaid; and in case of a failure to pay either of said assessments or any installment thereof within thirty days after its maturity, then the whole thereof shall become immediately due and payable and an execution shall be issued by the county clerk directed to the tax collector of said county, who shall advertise the land upon which the said assessments so in default have been made as aforesaid, in the same manner as is required by law for the sale of land for taxes, and shall sell the said land, or a portion thereof, at the courthouse door of Buncombe County, North Carolina, in the same manner as he
Receipt given to purchaser.

is required to sell real estate in said county in case of the failure to pay the taxes thereon, and shall give to the purchaser a receipt stating the time the land was advertised, the date of sale, the name of the purchaser, the price paid, the amount of the assessments due thereon, the costs of the sale, the name of the owner or owners of the land sold, the interest in said land so sold as aforesaid and a description of the same, and the owner or owners of the land so sold as aforesaid shall have twelve months in which to redeem the said lands from such sale by paying to the tax collector of said county the amount for which said lands were sold, together with twenty per cent per annum additional thereto. In making such sale the said tax collector shall set up and offer for sale the whole of the real estate to be so sold, and the same or the smallest interest thereof shall be struck off to the person who will pay the amount of the assessments due thereon, with all costs and expenses for making the sale, for the smallest interest in said land. For every piece of real estate, or part thereof, so advertised, said tax collector shall also collect, in the same manner as such assessments are collected, the sum of one dollar to defray the expenses of such advertisement. All such sales shall be made to the highest bidder for cash, on any day of the week except Sunday or legal holidays, and he shall be deemed the highest bidder who shall pay such assessments and expenses of the sale for the smallest interest in said real estate; and if no person shall bid enough to pay such assessments and expenses, the said tax collector shall bid on behalf of Buncombe County the amount of such assessments and expenses, and if no higher bid shall be made, the same shall be struck off to the said county as hereinbefore provided, and the same shall belong to the county in fee simple unless redeemed in the manner provided by law; and the said tax collector shall immediately thereafter make a return to the board of commissioners of said county by filing with the county clerk a statement of the proceedings, showing the purchaser or purchasers of said real estate and the amount of interest in such real estate or each part thereof that was sold, and the same shall be entered by the clerk upon the minute books of said board of commissioners; and if the lands so sold, as aforesaid, are not redeemed within twelve months, then the tax collector of said county shall make to the purchaser or purchasers a deed in fee simple for the said lands, or the interest thereof so sold as aforesaid, and the said deed shall operate to convey to the purchaser and his heirs the title to the said lands that the owner thereof was vested: Provided, however, that the owner of the lands subject to the liens and assessments hereinbefore mentioned shall have the privilege of paying off all of said assessments at any time before maturity, and such payment shall be a release and discharge of the said liens.

Time for redemption.

Mode of sale.

Cost of advertisement.

Sales to highest bidder for cash.
Sales day.
Highest bidder.

Bid for county.

Land struck off to county.
Title conveyed.

Statement of proceedings.

Deed to purchaser.

Proviso: payment in full.
Sec. 5. The board of county commissioners of said county, by their proper officers, shall have exclusive control and management of the work of improvement authorized under this act, and the cost thereof shall be paid out of the funds derived under this act, or any other funds of the county of Buncombe that may be available for such purpose, and the county itself shall be liable for one-third the costs and expenses of improving the said highway as herein provided: Provided, however, that whatever of the cost of the highway improvements which may be paid or assessed against the property of any street railroad or railway company, as provided for in this act, shall be deducted from the proportion of the costs of such improvement for which the said county and property owners are liable, as aforesaid, whether such street railroad or street railroad shall run through the center or upon either side of the highway so improved, as aforesaid.

Sec. 6. That should it become necessary to condemn lands for the purpose of widening said highway, or for other purposes, the board of county commissioners is authorized and empowered to condemn lands for that purpose under the provisions of chapter eighty of the Public Laws of North Carolina, session one thousand nine hundred and nine, and other acts relative to the laying out and working the public roads of Buncombe County and acts amendatory thereto.

Sec. 7. Any street railroad or other highway or other company of any character which now has constructed a line of road or a track on said highway, or which may hereafter construct or lay a track upon said highway, shall maintain such track or road or part thereof, or construct the same, only upon the following conditions: It shall use only rails and other material as the board of commissioners may designate; it shall properly grade, complete and pave the highway between its rails, and one foot on each side thereof, in such manner and with such materials as the board of commissioners may direct; it shall keep such highways between said rails in good condition and repair, and in such condition and repair as said board of commissioners may, from time to time, order, as long as it shall use the same; if it shall fail to comply with any of the provisions of this act, and shall fail to keep the road between its tracks in good repair, as aforesaid, the said board of commissioners may cause anything to be done which said railroad has so failed to do, and the costs thereof shall be charged against such railroad or other company and constitute a lien from the commencement of the work paramount to every other lien upon the charter and franchise of such railroad, and upon all the property of whatever kind of such railroad in said county of Buncombe, and such property may be sold for the payment thereof in the manner herein prescribed for the sale of property for the payment of liens and assessments.
for highway improvements, and such failure on the part of said railroad shall operate as a forfeiture of its right to use such highway or any part thereof, as the board of commissioners may determine, and the said street railroad company or other railway company, using said highway as aforesaid shall change and relocate its tracks at points along said road as the board of commissioners may designate, and it may be required by said board either to run its said tracks along the side of said road or the center thereof, and any failure to obey the orders of said board shall operate as a forfeiture of said company to use said road.

Sec. 8. That wherever the word "clerk" is used in this act it shall mean the register of deeds as ex officio clerk to the board of county commissioners.

Sec. 9. That this act shall apply to any public highway or section thereof in the county of Buncombe which the county commissioners of said county have, in their discretion, ordered paved under the provisions of this act.

Sec. 10. That the board of county commissioners of said county are hereby vested with all power and authority of every kind necessary to fully carry out the provisions of this act.

Sec. 11. The word "paved" as used in this act shall mean a pavement of a permanent nature, which shall consist either of concrete, reinforced concrete or crushed stone mixed with asphalt and rolled according to the specifications of the Department of Public Roads of the United States Government for the "mixing method," or other specifications and material equally durable and permanent.

Sec. 12. That all moneys collected under this act shall be kept separate and apart by the treasurer of said county in a special fund to be called "Improvement Fund" of the highway or section thereof ordered to be paved.

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

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

Ratified this the 1st day of March, A.D. 1923.

CHAPTER 335

AN ACT FOR THE PROTECTION OF GAME IN THE COUNTIES OF AVERY AND WATAUGA.

The General Assembly of North Carolina do enact:

Section 1. That it shall be unlawful, for a term of five years from and after the ratification of this act, for any person to kill or in any way destroy in Avery County or Watauga County a deer, wild turkey, a grouse or a pheasant, or run deer with dog or dogs.
SEC. 2. That any person violating section one of this act shall be guilty of a misdemeanor and upon conviction shall be fined not less than fifty dollars or imprisoned for not less than sixty days or both, in the discretion of the court.

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

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

Ratified this the 1st day of March, A.D. 1923.

CHAPTER 336

AN ACT TO AMEND CHAPTER 184, PUBLIC-LOCAL LAWS OF 1919, AND CHAPTER 185, PUBLIC LAWS OF 1921, SO FAR AS IT RELATES TO THE TERM OF OFFICE OF THE MEMBERS OF THE BOARD OF EDUCATION FOR COLUMBUS COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the terms of office of each and all members of the board of education of Columbus County, appointed under chapter one hundred and eighty-four, Public Laws of North Carolina, regular session, one thousand nine hundred and nineteen, and chapter one hundred and eighty-five, Public Laws of North Carolina, regular session, one thousand nine hundred and twenty-one, or successors of such members, shall terminate and expire on April first, nineteen hundred and twenty-three. Members of board of education to take office on April first, one thousand nine hundred and twenty-three to be named in educational bill of one thousand nine hundred and twenty-three.

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

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

Ratified this the 1st day of March, A.D. 1923.

CHAPTER 337

AN ACT TO MAKE IT A MISDEMEANOR TO TRAP BEAR IN AVERY, MITCHELL AND WATAUGA COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person to trap bear in Avery, Mitchell and Watauga counties, and any person violating this act shall be guilty of a misdemeanor and upon con-
Punishment. 

violation shall be fined not less than fifty dollars or sentenced to work the roads for not less than six months, or both, in the discretion of the court.

Repealing clause.

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

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

Ratified this the 1st day of March, A.D. 1923.

CHAPTER 338

AN ACT TO AMEND CHAPTER 276, PUBLIC-LOCAL LAWS 1917, PERTAINING TO PUBLIC ROADS IN HAYSLETT TOWNSHIP, GATES COUNTY.

The General Assembly of North Carolina do enact:

Law amended.

Section 1. That chapter two hundred and seventy-six, Public-Local Laws of one thousand nine hundred and seventeen, be amended by striking out section two of said act and substituting therefor the following: That for purpose of working, improving and maintaining the public roads in Hayslett Township in Gates County, the office of road commissioner of Hayslett Township is hereby created, and C. B. Milteer is hereby appointed to said office and shall serve until his successor is elected and qualified as hereinafter provided.

Office created.

Sec. 2. That at next regular primary held under the general primary law for the nomination of township officers, the voters of Hayslett Township shall nominate a road commissioner for Hayslett Township, whose name shall be placed on the township ballot and elected as other township officers, and he shall serve for a term of two years.

Appointment.

Sec. 3. That the road commissioner for Hayslett Township shall, before entering upon the duties of his office, qualify before the clerk of court of Gates County by subscribing to an oath for the faithful performance of his duties as road commissioner. And in case of vacancy by death or resignation the board of county commissioners shall appoint a qualified elector of said township to fill the vacancy until one is nominated and elected as provided by this act.

Nomination of successor.

Sec. 4. That wherever the words “Road Commissioners of Hayslett Township,” or the words “Road Commissioners” or the words “Highway Commissioners of Hayslett Township” appear in chapter two hundred and seventy-six, Public-Local Laws one thousand nine hundred and seventeen, the same are stricken out and the words “Road Commissioner of Hayslett Township” substituted therefor.

Election.

Term.

Commissioner to qualify.

Vacancies.

Road commission abolished.
SEC. 5. That the road commissioner of Hayslett Township shall have all the powers and perform all the duties given under chapter two hundred and seventy-six, Public-Local Laws of one thousand nine hundred and seventeen.

SEC. 6. That the highway commissioner of Hayslett Township shall receive two and fifty one-hundredths dollars per day for the days given to the work, together with actual expenses incurred, and shall publish at the courthouse door, and at two public places in the township semianual statements of all moneys received and disbursed by him under this act.

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

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

Ratified this the 1st day of March, A.D. 1923.

CHAPTER 339

AN ACT TO REPEAL CHAPTER 206, PUBLIC-LOCAL LAWS, EXTRA SESSION, 1921, RELATIVE TO HUNTING DEER IN CASWELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred and six, Public-Local Laws, Extra Session, one thousand nine hundred and twenty-one, relative to hunting deer in Caswell County, be and is hereby repealed.

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

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

Ratified this the 1st day of March, A.D. 1923.

CHAPTER 340

AN ACT TO REGULATE THE HUNTING AND TRAPPING OF FOXES IN THE COUNTY OF McDOWELL.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person or persons to shoot, kill, trap, catch or take in any manner fox in McDowell County: Provided, that between the first day of September and the fifteenth day of March of the succeeding year it shall be lawful to hunt and catch fox with dogs, and at no other time; and Provided further, that this act shall not prevent any person from killing foxes when the same are committing depredations upon his property.
Nonresidents to obtain license.  

Sec. 2. That it shall be unlawful for any person or persons not residents of the county of McDowell to hunt foxes with dogs in said county without first having obtained from the clerk of the Superior Court of said county a written or printed license so to do, and paying therefor as a condition precedent to obtaining such license the sum of twenty-five dollars ($25.00). The license fee thus collected, less the costs of issuance, to be paid by the clerk to the county treasurer and by the county treasurer to be placed to the credit of the general county fund: Provided, that this section shall not prohibit nonresidents who own land in McDowell County from hunting upon their own lands without first having obtained a license from said clerk as aforesaid; and Provided further, that this section shall not be construed to give permission to hunt upon the lands of any person without first obtaining permission from such person as now required by law.

License fees.  

Sec. 3. That any person or persons violating any provision of this act shall be guilty of a misdemeanor and upon conviction shall be fined not exceeding fifty dollars ($50.00), or imprisoned for not more than thirty days.

Fee to use of general fund.  

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

Proviso: non-resident land-owners.  

Sec. 5. That this act shall be in force and effect from and after the first day of March, nineteen hundred and twenty-three.

Punishment.  

Ratified this the 1st day of March, A.D. 1923.

Repealing clause.  

AN ACT TO CREATE SANITARY DISTRICTS IN BUNCOMBE COUNTY AND DESCRIBING THEIR PURPOSES AND POWERS.

Sanitary districts on petition of voters.  

The General Assembly of North Carolina do enact:

Requisite number.  

Section 1. That sanitary districts may be created in Buncombe County by the county commissioners upon a petition of the voters in such district. Such petition shall be signed by a majority of the qualified voters of such proposed sanitary district, and shall set forth a description of the territory to be embraced in said proposed sanitary district; shall state the name to be given to said district, and a brief description of the purpose or purposes for which the same is to be created.

Description of territory.  

Sec. 2. Whenever a petition as described in section one of this act shall have been presented to the board of commissioners of Buncombe County, it shall be the duty of said board, within sixty days after the filing of said petition, to examine the same, and, in the event the same is found sufficient by said board, it shall forthwith be the duty of said board to enter an order upon their minutes creating and establishing said district under Name to be given.  

Examination of petition.  

Order creating district.
the name specified in the said petition. The determination of said board of county commissioners as to the sufficiency of said petition shall be conclusive. The said board of county commissioners shall also appoint three trustees for said sanitary district, who shall hold office for a period of two years or until their successors are appointed and qualified, and at the expiration of their terms of office their successors shall be appointed in like manner by said board of county commissioners: Provided, however, in case of vacancy in said board of trustees, due to death, resignation, or otherwise, such vacancy shall be filled by the remaining members of the board of trustees. The trustees so appointed by said county commissioners shall be clothed with the powers and duties hereinafter mentioned.

Sec. 3. Every sanitary district created under this act shall be and become a municipal corporation, for the purposes mentioned in this act, and may adopt a corporate seal and may sue and be sued, and may purchase, hold and convey real and personal property; and shall in addition to the powers hereinafter conferred be clothed with all powers relating to the establishment and control of sewer systems as are now conferred on municipal corporations under the laws of North Carolina.

Sec. 4. The said board of trustees of said sanitary districts shall have full power and authority to pass such rules, regulations and ordinances relating to the sanitary sewers or sanitary measures of said district as they may deem proper. They shall also have power, from time to time, to lay, build and construct such system of sewerage and sewer pipes and the extension of the same, together with all necessary adjuncts thereto, as to them may seem advisable for the proper sanitary regulation and drainage of said district, and they shall have power to purchase lands, rights of way or to lay pipes, and do such other things as may be necessary for the successful operation of said sewer system, and they shall have authority to purchase lands, water rights or rights of way for the laying of pipe lines, either within or without the limits of said sanitary district; and should there be a disagreement between the owner or owners of such lands, rights or rights of way and the board of trustees as to the price to be paid therefor, or for damages incurred, it shall be lawful for the said board of trustees to apply to the clerk of the Superior Court of Buncombe County, who shall thereupon appoint three disinterested persons to examine said property and assess the value thereof, or the damages done to the same, who, after taking oath before said clerk to administer the same impartially, shall proceed to assess the same and make return of their actions and doings to the clerk of the Superior Court, who shall enter the same upon the minutes of the court and enter judgment according to said report: Provided, however, that in case either party is dissatisfied with said award, he or they may appeal to the

Determination conclusive.
Appointment of trustees.
Term of office.
Appointment of successors.
Proviso: vacancies.
Powers and duties.

Sec. 4. Powers in constructing system.

Proviso: right of appeal.
Superior Court of said county at term time, and have said case tried as is provided upon cases of appeal from the clerk of the court in other cases: Provided, however, that either party desiring to appeal from the judgment of the clerk shall give the opposite party at least ten days notice thereof from the rendition of said judgment: Provided, however, that no such appeal shall have the effect of staying the operations or improvements proposed to be made by said trustees, and the said trustees may enter upon such land as they deem necessary, and proceed to make such improvements, while said appeal is pending: Provided, however, the said trustees shall have paid in to the clerk of the Superior Court an amount of money awarded in such case by said appraisers.

Sec. 5. The said trustees shall have the right to do everything which they deem necessary in order to properly perform their duties and prosecute the work authorized by this act, and may employ such assistance and attorneys as they may deem necessary to properly carry out the provisions of this act, and shall have power to let contracts and make such additions, enlargements and repairs to said system of sewers as they may deem necessary.

Sec. 6. The said board of trustees appointed by the board of county commissioners shall elect one of their members as chairman and one as secretary and treasurer, and they shall fix the date for their regular meetings, and may from time to time, upon call of the chairman, hold special meetings, and a majority of said trustees shall constitute a quorum.

Sec. 7. In order to obtain money to pay the expenses of the improvements herein mentioned, the said trustees are hereby authorized and empowered to issue negotiable coupon bonds of said sanitary district in a sum sufficient to make said improvements. The said bonds, when issued, shall be and constitute the full and direct obligations of said sanitary district. The said bonds shall be in such denominations and payable at such place or places, and shall mature at such time or times not to exceed thirty years after their date as the said trustees shall determine. The said bonds shall be signed by the chairman of said trustees and attested by the secretary, and have the corporate seal of said sanitary district affixed to said bonds, and the said bonds may be sold by said trustees at either public or private sale, as they may deem best. Said bonds shall draw interest at not exceeding six per cent per annum, said interest to be payable semiannually. The interest coupons attached to said bonds shall bear the facsimile printed, lithographed or engraved signature of the chairman of said trustees. The proceeds derived from the sale of said bonds shall be used only for the purpose for which they are issued: Provided, however, that it shall not be the duty of the purchaser of said bonds to see
to the application of the proceeds of said bonds: Provided, however, that no bonds shall be issued by any sanitary district created under this act in an amount exceeding ten per cent of the assessed valuation of the property in such sanitary district as last ascertained preceding the date of the issue of said bonds.

Sec. 8. In the event bonds are issued as provided in section seven of this act, it shall be the duty of the board of commissioners of Buncombe County to levy annually, at the time other taxes are levied and collected, a special tax upon all the taxable property within said sanitary district, of sufficient rate and amount to pay the interest on said bonds as it becomes due, and to create a sinking fund to pay the principal thereof at maturity. The proceeds from such taxes shall be kept separate and apart from the other funds of Buncombe County, and shall be used only for the purposes mentioned in this section.

Sec. 9. That when bonds are issued by the said trustees, as hereinbefore provided, it shall be the duty of the said trustees to certify to the board of commissioners of Buncombe County, on or before the first day of May in each year, the amount of bonds outstanding by said district, and the amount of tax necessary to provide for the principal and interest of all bonds outstanding, and it is hereby made the mandatory duty of said board of commissioners to levy and collect said taxes.

Sec. 10. In lieu of building and constructing the sewer systems hereinbefore mentioned at the expense of the said sanitary district, and in lieu of issuing said bonds constituting the direct obligations of said district as hereinbefore mentioned, the said trustees in any sanitary district created under this act may have authority to build and construct said sewer system and assess the expense and cost of laying and constructing the same against the property owners on each side of such sewer system, as well as against the property within the radius of benefit arising from such improvement, though not actually abutting thereon; the property liable to assessment hereunder, and the apportionment of the expense of such improvement against same shall be determined by a jury of three freeholders of said district, unconnected by consanguinity or affinity with any of the persons supposed to be affected by the improvement of such property, and summoned to pass upon the question above mentioned by any officer of Buncombe County authorized to serve process, to him directed by the chairman of said trustees, commanding that such be done, and sufficiently describing the duties to be performed by such jury. Each juror shall be sworn by the chairman, or other person competent to administer oaths, to faithfully and impartially execute the duties of his office, before entering upon the performance thereof. Each member of said jury, summoned as aforesaid, shall meet with the chairman of said board at a date and hour named in said writ, not more than five days after the
Excuse of juror. date of the same, for the purpose of being sworn in as hereinabove required. Upon the assembling of said jury, any person summoned as aforesaid may, upon satisfactory excuse offered to said chairman, be by him excused from further service, and it shall be the duty of the chairman to require another person to be summoned having the same qualifications hereinabove described, to serve upon said jury in the place and stead of the juror so excused. Immediately after being sworn, as aforesaid, the jury as finally constituted shall proceed without unnecessary delay to view the lands, streets, or section in which said improvement has been made or is proposed to be made, as hereinbefore described, and all property beneficially affected thereby, as hereinbefore described, and shall within a reasonable time thereafter, not exceeding five days and after due consideration thereof, make up their report, a majority concurring therein, in which shall be generally described each piece of property deemed by them to be beneficially affected by said improvement, together with the amount of such special benefit thereto arising from such improvement, giving also the name or names of the supposed owner or owners thereof. After making up their report, as herein required, the jury shall forthwith file the same with the chairman of said trustees, who shall submit the same to the said trustees at their next regular meeting after the date on which the same is filed as aforesaid. The said board of trustees shall, at said meeting or at any regular meeting thereafter, not exceeding thirty days from the date of the submission of the same, require the secretary to publish a notice of not less than twenty days, in some newspaper published in the city of Asheville having a general circulation therein, to the effect that said jury has made its report, and prorated and assessed the cost and expense of said improvement (which shall be described generally) against the property specially benefited, thereby naming, where possible, the owners thereof, or the party in whose name the said property may be listed for taxation, the name of the party occupying the same, if any, and admonishing all persons interested therein, particularly those named in said notice, that said report has been filed with the said trustees, and that they and each of them are required to be and appear at a regular meeting of said trustees to be specified in said notice, and to be held not less than ten days after the expiration of said notice, and show cause, if any should exist, why said report should not be approved and confirmed by the said trustees; and at such meeting the said trustees shall take up and consider the report of said jury, and hear any competent evidence of any person interested in the property affected thereby, touching any matters covered by said report; and to that end said board of trustees are hereby constituted a court, with power to send for persons and papers and to provide for the examination of witnesses, and to punish wit-
nesses or others, in proper cases, for contempt of court. After hearing evidence, as aforesaid, and duly considering said report, or, in case no objection is made, after duly considering said report, said trustees may approve, correct, amend, modify or reject the same or any item therein, as to them may seem just and proper, and the said report or said corrected, amended or modified report, as the case may be, shall be entered in full in a book to be provided for that purpose by the said board of trustees, and to be entitled "Record of Sewer Liens," which book shall be properly and accurately indexed, as near as may be, in the name of the owner of the property affected by said improvement.

Sec. 11. Any person aggrieved by said report and findings of said board may appeal from the final determination of said trustees, with respect to said report, or any item therein, within ten days after the date of the final consideration, as aforesaid, to the next term of the Superior Court of Buncombe County beginning more than ten days after the date of such appeal. Notice of such appeal shall be served upon the chairman of the said trustees, and shall specify the particulars in which he considers himself aggrieved by such determination, as aforesaid.

Sec. 12. In the event of an appeal, as provided in the preceding section, the appellate court shall have power to increase, affirm or diminish the amount of the item appealed from, but such court shall have no power to adjudicate the necessity of the improvement, and such appeal shall in no wise hinder, obstruct or delay said improvement.

Sec. 13. The amount of any such benefit or enhanced value so assessed against any premises by the said trustees, or on appeal adjudged against the same, shall, upon such final determination of said trustees with respect thereto in case no appeal is taken therefrom, or upon final judgment of the court in case of any such appeal, shall be and become a lien in favor of said sanitary district on said property on which it has been so assessed or adjudged, as of the time of such final determination of the said trustees, and shall be paid to them in five equal annual installments, due in one, two, three, four and five years, respectively, together with interest on each installment at the rate of six per centum per annum from said date, said interest being payable semianually: Provided, if any installment shall remain unpaid for thirty days after its maturity, all installments then unpaid, together with interest thereon, shall become instantly due and payable, and the property and premises so assessed or charged shall be sold for the payment of the same by the secretary of said trustees, in the same manner as provided for the sale of real estate for delinquent taxes, and under the same rules and regulations, restrictions, rights of redemption, and other provisions, as is provided for the sale of real estate for delinquent taxes.
Sec. 14. No lien created by this act shall be valid until the same has been recorded by the said sanitary district in the office of the clerk of the Superior Court of Buncombe County, in the record of liens, and it shall be the duty of the said secretary of the trustees to furnish to the clerk of the Superior Court a certified copy of the final report, or final determination, fixing the amount of said liens, and the property against which the same is assessed, and the clerk of the Superior Court shall cause the same to be recorded in the record of liens and properly indexed in the name of the person or persons so charged.

Sec. 15. In the event the said trustees of any sanitary district created under this act shall determine to make the said improvement authorized by this act, and charge the costs of the same against the property owners as hereinbefore mentioned, they shall in such case have the right to borrow money on short-time notes or issue bonds in anticipation of the collection of said assessments. Such bonds or notes shall be signed and executed in the same manner as hereinbefore prescribed for the issuing of bonds, where the costs of said improvements are made at the expense of said sanitary district, and, in the event bonds or notes are issued in anticipation of the collection of said assessments, such bonds or notes shall be known as sewer assessment bonds or sewer assessment notes, and the assessments and liens hereinbefore created are hereby specifically appropriated for the punctual payment of such bonds or notes, and the holders of such bonds or notes shall have full power and authority, in case of default in the payment of principal or interest of said bonds or notes, to cause the said property to be sold in the manner hereinbefore mentioned for the payment of said liens, and the purchasers or holders of said notes are hereby subrogated to all the rights and interest in such liens, in the manner in which the same are vested in the said trustees of said sanitary district: Provided, however, that such bonds or notes issued by said trustees shall be secured only by the liens hereinbefore mentioned, and in no case shall an ad valorem tax be levied for the payment of the same.

Sec. 16. The said trustees are hereby authorized and empowered to make the improvements mentioned in this act, either at the expense of the entire sanitary district and issue the direct obligations of said district for the payment of the same, and the levying of an ad valorem tax to pay the same, or they may, in their discretion, make the said improvements and charge the costs and expenses thereof against the property owners, as hereinbefore mentioned, and may issue bonds or notes in anticipation of the collection of said assessments, in the manner hereinbefore directed.

Sec. 17. The trustees of any sanitary district created under the provisions of this act shall have the right to take over any
sewer system or systems now constructed or in the process of being constructed, and the same when taken over shall be under the control and supervision of said trustees as provided in this act.

Sec. 18. Any sanitary district created by this act shall be laid off in the manner hereinbefore mentioned, regardless of the boundary lines of townships, school districts, or other political subdivisions in said county.

Sec. 19. This act shall apply only to Buncombe County.

Sec. 20. The word “freeholder” as used in this act shall mean and shall at all times be construed to mean any person, firm, or corporation owning real estate within the boundaries of such proposed sanitary district.

Sec. 21. Any duty imposed upon the board of county commissioners of Buncombe County by this act shall be considered as being mandatory.

Sec. 22. The provisions of this act shall not be affected by any condition, limitation or restriction of any other act of the General Assembly, either general, special, or local, except an act expressly referring to this act.

Sec. 23. All laws or parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

Sec. 24. This act shall be in force from and after its ratification.

Ratified this the 1st day of March, A.D. 1923.

CHAPTER 342

AN ACT TO AMEND CHAPTER 261, PUBLIC-LOCAL LAWS 1915, PERTAINING TO PUBLIC ROADS, HUNTERS MILL TOWNSHIP, GATES COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That chapter two hundred and sixty-one, Public-Local Laws of one thousand nine hundred and fifteen, be amended by striking out section two of said act and substituting therefor the following: That for purposes of working, improving and maintaining the public roads in Hunters Mill Township, in Gates County, the office of road commissioner of Hunters Mill Township is hereby created, and C. T. McCotter is hereby appointed to said office, and shall serve until his successor is elected and qualified as hereinafter provided.

Sec. 2. That at next regular primary held under the general primary law for the nomination of township officers the voters of Hunters Mill Township shall nominate a road commissioner for Hunters Mill Township, whose name shall be placed on the
Township ballot and elected as other township officers, and he shall serve for a term of two years.

Sec. 3. That the road commissioner for Hunters Mill Township shall, before entering upon the duties of his office, qualify before the clerk of court of Gates County by subscribing to an oath for the faithful performance of his duties as road commissioner. As in case of vacancy by death or resignation the board of county commissioners shall appoint a qualified elector of said township to fill the vacancy until one is nominated and elected as provided by this act.

Sec. 4. That wherever the words "Commission," "Road Commissioners of Hunters Mill Township," or the words "Road Commissioners" or the words "Highway Commissioners of Hunters Mill Township" appear in chapter two hundred and sixty-one, Public-Local Laws one thousand nine hundred and fifteen, the same are stricken out and the words "Road Commissioner of Hunters Mill Township" substituted therefor.

Sec. 5. That the road commissioner of Hunters Mill Township shall have all the powers and perform all the duties given under chapter two hundred and sixty-one, Public-Local Laws of one thousand nine hundred and fifteen.

Sec. 6. That the highway commissioner of Hunters Mill Township shall receive two and fifty one-hundredths dollars per day for the days given to the work, and actual expenses incurred in performing duties, and shall publish at courthouse door and at two public places in the township semiannual statements of all moneys received and disbursed by him under this act.

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

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

Ratified this the 1st day of March, A.D. 1923.

CHAPTER 343

AN ACT TO PROVIDE FOR AN ANNUAL AUDIT OF ACCOUNTS FOR THE COUNTY OF BERTIE, THE COSTS OF WHICH SHALL BE PAID OUT OF THE GENERAL FUND OF SAID COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the board of county commissioners of the county of Bertie is hereby authorized, empowered and directed to have an audit of the public accounts of said county in every department made annually, and to have such audit made the said board of commissioners is hereby authorized, empowered, and
directed to employ expert accountants for that purpose: Provided, that such accountants shall not be residents of Bertie County: Provided further, that not more than five hundred dollars shall be expended annually for having said audit made, the costs of which shall be paid out of the general fund of said county.

Sec. 2. That the said board of county commissioners shall cause a detailed statement of such audit to be published in some newspaper published in said county, and a copy of such report shall also be filed in the office of the register of deeds of said county.

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

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

Ratified this the 1st day of March, A.D. 1923.

CHAPTER 344

AN ACT RELATIVE TO HUNTING QUAIL OR PARTRIDGE IN SAMPSON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That hereafter it shall be unlawful for any person to shoot, kill, wound or in any manner hunt, take, or capture any quail or partridge in Sampson County, from the first day of March to the first day of November in each and every year.

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

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

Ratified this the 1st day of March, A.D. 1923.

CHAPTER 345

AN ACT AUTHORIZING THE BOARD OF COUNTY COMMISSIONERS OF COLUMBUS COUNTY TO LEVY A SPECIAL TAX.

The General Assembly of North Carolina do enact:

Section 1. That the board of county commissioners of Columbus County are hereby authorized and empowered to levy a special tax, at the time of levying the other taxes for said county and annually thereafter, not to exceed ten cents on the rate one hundred dollars ($100) worth of taxable property in said
county, the constitutional equation to be observed in said levies. The proceeds from taxes so levied shall be used for the purpose of maintaining the convicts of said county.

Sec. 2. That the said taxes shall be collected in the same manner and at the same time and under the same penalties that the other taxes of said county are levied and collected.

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

Ratified this the 1st day of March, A.D. 1923.

CHAPTER 346

AN ACT TO REPEAL CHAPTER 157 OF THE PUBLIC-LOCAL LAWS, EXTRA SESSION 1921, RELATING TO FISHING IN KEELS CREEK AND CURRITUCK BAY IN HERTFORD AND BERTIE COUNTIES.

The General Assembly of North Carolina do enact:

Section 1. That chapter one hundred and fifty-seven of the Public-Local Laws, Extra Session one thousand nine hundred and twenty-one, be and the same is hereby repealed.

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 347

AN ACT SUPPLEMENTAL TO AN ACT RATIFIED BY THE GENERAL ASSEMBLY OF NORTH CAROLINA ON THE 26th DAY OF FEBRUARY, 1923, ENTITLED “AN ACT TO AMEND CHAPTER 691 OF THE PUBLIC-LOCAL LAWS OF 1915, RELATING TO THE SALARIES OF THE SHERIFF, DEPUTY SHERIFF, REGISTER OF DEEDS AND CLERK OF THE COURT OF FRANKLIN COUNTY.”

The General Assembly of North Carolina do enact:

Section 1. That section three of an act entitled “An act to amend chapter six hundred and ninety-one of the Public-Local Laws of one thousand nine hundred and fifteen,” and acts amendatory of said act, ratified by the General Assembly on February twenty-sixth, one thousand nine hundred and twenty-three, be and the same is amended by adding at the end thereof the words “the register of deeds of said county of Franklin shall employ a deputy or clerical help as he may deem necessary for the proper conduct of his office, which said deputy or assistant
shall be paid out of the salary of three thousand dollars allowed said register of deeds by said section three."

Sec. 2. That section four of said act be amended by adding after the words "three thousand two hundred dollars" at the end thereof the following: "the clerk of the Superior Court of said county shall employ such deputy or assistant as may be necessary to perform the duties of his office, said assistant or deputy to be paid by the said clerk out of the said sum of three thousand two hundred dollars allowed by section four of this act."

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

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

Ratified this the 1st day of March, A.D. 1923.

CHAPTER 348

AN ACT TO PROHIBIT HUNTING ON THE LANDS OF ANOTHER IN RUTHERFORD COUNTY WITHOUT WRITTEN PERMISSION.

The General Assembly of North Carolina do enact:

Section 1. If any person shall go or enter upon the land of another for the purpose of hunting or fishing without written permission of the owner of the land, he shall be guilty of a misdemeanor, and on conviction shall be fined not exceeding fifty dollars or imprisoned not more than thirty days.

Sec. 2. This act shall apply to Rutherford County.

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 349

AN ACT TO PROHIBIT THE KEEPING, THE STORAGE OR THE SALE OF FIREWORKS IN FRANKLIN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the term fireworks as used in this act shall be construed to mean and to include articles, contrivances and arrangements commonly known as firecrackers or fireworks and shall especially include sparklers, pin-wheels and like methods of fire display, and also mechanical appliances of any kind made for the discharge of blank cartridges of any calibre or of torpedoes.
Dealing in fireworks unlawful.

Sec. 2. That it shall be unlawful for any person within the limits of Franklin County to keep, to store, to sell or to offer for sale or to discharge or cause to be discharged any fireworks as hereinbefore defined.

Confiscation and destruction authorized.

Sec. 3. That the mayor or chief of police in any incorporated city or town in Franklin County, and the sheriff, where there is no mayor or chief of police, is hereby authorized to confiscate and destroy any stock of fireworks found in violation of this act.

Each day's keeping separate offense. Penalty.

Sec. 4. That each day such fireworks are kept or stored in violation of this act shall constitute a separate offense; that the penalty for the discharge or the causing to be discharged of any form of fireworks or for the keeping, the storing, the selling or offering for sale of any fireworks shall be a fine of fifty dollars, the same to be paid into the general school fund.

Repealing clause.

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

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 350

AN ACT TO PROVIDE FOR BETTER SCHOOL ADVANTAGES IN WAYNESVILLE TOWNSHIP, HAYWOOD COUNTY, FOR ISSUING BONDS IN SAID TOWNSHIP, AND FOR OTHER PURPOSES.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be the duty of the board of county commissioners of Haywood County to levy annually, on all real and personal property in Waynesville Township, a special school tax in addition to the school taxes now authorized by the Constitution of North Carolina and the General Assembly, and in addition to the general school tax levied in Haywood County, which tax shall not exceed thirty cents on the hundred dollars valuation of property.

Sec. 2. That it shall be the duty of the board of education of Haywood County to build, equip, and maintain at some suitable place in said Waynesville Township a modern high school which shall be free to all children residing within said township, who are bona fide residents of the township, and who are of free school age, and the said board of education may provide for the transportation of pupils to said high school as they may deem advisable for those children of said township who live beyond a reasonable walking distance of said high school.
Sec. 3. Such high school shall be under the administration of a board of trustees, consisting of five members, to be appointed by the county board of education, who shall hold office for a term of four years.

Sec. 4. That all indebtedness, bonded and otherwise, of the special-tax district and special-charter districts and municipal corporations in said township which was incurred for the erection and equipment of school buildings shall be assumed by the county board of education, and it shall be the duty of the board of county commissioners of Haywood County, upon petition from the county board of education of Haywood County, to issue bonds for the purpose of building and equipping a modern high school, and for the purpose of erecting, enlarging, altering, and equipping school buildings and acquiring land for said high school building, and for school buildings of the several school districts of the said Waynesville Township or for any one or more of said purposes, which said bonds shall be issued in such amounts and at such times as requested by the said county board of education of Haywood County: Provided, that the total amount of said bonds and the amount of the indebtedness assumed, as aforesaid, shall not exceed the sum of two hundred and fifty thousand dollars.

Sec. 5. That the said board of county commissioners of Haywood County is hereby authorized and directed to levy annually a special tax ad valorem on all taxable property, both real and personal, in Waynesville Township for the purpose of paying the principal and interest of all bonds issued under this act, and of all bonds and other indebtedness assumed under this act, as set forth under section four hereof, as such principal and interest become due, which special tax shall be in addition to the general county school tax and in addition to the special school tax hereinbefore provided for, and which special tax shall be in an amount sufficient for the payment of the principal and interest of said bonds and of said assumed indebtedness.

Sec. 6. That said bonds shall be issued by the board of commissioners of Haywood County, and the said bonds and coupons shall be signed by the chairman of the said board of commissioners and countersigned by the register of deeds of Haywood County, and the said bonds shall have the official seal of the register of deeds of said county attached thereto. The said bonds and coupons shall express upon their face that they are payable out of the taxable property and polls of said Waynesville Township. The said bonds shall be in denominations of one thousand dollars and shall bear interest at the rate not exceeding six per cent per annum, payable semiannually, with such provisions as to time, place, and medium of payment of principal and interest as the said board of commissioners may determine, subject to the limitations and restrictions of this act. They may be issued as one issue or divided into two or more separate issues, and in
either case may be issued all at one time or in blocks from time to time. The bonds shall be serial bonds, and each issue thereof shall so mature that the aggregate principal amount of the issue shall be payable in annual installments or series, beginning not more than three years after the date of the bonds of such issue and ending not more than thirty years after such date. The said bonds shall be coupon bonds, and the said coupons instead of being signed may bear the printed, lithographed, or etched facsimile signature of said chairman of said board of commissioners and of said register of deeds.

SEC. 7. The said bonds shall be delivered by the said board of commissioners to the said county board of education of Haywood County, and shall be sold by the said board of education in the manner provided in the Municipal Finance Act of North Carolina for the sale of bonds of cities and towns, and shall not be sold for less than par and accrued interest.

SEC. 8. The proceeds of the sale of said bonds shall be delivered to the treasurer of Haywood County and placed in a separate fund and used only for the purposes for which the said bonds were issued.

SEC. 9. The taxes provided for in section five of this act shall be collected by the sheriff of Haywood County and paid over by him to the treasurer of said county, to be applied solely for the payment of the principal and interest of said bonds and said other indebtedness assumed, as hereinbefore set forth.

SEC. 10. That it shall be the duty of the county board of education of Haywood County to, as rapidly as possible, equalize school advantages in every section of said Waynesville Township, and to provide proper and suitable buildings and to acquire by purchase or by condemnation, as provided in the general school law for condemnation of school sites, and to extend the term of all the schools in said township beyond the six months period, and to improve the condition of said schools and to maintain and operate said central high school as a standard high school.

SEC. 11. That the taxes provided for in section one hereof shall be collected by the sheriff of Haywood County, and paid over by him to the treasurer of said county to be used for the purpose of supplementing the general school fund of the county and State for Waynesville Township, and extending the school period of the schools of said township beyond the six months period and improving said schools, and for conducting and maintaining said central high school and for incidentals in connection with the schools in said township, together with maintenance and repairs of said high school building and other school buildings in said township.

SEC. 12. That the county board of education of Haywood County are hereby authorized and empowered to borrow money to meet any of the objects or needs as provided for in this act in
anticipation of the issuing of the said bonds after the same shall have been authorized, which shall be repaid out of the taxes hereinbefore provided for, observing, however, the limitations hereinbefore provided.

Sec. 13. That there shall not be charged against the taxes or funds as provided for in this act any commission by the sheriff for collecting or by the treasurer for disbursing the same.

Sec. 14. That all special school taxes in any school district within said township or of any incorporated town within said township are hereby repealed.

Sec. 15. That in consideration of the indebtedness assumed as provided in this act, it shall be the duty of the board of trustees of the Waynesville Graded School to execute and deliver to the county board of education of Haywood County a deed of conveyance for all school property within the town of Waynesville owned by said town of Waynesville and said trustees of said graded school, and the title to any other public school property in said Waynesville Township is declared to be and is hereby vested in the said county board of education of Haywood County.

Sec. 15. That the schools within the town of Waynesville shall be under the supervision and management of the board of trustees of the graded school of said town, except the high school to be established, as herein provided, but the disbursement of funds shall be made through the county treasurer, under the supervision of the superintendent and county board of education; the said board of trustees acting in the place of a school committee; and the other schools of said township shall be operated through committees appointed by the county board of education, as heretofore, except said high school, which shall be under the management of board of trustees as hereinbefore provided.

Sec. 17. That all acts and parts of acts, whether general, special, private or local, relating to any of the public schools within Waynesville Township, which conflict with this act, are hereby repealed: Provided, however, that the powers hereby conferred and the methods of procedure hereby provided shall be deemed to be conferred and provided in addition to and not in substitution for those conferred and provided by any general law of the State of North Carolina now in existence or which may be enacted at this session of the General Assembly, or which may hereafter be enacted.

Sec. 18. That the county board of education of Haywood County is hereby authorized to acquire by gift, purchase or condemnation a school site, not to exceed ten acres, for the erection of a high school building, as hereinbefore provided, and said site may be condemned as provided by law for the condemnation of school sites.
SEC. 19. That the board of county commissioners of Haywood County shall, upon the written request of the county board of education, call an election and after thirty days notice submit to the qualified voters of Waynesville Township the question of whether there shall be levied annually a special tax of not exceeding thirty cents on the hundred dollars valuation of property as hereinbefore provided, and a special tax for the payment of the principal and interest of the bonds and other indebtedness as hereinbefore provided. The said board of county commissioners shall order a new registration for said Waynesville Township, appoint the registrars and judges of election, and the election shall be conducted at the usual polling places in said township as nearly as may be according to the laws governing general elections. Those who favor the levy and collection of the additional tax for the maintenance of and supplementing of said school and for the payment of the principal and interest of said indebtedness of this act, shall vote a ballot upon which shall be written or printed the words, “For abolishing all local school taxes and adopting a uniform school tax”; and those who are opposed, ballots upon which shall be written or printed the words “Against abolishing all local school taxes and adopting a uniform school tax.” The registrars and judges of the election shall certify the results to the board of county commissioners, who shall determine from said returns the result of said election, and make entry thereof on the minutes of said board.

SEC. 20. That the expenses of holding the election under this act shall be paid out of the school fund of Haywood County.

SEC. 21. That if a majority of the qualified voters of said Waynesville Township shall favor the additional school taxes as hereinbefore provided, at said election, then this act and every clause thereof shall become effective and in full force, but no part of this act shall become effective until so ratified by the majority vote of the qualified voters of Waynesville Township voting in favor of an additional tax at such election.

SEC. 22. That this act shall be in force from and after its ratification.

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 351

AN ACT TO PROVIDE FOR THE COLLECTION OF ASSESSMENTS IN DRAINAGE DISTRICTS IN FORSYTH COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section six, chapter four hundred and sixty-nine of the Public-Local Laws of one thousand nine hundred and thirteen of North Carolina, be stricken out and in lieu thereof
the following be inserted: "That the manner of making assessments against the land in the said drainage districts, together with the making out of the assessment roll, collecting of the assessments and the issuing of bonds, shall be the same as provided for in chapter ninety-four of the Consolidated Statutes of North Carolina, one thousand nine hundred and nineteen."

Sec. 2. That all laws and clauses of laws inconsistent with this act are hereby repealed to the extent of such inconsistency.

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 352

AN ACT PROHIBITING FISHING WITH NETS AND SEINES IN THE RIVERS AND STREAMS IN PENDER COUNTY, EXCEPT DURING THE MONTHS OF FEBRUARY AND MARCH.

The General Assembly of North Carolina do enact:

Section 1. That it shall be unlawful for any person, firm or corporation to fish with nets or seines in the rivers and streams of Pender County except during the months of February and March of each year: Provided, that this act shall not apply to Topsail Township in said county.

Sec. 2. That any one violating the provisions of this act shall be guilty of a misdemeanor and shall be subject to a fine of not more than fifty dollars or imprisonment of not more than thirty days, in the discretion of the court.

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

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 353

AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF CAMDEN COUNTY TO REGULATE OR PROHIBIT THE ERECTION OF DANCE HALLS THEREIN.

The General Assembly of North Carolina do enact:

Section 1. That it shall be unlawful for any person, firm or corporation to erect or operate and conduct a dance hall or dance pavilion in Camden County without first receiving a permit
from the board of commissioners of said county upon petition signed by at least ten freeholders of said county, the permit to be granted or refused in the discretion of the said board.

Sec. 2. That any person, firm or corporation violating the provisions of section one shall be guilty of a misdemeanor, and upon conviction shall be fined not exceeding fifty dollars ($50) or imprisoned not exceeding thirty days.

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 354
AN ACT TO REPEAL CHAPTER 351, PUBLIC-LOCAL LAWS, SESSION 1921.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter three hundred and fifty-one of the Public-Local Laws of the session of the General Assembly of nineteen hundred and twenty-one be and the same is hereby repealed.

Sec. 2. That this act shall be in force and effect from and after April first, nineteen hundred and twenty-three.

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 355
AN ACT TO AMEND CHAPTER 84 OF THE PUBLIC-LOCAL LAWS OF 1921, ENTITLED "AN ACT TO FIX THE SALARIES OF THE OFFICERS OF DAVIE COUNTY."

The General Assembly of North Carolina do enact:

SECTION 1. That section seven (7) of chapter eighty-four (84) of the Public-Local Laws of one thousand nine hundred and twenty-one be and the same is hereby amended as follows: strike out the words "twenty-five hundred dollars ($2,500)" in line two thereof and insert in lieu thereof the words "twenty-two hundred dollars ($2,200)."

Sec. 2. That section eight (8) of chapter eighty-four of the Public-Local Laws of one thousand nine hundred and twenty-one be and the same is hereby amended as follows: strike out the words "eighteen hundred dollars ($1,800)" in line two thereof and insert in lieu thereof the words "sixteen hundred dollars ($1,600)."
SEC. 3. That section nine (9) of chapter eighty-four (84) of the Public-Local Laws of one thousand nine hundred and twenty-one be and the same is hereby amended as follows: strike out the words "two thousand dollars ($2,000)" in line two thereof and insert in lieu thereof the words "eighteen hundred dollars ($1,800)."

SEC. 4. That section ten (10) of the Public-Local Laws of one thousand nine hundred and twenty-one be and the same is hereby amended as follows: strike out the words "fifteen hundred dollars ($1,500)" in line three thereof and insert in lieu thereof the words "thirteen hundred dollars ($1,300)."

SEC. 5. That the provisions of this act reducing the salaries of the officers of Davie County shall become effective on the first day of June in the year one thousand nine hundred and twenty-three.

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

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

Ratified this the 2d of March, A.D. 1923.

CHAPTER 356

AN ACT RELATING TO THE GAME LAW OF PERQUIMANS COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person not a resident of Perquimans County to hunt any wild bird or other game in said county without first securing from the clerk of the Superior Court of said county a hunting license, for which license the said clerk shall charge the applicant the sum of twenty-five dollars, which amount shall be paid into the public school fund of Perquimans County.

SEC. 2. That it shall be unlawful for any person to kill or otherwise destroy, in Perquimans County, more than ten quail or partridge in any one day or more than one hundred and fifty quail or partridge during the open or hunting season.

SEC. 3. That it shall be unlawful for any person to allow any bird dog to run at large in Perquimans County between May fifteenth and September fifteenth, inclusive.

SEC. 4. That any person violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not less than twenty-five dollars nor more than fifty dollars, in the discretion of the court.
Repealing clause.

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

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 357

AN ACT RELATING TO THE COURTHOUSE OF CASWELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for the board of county commissioners to rent or lease any part of the courthouse of Caswell County to any person, firm or corporation for any private purpose whatsoever.

SEC. 2. That any person violating any provisions of this act shall be guilty of a misdemeanor, and fined or imprisoned at the discretion of the court.

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

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 358

AN ACT TO EMPOWER THE BOARD OF COUNTY COMMISSIONERS OF HYDE COUNTY TO ABOLISH THE OFFICE OF COUNTY TREASURER.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Hyde County is hereby authorized and empowered to abolish the office of treasurer of Hyde County at any time, and may appoint in lieu thereof a fiscal agent or bank of the county at an annual compensation not to exceed one thousand dollars: Provided, a fiscal agent, if appointed, shall be required to give bond as county treasurers are required by law to give.

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

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

Ratified this the 2d day of March, A.D. 1923.
CHAPTER 359

AN ACT TO AMEND THE CONSOLIDATED STATUTES RELATIVE TO THE CLOSE SEASON FOR QUAIL OR PARTRIDGES FOR DAVIDSON COUNTY, SECTION TWO THOUSAND ONE HUNDRED AND SIXTEEN.

The General Assembly of North Carolina do enact:

Section 1. That the close season for each year during which no quail or partridges shall be shot, killed, wounded or in any manner hunted, taken or captured in the county of Davidson, from March first to December first of each year.

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 360

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF NEW HANOVER COUNTY TO ISSUE BONDS TO CONSTRUCT BUILDINGS AT THE COUNTY HOME OF SAID COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the board of commissioners of New Hanover County be and they are hereby authorized and empowered to issue serial bonds of said county in an amount not to exceed fifty thousand dollars, to be in such denominations, to run for not more than twenty-five years, to bear such rate of interest, and to be issued upon such terms as may be agreed upon by the purchasers of said bonds and the said board of county commissioners; that said bonds shall have interest coupons attached, and shall be sold only after advertisement once a week for four successive weeks in some newspaper published in the city of Wilmington in said county; and shall not be sold, hypothecated or otherwise disposed of for less than their par value.

Sec. 2. That the purposes for which bonds shall be issued shall be to erect at the county home of New Hanover County suitable buildings, properly equipped and furnished, for the use of the aged and infirm of said county of New Hanover, as well as a place for the detention and care of those insane persons who may be committed to the said county home until the same can be received by the State authorities; and also a place for the detention and guarding of such prisoners as might be committed to the said county home and farm by any of the courts of the State of North Carolina.
Sec. 3. That for the purpose of paying the accrued interest on said bonds and creating a sinking fund for their retirement when due, said commissioners shall annually compute and levy, at the time of levying other county taxes, a sufficient county tax upon all property, and all other subjects of taxation which are now and hereafter may be subject to taxation by the laws of this State, and the said taxes shall be collected by the officers of said county charged with the collection of other county taxes, who shall account therefor in the same manner as other taxes are accounted for.

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

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 361

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF NEW HANOVER COUNTY TO BUILD AN ANNEX OR ADDITION TO THE PRESENT COURTHOUSE OF SAID COUNTY, AND FOR OTHER PURPOSES, AND TO ISSUE BONDS THEREFOR.

The General Assembly of North Carolina do enact:

Section 1. That the board of commissioners of New Hanover County be and they are hereby authorized and empowered to issue serial bonds of the county of New Hanover, in an amount not to exceed one hundred and fifty thousand dollars, the same to bear such rate of interest, to be in such denominations, to run for not more than twenty-five years, and to be issued upon such terms as may be agreed upon by the said board of county commissioners and the purchasers of said bonds.

Sec. 2. That said bonds shall be sold, after due advertisement once a week for four successive weeks in some newspaper published in the city of Wilmington in said county of New Hanover, and shall not be sold, hypothecated or otherwise disposed of at less than their par value.

Sec. 3. That in order to pay the interest on said bonds and provide for the payment of the principal of said bonds as they become due, the said board of county commissioners be and they are hereby authorized to levy a special tax upon all property and subjects of taxation in the county of New Hanover, which said tax shall be collected by the officers of said county charged with the collection of other county taxes; and the fund so collected shall be kept separate and apart from other funds of the county and shall be used for no other purpose than that for which it was levied and collected.
Sec. 4. That the proceeds arising from the sale of said bonds shall be used by the board of commissioners of New Hanover County for the purposes of defraying the cost of building an addition or annex to the present courthouse of New Hanover County, and buying furniture and fixtures therefor; for repairing and improving the present courthouse of New Hanover County; for tearing down and destroying the present jail of said county, if the commissioners shall decide not to use same longer; and for the further purpose of building a new jail in connection with and as a part of the said annex to said courthouse, and for furnishing and equipping the said jail; and for the further purpose of buying any land adjacent to the land upon which the said present jail is now situate for such purposes.

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

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 362

AN ACT AUTHORIZING THE TOWN OF BRYSON CITY, SWAIN COUNTY, TO ISSUE BONDS IN THE AMOUNT OF $10,000, FOR THE PURCHASE OF ADDITIONAL WATER SUPPLY, AND FOR OTHER PURPOSES.

The General Assembly of North Carolina do enact:

Section 1. That the board of aldermen of Bryson City, Swain County, be and it is hereby authorized and empowered to issue bonds of the town of Bryson City in the amount of ten thousand dollars for the purchase of an additional water supply for the inhabitants of said town, to improve the same and for other purposes. Said bonds shall be serial coupon bonds, issued in denominations of not less than one hundred dollars and not more than one thousand dollars each, to run for a period not exceeding thirty years from the date of issuance. Said bonds shall bear interest at a rate not exceeding six per centum and shall not be sold for less than par value.

Sec. 2. That none of the bonds allowed to be issued by this act shall be issued and sold unless the same be authorized by a majority vote of the qualified voters of Bryson City at an election to be called by the board of aldermen of Bryson City at a time to be fixed in the call, which election shall be held in the way and manner provided by law for the election of town officials, and for which the board of aldermen may order a new registration. At the said election the qualified voters of Bryson City, favoring the issue of bonds, shall vote a ballot on which shall
be printed or written the words "For Bonds," and those opposing them shall vote a ballot on which shall be written or printed the words "Against Bonds." The registrar and judges of election shall make return of the same to the board of aldermen, who shall canvass the returns and declare the result; and if a majority of the qualified votes shall have been cast for bonds, then the bonds herein authorized may be issued.

Sec. 3. That in order to pay the interest on said bonds and to provide a sinking fund for the payment of said bonds the board of aldermen of the town of Pryson City is hereby authorized and empowered to levy a tax of not exceeding ten cents on the one hundred dollars property valuation and not exceeding fifteen cents on the poll.

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

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 363

AN ACT TO REQUIRE THE OFFICERS OF DARE COUNTY TO PUBLISH AN ANNUAL ACCOUNT OF ALL MONEYS RECEIVED AND DISBURSED BY SAID OFFICERS.

The General Assembly of North Carolina do enact:

SECTION 1. The board of county commissioners, clerk of the Superior Court, register of deeds, treasurer, sheriff, and the county superintendent of public instruction of Dare County shall publish annually an itemized statement of all public funds received and disbursed by them.

Sec. 2. The said report to be published on the first day of January of each year: Provided, however, that when necessary such officers shall be allowed until the fifteenth day of January to publish such statement.

Sec. 3. Dare County not having a newspaper published within its boundaries, therefore making it impossible to publish the same in a newspaper, the publication of such statement shall be made by posting such statement at the courthouse door and four other public places within said county: Provided, that each notice posted shall be posted in a different precinct of said county.

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

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

Ratified this the 2d day of March, A.D. 1923.
CHAPTER 364

AN ACT TO ALLOW THE COMMISSIONERS OF BLADEX COUNTY TO BORROW FROM ONE COUNTY FUND FOR THE USE OF ANOTHER COUNTY FUND.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Bladen County is hereby authorized and empowered in their discretion to borrow money from one fund for the benefit of another fund, from time to time, giving notes for the same to the fund from which the money is borrowed.

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 365

AN ACT TO AMEND CHAPTER 179 OF THE PUBLIC-LOCAL LAWS OF 1917, AND RELATING TO THE SALARY OF THE TREASURER OF CHOWAN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and seventy-nine of the Public-Local Laws of one thousand nine hundred and seventeen be and the same is hereby amended as follows: strike out the words “one hundred and fifty dollars” wherever the same appear in said act, and insert in lieu thereof the words, “three hundred dollars.”

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

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 366

AN ACT AUTHORIZING THE ROAD COMMISSIONERS OF MITCHELL COUNTY TO ISSUE ADDITIONAL ROAD BONDS FOR GRASSY CREEK TOWNSHIP, MITCHELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the road commissioners of Mitchell County shall be and they are hereby authorized and empowered to issue additional bonds for Grassy Creek Township, the proceeds from the bond issue authorized.

Specific appropriation of proceeds.
sale of said bonds to be applied only to the construction and maintenance of the public roads in Grassy Creek Township. Said bonds shall be issued in an amount not exceeding seventy-five thousand dollars, and shall be serial coupon bonds to run not less than ten nor more than thirty years, to be in denominations of one hundred dollars to one thousand dollars and to bear interest not exceeding six per cent.

Sec. 2. That the county commissioners of Mitchell County are hereby authorized and empowered to levy such taxes on the real and personal property of Grassy Creek Township as may be necessary to provide funds for the payment of interest on said bonds and for the payment of said bonds at maturity.

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

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 367

An act to authorize the board of commissioners of Surry County to fund its debts and levy tax for the payment of the same.

Whereas the board of commissioners of Surry County, for the necessary expenses of the county of Surry, have executed notes and bonds of the county to the following persons and corporations, to wit:

One note or bond to the National State and City Bank of Richmond, dated December fourth, one thousand nine hundred and twenty-two, maturing March twenty-fourth, one thousand nine hundred and twenty-three, for twenty-five thousand dollars.

One note to the First National Bank of Mount Airy, North Carolina, dated January twenty-fifth, one thousand nine hundred and twenty-three, due and payable April twenty-fifth, one thousand nine hundred and twenty-three, for five thousand dollars.

One note to the Bank of Pilot Mountain, Pilot Mountain, North Carolina, dated January twenty-fifth, one thousand nine hundred and twenty-three, maturing April twenty-fifth, one thousand nine hundred and twenty-three, for two thousand five hundred dollars.

One note to Farmers Bank, Pilot Mountain, North Carolina, dated January twenty-fifth, one thousand nine hundred and twenty-three, maturing April twenty-fifth, one thousand nine hundred and twenty-three, for two thousand five hundred dollars.

One note to Surry County Loan and Trust Company, Dobson Branch, dated January twenty-fifth, one thousand nine hundred and twenty-three, due April twenty-fifth, one thousand nine hundred and twenty-three, for ten thousand dollars.
One note to Bank of Mount Airy, Mount Airy, North Carolina, dated January twenty-fifth, one thousand nine hundred and twenty-three, due April twenty-fifth, one thousand nine hundred and twenty-three, for five thousand dollars.

One note to First National Bank of Mount Airy, dated January nineteenth, one thousand nine hundred and twenty-three, due April nineteenth, one thousand nine hundred and twenty-three, for five thousand dollars.

One note to Lehman Brothers, New York, dated September fifth, one thousand nine hundred and twenty-two, maturing August fifteenth, one thousand nine hundred and twenty-three, for fifty thousand dollars.

Whereas the board of county commissioners desires to fund the said notes or bonds:

The General Assembly of North Carolina do enact:

Section 1. That the board of commissioners of the county of Surry is hereby fully authorized and empowered to fund the said debts by issuing coupon bonds of the said county of Surry in a sufficient amount to fund the said debts, in such denomination and form as said board of commissioners may determine, which bonds are to bear interest from their date at a rate not to exceed five and one-half per cent per annum, payable semiannually, and shall be payable at such time or times as the board of county commissioners may, in their discretion, determine, not to exceed twenty years, and payable at such place as the board of commissioners may determine. The said bonds shall be signed by the chairman of the board of county commissioners and attested by the clerk of the said board, under the corporate seal of the said county. The interest upon said bonds shall be evidenced by interest coupons thereto attached in the usual form. The coupons are to be signed by the chairman only and a lithograph signature of the said chairman shall be considered sufficient signing thereof. The bonds when issued and the interest accumulated thereon shall be binding upon the said county of Surry and its property, and shall show upon their face that they were issued for necessary expenses.

Sec. 2. That the said bonds when issued shall be sold at public auction as provided by the general law of the State, and the money arising from the said sale shall be used to take up and pay off the said notes set out in the said preamble to this bill.

Sec. 3. That the board of commissioners of the said county, upon the issuing of said bonds, shall be authorized and empowered to levy and collect a tax annually upon all subjects of taxation which are now or may hereafter be embraced in the subject of taxation under the general law of the State to meet the interest of the said bonds and to pay the principal thereof when it shall
become due and payable. The said taxes shall be levied by the board of commissioners at the time other taxes are levied for county purposes.

Sec. 4. That the tax hereby authorized shall be collected and accounted for by the sheriff of said county in the same manner and under the same bonds and penalties and within the same time as now provided by law for other general State and county taxes levied in said county.

Sec. 5. That the said bonds shall not be sold for less than par value and accrued interest.

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 368

AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF BERTIE COUNTY TO ISSUE ROAD BONDS IN AN AMOUNT OF $25,000, WHEN ORDERED TO DO SO BY THE ROAD COMMISSIONERS OF SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the county commissioners of Bertie County be and they are hereby authorized, empowered and directed, when instructed to do so by the board of road commissioners of Bertie County, to issue bonds of said county in an amount not exceeding twenty-five thousand dollars, the proceeds from the sale of said bonds to be used for the purchase of road equipment and machinery for the construction, improvement and maintenance of the public roads of Bertie County; any surplus after the purchase of said equipment and machinery shall be paid into the general road fund of Bertie County; that said bonds shall be serial, coupon bonds in denominations of five hundred dollars each, and the principal of said bonds shall be paid five thousand dollars per annum, payable on the first day of January of each year, the first payment of five thousand dollars to be made on the first day of January, one thousand nine hundred and twenty-six; that said bonds shall not be sold for less than par and shall bear interest at a rate not exceeding six per cent per annum; that the board of county commissioners of Bertie County is hereby authorized, empowered and directed to levy such tax on the real and personal property of said county as may be necessary to pay the interest on said bonds and retire the said bonds at maturity.

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

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

Ratified this the 2d day of March, A.D. 1923.
CHAPTER 369

AN ACT TO ALLOW THE ROAD COMMISSION OF ROBESON COUNTY TO BORROW $5,000 FOR ROAD CONSTRUCTION IN GADDY'S TOWNSHIP, AND PROVIDE FOR THE RE-PAYMENT THEREOF.

The General Assembly of North Carolina do enact:

SECTION 1. That the road commission of Robeson County be and it is hereby authorized to borrow the sum of five thousand dollars to be used in the construction, reconstruction and repair of the public roads and bridges in Gaddy's Township, in said county; and said road commission of Robeson County is hereby empowered to borrow the said money for a period of five years, or for a shorter term as in its discretion it deems wise.

SECT. 2. That the board of county commissioners of Robeson County be and they are hereby authorized to levy annually upon the real and personal property in Gaddy's Township in Robeson County taxes sufficient to pay the annual interest on the sum authorized to be borrowed by this act, and to retire the principal thereof in five years.

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

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 370

AN ACT TO PROTECT GAME IN PERSON COUNTY.

Whereas there has been formed in Person County an organization known as the "Person County Game Protective Association," whose purpose is to aid in the protection of game in said county and assist in the enforcement of the game laws applicable to said county: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the close season of each year during which no quail or partridge, turkeys, rabbits and all other game hunted with gun or dog shall be shot, killed, wounded or in any manner hunted, taken or captured in Person County shall be from December first to January thirty-first, inclusive: Provided, this shall not apply to hunting deer; and Provided further, that when rabbits become destructive to crops they may be killed by the owner of the premises on which the crops are being destroyed or by his family.
Sec. 2. That all persons going into open field or woods with gun and dog during the closed season as above set out shall be presumptive evidence that they are hunting in violation of this act, and upon conviction thereof shall be fined not less than ten nor more than fifty dollars.

Sec. 3. That all resident persons before hunting in Person County, except on his own lands, shall pay a license fee of one dollar annually to the sheriff of Person County, said license to be issued by the sheriff of Person County, who shall keep a record of all licenses issued by him. That all persons while hunting shall carry with them the license issued to them as aforesaid, and produce and show the same when required to do so by the game warden of the county or by any sheriff, deputy sheriff or constable of the county.

That all persons violating the provisions of this section, upon conviction, shall be fined not less than ten dollars nor more than fifty dollars.

Sec. 4. That all nonresidents of North Carolina, before hunting in Person County, shall pay a license fee of ten dollars annually to the sheriff of Person County, said license to be issued by said sheriff, who shall keep a record of same, and such nonresident hunter shall carry with him the license issued to him as aforesaid, and produce and show the same when required to do so by the game warden of the county or by any sheriff, deputy sheriff or constable of the county.

That all persons violating the provisions of this section, upon conviction, shall be fined not less than twenty-five dollars nor more than fifty dollars.

Sec. 5. That no person shall kill in any one day, during the open season, more than ten quail nor more than one turkey, and any one violating the provisions of this section shall forfeit and pay, upon conviction, the sum of five dollars for each quail so killed in excess of ten, and ten dollars for each turkey so killed in excess of one, as above set out.

Sec. 6. That for the purpose of exterminating certain hawks which are known to be destructive of quail, the sheriff of Person County is authorized and directed to pay the sum of fifty cents for each such hawk when brought to him, dead or alive, said amount to be paid by him out of the funds collected by him for hunting licenses.

Sec. 7. That the sheriff of Person County, together with the president of the Person County Game Protective League, shall name and appoint a game warden for Person County, who shall hold office for one year or until his successor is named, whose duty it shall be to report and prosecute any violations of this act, and who shall have the power and authority to arrest any person whom he sees violating the provisions of this act. That the compensation of said game warden shall be fixed by the
sheriff and president of the Person County Game Protective League and paid by said sheriff out of the license fees collected by him from hunters.

Sec. 8. That all dogs in Person County shall be kept on the premises of the owner from May first to October first in each year: Provided, this shall not apply to dogs in any incorporated town which are not permitted to go outside the corporate limits of said town during said period. Any owner of a dog violating the provisions of this section shall be fined the sum of ten dollars for each offense.

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

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 371

AN ACT SUPPLEMENTAL TO H. B. 637 AND S. B. 582, ENTITLED "AN ACT AUTHORIZING THE TOWN OF ROBBINSVILLE AND THE BOARD OF COUNTY COMMISSIONERS OF GRAHAM COUNTY AND THE TRUSTEES OF CHEOAH SCHOOL TO PROVIDE WATER."

The General Assembly of North Carolina do enact:

Section 1. That for the purpose of meeting and defraying its proportional part of the cost of acquiring, levying and installing water-works in cooperation with the county commissioners of Graham County and the board of trustees of Cheoah School the town of Robbinsville may pledge its faith and credit, issue bonds and levy taxes, not to exceed thirty cents on property and ninety cents on polls.

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 372

AN ACT TO REGULATE ITINERANT MERCHANTS OR PEDDLERS IN THE COUNTY OF STANLY.

The General Assembly of North Carolina do enact:

Section 1. That every itinerant merchant or peddler selling or offering for sale beef, pork, mutton, fruits, vegetables, goods, wares, merchandise or any other article of food or diet, or article
of wearing apparel in the county of Stanly, shall pay a privilege tax of one hundred dollars per annum; and any itinerant merchant or peddler selling or offering to sell pork, beef, mutton, fruits, vegetables, goods, wares, merchandise or any other article of food or diet or wearing apparel in the county of Stanly, without having first applied to the board of county commissioners of said county for a license and without having paid the privilege tax required in this section and obtained a license for the same, shall be guilty of a misdemeanor and upon conviction shall be fined not exceeding fifty dollars or imprisoned not exceeding thirty days, and each day so selling or offering for sale without license in violation of this act shall constitute a separate offense: Provided, the provisions of this act shall not be construed to apply to such persons as are exempt under the general laws of the State, or are paying a license tax in Stanly County under the Revenue Act of the State.

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

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 373

AN ACT TO ABOLISH THE OFFICE OF TREASURER OF WATAUGA COUNTY AND TO PROVIDE FISCAL AGENTS FOR SAID COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the office of treasurer of Watauga County be and the same is hereby abolished.

Sec. 2. That the county funds of Watauga County shall be deposited equally by the commissioners of said county with the banks or trust companies of said county, which banks or trust companies shall be the fiscal agents of said county; and each bank or trust company, for the protection of said county funds in said bank or trust company, shall give to said commissioners such bond as said commissioners may require: Provided, that said county funds shall be divided equally among the banks and trust companies of said county only when and if such banks shall render similar services in connection with said funds and handle said funds on similar terms.

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 the expiration of the present term of office of the treasurer of Watauga County.

Ratified this the 2d day of March, A.D. 1923.
CHAPTER 374

AN ACT TO INCREASE THE NUMBER OF THE BOARD OF EDUCATION OF PITTS COUNTY FROM 3 TO 5 MEMBERS.

The General Assembly of North Carolina do enact:

Section 1. That from and after the first Monday of April, one thousand nine hundred and twenty-three, the board of education of Pitt County shall consist of five members.

Sec. 2. That on the first Monday of April, one thousand nine hundred and twenty-three, the board of commissioners of Pitt County shall elect two members to the board of education of Pitt County, so as to increase the number of said board to five as provided in section one of this act. That the two new members so elected shall hold office until their successors are nominated at the primary in one thousand nine hundred and twenty-four and elected and qualified, as provided by law, and thereafter their successors shall be nominated and elected biennially, under the general law.

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 375

AN ACT TO PROVIDE FOR THE CONSTRUCTION, IMPROVEMENT, AND MAINTENANCE OF THE PUBLIC ROADS OF AVERY COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the board of county commissioners of Avery County is hereby constituted the public road commission of Avery County, and as such commission said board is authorized and empowered to construct, repair, improve and maintain the public roads of said county; and the said board is authorized, empowered and directed to levy and collect annually at the same time and in the same manner that the other county taxes are levied and collected, a special tax on all real and personal property in Avery County not to exceed ten cents on the one hundred dollars valuation of said property. The said tax so levied and collected shall be deposited with the treasurer or fiscal agent of Avery County, to be kept separate and apart from the other county funds to be used for the construction, repair, improvement and maintenance of the public roads of Avery County, and in anticipation of the taxes to be collected under this act said board is authorized to borrow money from time to time to carry on the
work herein provided for: Provided, that the money so borrowed shall at no time exceed seventy-five per cent of the county road tax levied in Avery County for the fiscal year in which said funds are borrowed.

Sec. 2. The board of county commissioners of Avery County, at their meeting in April, one thousand nine hundred and twenty-three, shall elect a competent person as road supervisor for Avery County for a term of one year, and annually thereafter, and said supervisor shall be paid a salary not exceeding one hundred dollars per month for such number of months or fractional parts thereof as the commissioners may require; and for the faithful performance of his duty said supervisor shall give to the said board such bond as said board may require.

Sec. 3. The said road supervisor of Avery County shall have authority and power to employ labor, let contract for the upkeep, construction and improvements on said roads where the same are not being kept up by the State or that may be hereafter kept up by the State. Said contract or contracts shall be let to the lowest responsible bidder after notice of the letting of said contract shall have been given for ten days by posting in two public places such notices in the vicinity where said road is to be kept up, constructed, or improved. Said supervisor shall have the right to reject all bids for said upkeep, construction, or improvement if he deems proper, all bids being sealed. Said supervisor shall require of all contractors entering into contract for such work to give bond, conditioned on the faithful performance of the contract, in such amount as said supervisor may deem necessary. Said contractor shall be entitled to receive, on the work done under the contract, payments from time to time, as the work progresses, in such installments as the supervisor shall deem proper: Provided, however, that said supervisor shall withhold from such payments ten per cent of the whole amount due under such contract until completion of the terms of said contract. Said supervisor shall have the power to employ a foreman to work on all roads not worked under contract, and to pay therefor the customary wage for performing such road duty. Said foreman in working said roads shall give employment to any person in the vicinity of the road to be worked able to do manual labor, and a day's labor shall be construed to be ten hours. Said supervisor, contractor or foreman shall have the right to work free labor on said road as hereinafter provided. Each contractor or foreman shall keep a complete record of all free labor worked, how long worked, or the amount of money payments made to him by such free labor, and make report of the same quarterly to the supervisor of the county. Forms and record books for such reporting shall be furnished said foreman or contractor by said supervisor. The said supervisor shall furnish to the board of county commissioners of Avery County a
quarterly report, which report shall be sworn to by said supervisor and which report shall show the amount of road work performed or completed, the amount of money expended in the performance of such work, the amount of money received in lieu of road work to be performed as herein provided, the name of and the number of days worked by each free laborer, and vouchers for all payments. For work performed under direction or control of said supervisor, foreman or contractor there shall be payments made in installments in such amounts as he deems necessary as the work progresses. Under the supervision of said board of county commissioners of Avery County the said road supervisor shall expend such bond-issue money as is now or may become available and such money as is provided for in this act for work on the public roads of Avery County. And the taxes collected according to this act shall be expended as the county board of commissioners may deem proper. The said board of county commissioners of Avery County are hereby authorized to furnish all tools and blasting material as may be required for the upkeep of said roads, and empowered to employ a road engineer to assist or to work in conjunction with said supervisor in amending or laying out such new roads as the county commissioners may deem necessary, and the said board shall have power to discharge or dismiss said supervisor or said engineer, or both, at their discretion.

SEC. 4. The supervisor or foreman shall not work at any one time less than five men, unless he shall do equal labor himself with the laborer each day, unless it be in case of emergency after storm or slide to remove obstruction from the public highway. The public highway in Avery County, under the foreman or supervisor to be kept up, shall be construed to mean roads that are used by the general public and have definite points of intersection with other roads or that are now being kept up by free labor. Said supervisor or foreman shall provide some suitable place to keep such road tools belonging to said county, such as tool boxes or chests, with lock and keys, at a reasonable cost. The foreman shall receive for his salary for a day any amount agreed to by the supervisor and the board of county commissioners.

SEC. 5. That every male person in Avery County between the ages of twenty-one and forty-five years, who has not become exempt or who shall be exempted from road duty by having a certificate from a registered doctor showing disability each year, shall work the public roads of said county at least three days of each year, which year shall begin on April first, or in lieu of said work shall pay to the road supervisor or foreman the sum of three dollars on or before the day summoned to work. Every person so required to work the public roads of Avery County shall be served with a written notice at least three days prior
to the time of performing said work; and leaving said notice at the usual place of business or the residence of said person shall be sufficient service of said notice. Such notice shall be served by said road supervisor or some one by him designated, and shall state the time and place for work; said summons shall be signed by the road supervisor of Avery County, or by some person by him designated; and it shall be the duty of the road supervisor to see that all free labor anticipated under this section shall be put in on the roads during the fiscal year for which same is due.

Sec. 6. Where it is shown that it is necessary for the construction of a new road in any part of Avery County, the party in immediate neighborhood where said road is to be constructed may ask the board of county commissioners to lay out and construct said road. Said supervisor or foreman may have the right to go on said land over which said road is to be built and use such timbers, stone or gravel, dirt or borrowing pits as is necessary for the construction of said road, not to destroy more of the available timber, stone or gravel than is necessary. In case of damages arising from the construction of said road or roads, if an agreement cannot be arrived at with the parties concerned and the supervisor, then the same shall be taken up with the county commissioners; and if they cannot agree, then the said county commissioners shall appoint two good business men to go over said road or roads and settle the dispute, taking into consideration the value of the road to the said aggrieved party, and report their findings with the amount of damage to the county commissioners, they paying the same out of the road fund of the above levy. In the event any difficulty arises as to damages the same shall not conflict or stop the work on said road in any way, as the same shall be adjusted after completion of said road.

Sec. 7. Any person who shall fail to work the road as required by this act or pay the sum of three dollars in lieu of said work shall be guilty of a misdemeanor and upon conviction shall be subject to a fine of five dollars for each day said person fails to work said roads. No person who is entitled to work said road in Avery County for the upkeep of the same shall be compelled to go out of his voting precinct. The said board of county commissioners of Avery County shall furnish the said supervisor of said county a list of names and addresses of all persons required to work the roads of Avery County and a receipt book wherein said supervisor shall keep a record of all road work performed, all payments made in lieu of said work. Any supervisor or foreman or contractor for the public roads of Avery County who shall fail to perform any of the duties required of him by this act shall be guilty of a misdemeanor and upon conviction shall be fined in an amount not exceeding fifty dollars.
SEC. 8. All the roads in the several townships in Avery County as above described shall be kept up so as not to discriminate in any one township in said county, so that all the roads may be kept in good passable condition. That this act shall not in any way be construed as affecting the validity of any bond issue passed in said county, or the State highway road law, but all other laws conflicting with the provisions of this act are hereby repealed.

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 376

AN ACT TO REAPPOINT A. J. DRAPER A MEMBER OF THE MECKLENBURG COUNTY HIGHWAY COMMISSION.

The General Assembly of North Carolina do enact:

SECTION 1. That A. J. Draper be and he is hereby reappointed a member of the Mecklenburg County Highway Commission, whose term of office shall be for six years from the fourth day of April, one thousand nine hundred and twenty-three, or until his successor is appointed and qualified.

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

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 377

AN ACT TO AMEND CHAPTER 151 OF THE PUBLIC-LOCAL LAWS OF THE SESSION OF 1921, IN RELATION TO THE SALARY OF THE REGISTER OF DEEDS FOR MADISON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and fifty-one of the Public-Local Laws of the session of one thousand nine hundred and twenty-one be and the same is hereby amended by striking out the words "twenty-one" in line five of section two of said act and inserting in lieu thereof the word "eighteen."

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

Ratified this the 2d day of March, A.D. 1923.
CHAPTER 378

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF GRANVILLE COUNTY TO ISSUE BONDS FOR ROAD PURPOSES AND TO PROVIDE FOR THE PAYMENT OF THE SAME.

The General Assembly of North Carolina do enact:

Section 1. That for the purpose of purchasing improved road machinery, maintaining a force of convicts and otherwise working the roads of Granville County, and for the purpose of settling certain indebtedness of the said county contracted in the building of bridges and building and maintaining the public roads of said county, the board of county commissioners of Granville County is hereby authorized and empowered to issue coupon bonds of said county to an amount not exceeding thirty thousand dollars ($30,000), of denominations not to exceed one thousand dollars ($1,000), bearing interest from the date thereof at a rate not to exceed six per centum per annum payable semiannually; 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 twenty years from the date thereof, and at such place or places as the said 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 face value.

Sec. 2. That said bonds shall be numbered and shall be signed by the chairman of said board of county commissioners and countersigned and attested by the treasurer of said county, with the corporate seal of said county of Granville; and the coupons shall bear the engraved or lithographed signature of the chairman of said board of county commissioners.

Sec. 3. The board of county commissioners shall keep a record of all bonds so issued on the minutes of said board, showing to whom sold, the amount and date of sale and the number and date of maturity of each bond.

Sec. 4. In order to pay interest on said bonds and to provide a sinking fund for their retirement at maturity, the said board is hereby authorized and required to levy upon all taxable property in each year, after issuance of said bonds, of a tax over and above all other taxes now authorized and limited by law, sufficient to pay interest on said bonds and to provide a sinking fund for the payment of said bonds at the maturity thereof.

Sec. 5. That it shall be the duty of said board of county commissioners to annually invest any and all moneys arising from the special tax for said sinking fund in the purchase of any of Granville County bonds at a price deemed advantageous by said county commissioners. But in the event said county bonds cannot
be purchased, the commissioners shall invest said sinking fund in North Carolina State bonds or may loan the same with State bonds as collateral security for said loan. That said commis- sioners shall charge the legal rate of interest upon any money belonging to the sinking fund so loaned by them, and shall collect the interest annually and reinvest the same.

Sec. 6. That the money arising from the sale of said bonds shall be turned over to the treasurer of Granville County and used by the board of road commissioners of said county, to liquidate, settle and pay off certain outstanding indebtedness of the county of Granville, borrowed and used for the road fund of Granville County in constructing bridges and roads heretofore, and the remainder shall be used to purchase improved road working machinery, maintaining and guarding such convict force as may be from time to time assigned to work on the roads of said county, and in purchasing material for the construction of said roads, and in working the roads of said county.

Sec. 7. This act shall be in force from and after its rati- fication.

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 379

AN ACT FOR THE PROTECTION OF FISH IN WATAUGA COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That it shall be unlawful for any person to place sawdust in any pond, lake or stream in Watauga County. Any person violating the provisions of this section shall be guilty of a misdemeanor, and upon conviction shall be fined not less than ten dollars and not more than fifty dollars, in the discretion of the court.

Sec. 2. That it shall be unlawful for any person to catch, kill, take or destroy with dynamite or any other explosive any fish in Watauga County. Any person violating the provisions of this section shall be guilty of a misdemeanor and upon conviction shall be fined not exceeding fifty dollars or imprisoned not more than thirty days, or both, in the discretion of the court.

Sec. 3. That it shall be unlawful for any person to catch, take, kill or destroy any fish in Watauga County except with hook and line from April thirtieth until September first. Any person violating the provisions of this section shall be guilty of a misde- meanor, and upon conviction shall be fined not less than ten dollars and not more than fifty dollars, in the discretion of the court: Provided, this section shall not apply to private water reserves.
Repealing clause.

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

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 380

AN ACT TO ALLOW THE PEOPLE OF MADISON COUNTY TO SELL VEAL CALVES FOR TRANSPORTATION BEYOND THE BORDERS OF THE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That it shall be legal for any person, firm or corporation to sell veal calves in Madison County for the purpose of transporting same beyond the borders of said county, and it shall also be legal for any person, firm or corporation to transport veal calves raised or purchased in Madison County beyond the borders of said county.

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

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 381

AN ACT PROVIDING FOR THE APPOINTMENT OF FINANCIAL AGENTS FOR THE COUNTY OF SCOTLAND.

The General Assembly of North Carolina do enact:

Section 1. That the board of county commissioners of Scotland County be and the same is hereby authorized and empowered, in the discretion of said board, by resolution adopted at any regular or called meeting of said board, to appoint one or more banks or trust companies located within said county and deemed by said board to be solvent as financial agent or agents for said county, which appointments shall be for a term of not more than two years; and such banks or trust companies so appointed shall be required to execute the same bonds for the safe-keeping and proper accounting of such funds as may come into their possession and belonging to said county or any of the subdivisions thereof, and for the faithful discharge of their duties, as are now required by law of county treasurers, which said financial agent or agents so appointed shall perform all the duties now performed
and required to be performed by the sheriff as ex-officio treasurer of said county, but said financial agent or agents so appointed shall not charge nor receive any compensation whatever for their services other than such advantages and benefits as may accrue from the deposit of the county funds in the regular course of banking.

Sec. 2. That from and after the time fixed by said board of county commissioners by its resolution appointing such financial agent or agents, the sheriff of said county shall no longer be ex-officio treasurer of said county nor shall he perform any of the duties now required of him as such, but it shall be his duty, upon the collection of all the taxes which he is now and may hereafter be required by law to collect for the said county and the subdivisions thereof, to pay the same over to the said financial agent or agents so appointed at such times and in such manner, and observing such proportionate distribution of such funds among the several financial agents so appointed, as may be directed and fixed by the said board, as nearly as may be.

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

Sec. 4. That the provisions of this act shall be in force and effect from and after the first day of December, nineteen hundred and twenty-three.

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 382

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

The General Assembly of North Carolina do enact:

Section 1. That the board of county commissioners of Brunswick County be and they are hereby authorized and empowered to levy a special tax of not exceeding five cents on the one hundred dollars valuation on all taxable property in said county for the years one thousand nine hundred and twenty-three and one thousand nine hundred and twenty-four, for the purpose of supplementing the general county fund of said county, and to be used in the payment of the indebtedness and current expenses of said county.

Sec. 2. That this special tax shall be levied, collected, accounted for and paid out at the same time and in the same manner and under the same penalties as are now provided by law for the other county taxes.

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

Ratified this the 2d day of February, A.D. 1923.
CHAPTER 383

AN ACT VALIDATING CERTAIN BONDS OF FRANKLIN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. The proceedings of the board of county commissioners of Franklin County, adopted on the nineteenth day of February, one thousand nine hundred and twenty-three, authorizing and selling forty-five thousand dollars funding bonds of the county and providing for a special tax, are hereby validated, and the said bonds may be issued and special tax levied and collected accordingly.

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 384

AN ACT TO INCREASE WITNESS FEES IN THE SUPERIOR COURT OF SURRY COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the fees of witnesses in attendance in Superior Court of Surry County shall be one dollar and fifty cents ($1.50) per day and mileage, five cents per mile each way, by nearest route of travel: Provided further, where county is adjudged to pay the costs, witnesses shall only receive half fees.

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

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 385

AN ACT VALIDATING CERTAIN BONDS OF CHATHAM COUNTY.

The General Assembly of North Carolina do enact:

Section 1. The proceedings of the board of county commissioners of Chatham County, adopted on the twentieth day of February, one thousand nine hundred and twenty-three, authorizing and selling fifty thousand dollars road and bridge bonds, and the proceedings of said board adopted on the twenty-third day of
February, one thousand nine hundred and twenty-three, authorizing and selling fifty thousand dollars county home bonds of the county, and providing for a special tax, are hereby validated, and the said bonds may be issued and special tax levied and collected accordingly.

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 386

AN ACT TO AMEND CHAPTER 108, PUBLIC LAWS OF 1909, RELATIVE TO FISHING IN BOONE FORK CREEK, WATAUGA COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That chapter one hundred and eight of the Public Law amended.

Laws of nineteen hundred and nine be amended by adding at the end of section two the following: “Provided, the owner or lessee of any fishing right on any stream or lake on Boone Fork Creek or its tributaries may give written permission to fish, with hook and line, in said streams or lakes made thereon, at any time between May first and October first.

Sec. 2. That all laws and clauses of laws in conflict with Repealing clause.

this act are hereby repealed.

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 387

AN ACT AUTHORIZING THE COMMISSIONERS OF GRAHAM COUNTY TO ISSUE TOWNSHIP BONDS NOT TO EXCEED $125,000 FOR ROADS AND BRIDGES IN GRAHAM COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the county commissioners of Graham County are hereby authorized and empowered to issue township bonds in Cheoah, Stecoah and Yellow Creek townships, Graham County, not in excess of one hundred and twenty-five thousand dollars for the three townships, and if they deem it advisable they may allow Cheoah and Yellow Creek townships to combine and to issue, for said townships jointly, bonds not in excess of one hundred thousand dollars. The proceeds derived from the sale of said bonds shall be applied only to the construction and maintenance of the roads and bridges in said townships. Said bonds shall be

issue of bonds authorized.

Townships affected.

Amount of bonds.

Authority to Cheoah and Yellow Creek townships for joint bonds.

Amount of joint bonds.

Specific appropriation of proceeds.

Maturity of bonds.

28—Public-Local
Denominations. serial coupon bonds and run for thirty years, to be in denomi-

nations of one thousand dollars and to bear interest not exceed-
ing six per cent.

Sec. 2. That the county commissioners of Graham County are hereby authorized and empowered to levy such tax on the real and personal property of the townships mentioned in section one of this act as may be necessary to provide funds for the payment of interest on said bonds and for the payment of one-twentieth of the total amount of bonds issued; the first payment on the principal to be made ten years from the date of issuance of said bonds.

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

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 388

AN ACT TO PROVIDE A CLOSE SEASON FOR A PERIOD OF THREE YEARS FOR FISHING IN JOHNSON'S MILL POND AND PHILLIP'S CREEK IN BLADEN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That for a period of three years from and after the ratification of this act it shall be unlawful for any person to catch or take with hook, net or seine, or otherwise capture, kill or destroy any fish in Johnson's mill pond or Phillip's Creek in Bladen County.

Sec. 2. That any person violating this act shall be guilty of a misdemeanor and upon conviction shall be punished in the discretion of the court.

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

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 389

AN ACT TO PROVIDE FOR A DOG-TAX COLLECTOR FOR EACH TOWNSHIP IN PASQUOTANK COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the county commissioners of Pasquotank County be and they are hereby authorized and directed to appoint a dog-tax collector for each township in Pasquotank County.
SEC. 2. That said dog-tax collector shall receive for his Pay. services twenty-five per cent of all amounts he shall collect as taxes on listed dogs, and fifty per cent of all amounts he shall collect as taxes on dogs not listed.

SEC. 3. That for failure to list a dog for taxes there shall be required of and collected from the owner of said dog, in addition to the regular tax on said dog, as penalty, an amount equal to the regular tax.

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

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 390

AN ACT TO AMEND CHAPTER 67, PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION 1917, BEING THE CALDWELL COUNTY ROAD LAW.

The General Assembly of North Carolina do enact:

SECTION 1. That section twelve of chapter sixty-seven, Public-Local Laws of North Carolina, session one thousand nine hundred and seventeen, be and the same is hereby amended by striking out the words "twenty days" wherever they occur in said section, and inserting in lieu thereof the words "five days."

SEC. 2. That the board of commissioners of Caldwell County be and they are hereby authorized, empowered and directed to issue bonds of the county of Caldwell in a sum not to exceed seventy-five thousand dollars, payable at such time or times and at such place or places, and bearing such rate of interest not exceeding six per cent, payable semianually, and being of such form and tenor and executed in such manner as said board of commissioners may determine: Provided, that the said bonds shall be issued serially, and the first installment shall be payable not less than five years from their date, and the last installment of which shall be payable not more than thirty years from their date.

SEC. 3. That for the payment of the bonds hereinbefore directed to be issued the board of commissioners of Caldwell County are hereby directed to levy such special tax or taxes as may be sufficient to pay the interest thereon as it may hereafter fall due and become payable, and to pay the principal of said bonds as it may hereafter mature.

SEC. 4. The proceeds of the bonds hereby authorized shall be applied to the construction and completion, or partial con-
construction and completion of the following named projects, to which are severally appropriated the amounts hereinafter set forth:

(a) For the construction of a highway from Beach Ford on the Yadkin River to the Wilkes County line, the sum of twenty-five thousand dollars.

(b) For the construction of a road from Collettsville up the Johns River, the sum of fifteen thousand dollars.

(c) For the construction of a trail from Globe to Mortimer or Edgemont, the sum of one thousand dollars.

(d) For the construction of a road from the State Highway at or near King's Creek postoffice to the highway on Yadkin River at or near Frazier's Ford, the sum of ten thousand dollars.

(e) For the completion and construction of road from Lenoir to Grandin on Zack's Fork and Little Kings Creek, the sum of eight thousand dollars.

(f) For the completion of the work on road from Hudson to Mount Herman schoolhouse, the sum of five hundred dollars.

(g) For the completion of the highway from Lenoir to Connelly Springs, the sum of one thousand dollars.

(h) For the completion of the road from Granite Falls to Hudson, known as the Bungarner Road, the sum of five hundred dollars.

(i) For the construction of a road from Dudley Shoals to the State Highway, from Lenoir to Taylorsville, the sum of three hundred dollars.

(j) For work on road up Mulberry Creek, the sum of five hundred dollars.

(k) For work on road from Lenoir to Collettsville, known as the Greasy Creek Road, the sum of five hundred dollars.

(l) For work on road from Lenoir to Collettsville, the sum of five thousand dollars.

(m) For miscellaneous work and engineering expenses, the sum of five thousand dollars.

Sec. 5. The sums hereby appropriated shall be expended for the purposes designated in this act, and for no other, except that any balance unexpended in any project hereby authorized may be applied to the completion of any other project. If the sums hereby approximated are insufficient to complete grading and surfacing upon any project, then no sum shall be expended for surfacing until the grading is completed.

Sec. 6. Any person claiming damage because of any work done hereunder or any work hereafter to be done by Caldwell County must file his claim under the provisions of said chapter sixty-seven, Public-Local Laws of one thousand nine hundred and seventeen, within ninety days of the completion of the work or be forever barred from maintaining any action or suit or any charge growing out of such work.
Sec. 7. For the purpose of paying the installment of principal and interest on the bonds authorized under chapter sixty-seven, Public-Local Laws of one thousand nine hundred and seventeen, the board of commissioners of Caldwell County may disregard the limitation of taxation prescribed by said chapter and shall levy a sufficient sum to pay such bonds and interest.

Sec. 8. The issuance of bonds authorized shall not be dependent upon the vote of the people, but same shall be issued as hereinbefore set forth.

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

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 391

AN ACT TO AUTHORIZE THE TAX COLLECTOR FOR POLK COUNTY TO PAY INTEREST COUPONS ON ROAD BONDS OF POLK COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That whereas it appears that George A. Gash is now the holder and owner of four hundred and thirty-five dollars of the interest coupons due on road bonds issued by the county commissioners of Polk County in one thousand nine hundred and fifteen, for Tryon and Saluda townships; and whereas it appears that the said George A. Gash has presented the said coupons a number of times and demanded payment thereof, and payment been refused;

Sec. 2. And whereas it appears that the four hundred and thirty-five dollars of interest coupons were due and payable on July first, one thousand nine hundred and nineteen, and are still outstanding, unpaid, unredeemed by the treasurer of Polk County or the treasurer of the road board of Tryon and Saluda townships: Therefore, be it enacted:

Sec. 3. That the present tax collector for Polk County, North Carolina, Frank Jackson of Mill Spring, North Carolina, now collecting the one thousand nine hundred and twenty-two tax, be and he is hereby authorized and required to pay to George A. Gash, his heirs, executors, administrators or assigns, on demand, the sum of four hundred and thirty-five dollars, together with interest on four hundred and thirty-five dollars from July first, one thousand nine hundred and nineteen, until paid, and to take up from the said George A. Gash, his heirs, executors, administrators or assigns, the said coupons and handle same as
cash in his settlements with the county commissioners and road trustees of Tryon and Saluda townships.

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

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 392

AN ACT TO AUTHORIZE THE ERECTION AND MAINTENANCE, BY MECKLENBURG COUNTY AND CITY OF CHARLOTTE, OF A JOINT COURTHOUSE AND MUNICIPAL BUILDING.

The General Assembly of North Carolina do enact:

Section 1. That the county commissioners of Mecklenburg County and the governing body of the city of Charlotte be and they hereby are fully authorized and empowered to acquire and hold as tenants in common a site or lot of land within the corporate limits of said city, and to erect thereon a joint county and municipal building or buildings, to be used by the county for courthouse and other county purposes and by the city for municipal purposes.

Sec. 2. The adoption of plans and specifications for the erection of such joint county and municipal building or buildings and the building and erection of same, together with such powers as are incidental thereto and necessary to carry out such ends, shall be and hereby are vested in a commission to be composed of five members, all citizens of Mecklenburg County, two of whom shall be nominated and appointed by the county commissioners of Mecklenburg County, two by the governing body of the city of Charlotte, and the fifth member shall be elected by the four so appointed: Provided, that members of the board of county commissioners of said county and members of the governing body of the said city shall be eligible to membership on said commission. Said commission shall be known as “Mecklenburg Building Commission,” and immediately after its appointment each member thereof shall take and subscribe an oath for the faithful performance of his duties as such before the clerk of the court of said county, and the commission shall then meet, organize and elect one of its members as its chairman and make such rules and regulations for its own government and dispatch of its business as it may deem advisable. The members of said commission shall receive, as compensation for their services while actually engaged in the performance of their duties, the sum of
five dollars ($5.00) per day: Provided, that no member of said commission who receives a stated salary as an official of said county or city shall receive any additional compensation for his services as a member of said building commission. The terms of office of the members of said commission shall continue until the final completion of said building or buildings and the final winding up of all matters in connection therewith, not exceeding, however, two years from July first, one thousand nine hundred and twenty-five. Any vacancy occurring in the membership of said commission by reason of death, removal, resignation or otherwise shall be filled by nomination and appointment of a new member in the same manner in which such deceased or retiring member was appointed.

Sec. 3. That the county commissioners of Mecklenburg County and the governing body of the city of Charlotte shall have the right and power by proper action of their respective boards to choose, agree upon and determine a site within said city for such joint county and municipal building or buildings, and their decision thereon shall be final and binding: Provided, however, that in the event said county and city authorities shall fail to choose, agree upon and determine the site for such building or buildings and notify said building commission thereof, in writing, within ten days after appointment and organization of said building commission, then said building commission shall forthwith proceed to choose and fix upon an adequate and convenient site or location within the corporate limits of the city of Charlotte for the said joint county and municipal building or buildings, and the choice and determination of said commission, in the absence of fraud, shall be final and binding. If the site or location so chosen and fixed upon does not then belong to either Mecklenburg County or the city of Charlotte, said commission shall attempt to secure from the owner or owners thereof an offer to sell same to said county and city at a fair and reasonable price, and in event of failure to obtain from said owner or owners a valid offer to so sell same at what said commission may consider a fair and reasonable price, the commission shall immediately and in writing notify the county commissioners of said county and the governing body of said city of the choice and determination of said site by the commission and its inability to secure a fair and reasonable offer of sale thereof, and notify said county and city authorities to institute proceedings in the Superior Court of Mecklenburg County to condemn and acquire such site for the purposes aforesaid; whereupon it shall be the duty of the county commissioners of said county and the governing body of said city to jointly institute such condemnation proceedings in said court and prosecute same to as speedy a conclusion as reasonably possible. Such condemnation proceedings shall be instituted, prosecuted, governed and determined in the same manner and
with the same effect as now provided by law for the condemnation by said county and city of lands for public purposes, with like rights of jury trial, appeal, etc., to all parties, and the owner or owners of said site shall be paid as damages for the taking of said site or land such sum of money as is finally determined in said proceeding to be the fair and true value thereof, with interest thereon at the rate of six per centum (6 per cent) per annum from the date of the actual taking and appropriation thereof to the purposes aforesaid. In the event said commission shall secure from the owners of said site so chosen an offer to sell same to said county and city at a price which it considers and determines to be fair, just and reasonable, it shall thereupon notify said county and city authorities in writing of the choice and determination of said site, and the price at which the owner or owners thereof have offered to sell same; and it shall be the duty of the said county commissioners and said city authorities to notify said building commission in writing, within fifteen days after receipt of such written notice, whether or not they approve and authorize the purchase of said site or land at the price so offered. If both said county commissioners and said governing body of said city approve and authorize the purchase of said site and land at the price so offered, and so notify said commission in the manner and within the time aforesaid, or if both said county and city authorities fail to notify said commission in the manner and within the time aforesaid of their disapproval of the purchase of said site at the price so offered, then said building commission shall immediately purchase said site for said county and city at the price so offered; but if, within fifteen (15) days after receipt of said written notice from said building commission, either or both of said county commissioners and city authorities shall notify said commission that they disapprove the purchase of said site at the price so offered, same shall not be purchased by said commission at such price, and it shall thereupon be the duty of said county and city authorities to jointly and forthwith institute proceedings for the condemnation of said site in like manner and with like effect as provided above, in event of the inability of said commission to secure an offer of sale of same at a fair and reasonable price. In the event the site chosen and determined upon is composed, in whole or in part, of land owned by either Mecklenburg County or the city of Charlotte, the said commission shall fix and determine the fair and reasonable value of said land, and notify said county and city authorities in writing of the choice and determination of said site, and the amount it has fixed and determined to be the fair and reasonable value of said land so owned by said county or city, and unless either said county or said city authorities shall, within fifteen (15) days after receipt of such written notice, notify said commission in writing of their disapproval of said valuation so fixed and deter-
mined, the valuation of said land as so fixed and determined by
said commission shall be final and binding on both said county
and city, and the said county or city, as the case may be, which
does not own said land shall pay to the other as owner thereof
one-half of such valuation so fixed and determined as aforesaid:
Provided, however, that if, within fifteen days after receipt of
such written notice from said commission, either or both of said
county commissioners or city governing body shall notify said
building commission in writing of their disapproval and nonaccept-
ance of the valuation of said land as fixed and determined by
said commission, such valuation so fixed and determined shall
not be final and binding, but either said county or city, or both,
shall have the right to appeal therefrom to the Superior Court
of Mecklenburg County: Provided further, that such appeal or
appeals shall be instituted by filing notice thereof with the clerk
of said court and serving copies of such notices in all cases upon
the chairman of said commission and the chairman of said county
commissioners, in the event said city appeals, or upon the mayor
of said city, in the event said county appeals. In the event of an
appeal to said Superior Court from the findings and valuation of
said commission as authorized above, the sole issue to be deter-
mined shall be one of fact, to wit: "What is the reasonable value
of the land appropriated?" and same shall be tried and determined
by said court as provided by law for the trial and determination
of issues of fact in civil actions generally and as provided by law
for the trial of appeals from the findings and reports of juries
of assessors in condemnation proceedings generally, with the
right to both county and city to adduce evidence on the trial and
to appeal to the Supreme Court from the judgment rendered by the
Superior Court for errors of law committed upon the trial, as in
civil actions generally; and the practice and procedure provided
for civil actions generally shall apply so far as applicable to the
trial and final determination of said issue, and upon the final
determination of such appeal and issue and the final adjudication
of the value of such land, the said county or city, as the case
may be, which is not the owner of said land, shall pay to the
city or county, as the case may be, which is the owner of said
land, one-half of the valuation of said land as so finally fixed and
adjudicated, together with interest thereon at the rate of six
per cent per annum from the date of appropriation of said land.
The site so chosen and determined upon and appropriated to the
purpose aforesaid shall be vested, by deed or judgment of said
court, as the case may be, in fee simple absolute in Mecklenburg
County and the city of Charlotte as tenants in common of equal
interest; and said building commission shall have the right to
go upon, take and appropriate the land chosen and determined
upon as the site of said joint county and municipal building or
buildings immediately after same shall have been finally chosen.

Proviso: settlement of price on disagreement.

Proviso: institution of appeal.

Issue on appeal.

Trial.

Appeal to Supreme Court.

Payment on final judgment.

Title.

Entry by building commission.
Procedures of actions.

Engineers and architects.

Plans and specifications.

Present needs and future requirements considered.

Advertisement for bids.

Contracts for buildings.

Proviso: law governing action.

Expense borne equally by county and city.

Monthly requisition for funds.

Deposit of funds.

Treasurer of building commission.

Safe-keeping of funds.

Deposits.

Accounts.

Liable on bond.

and determined upon. All court actions and proceedings authorized and provided for in this act shall stand first for trial upon the docket of the Superior Court of Mecklenburg County and take precedence in trial over all other actions and proceedings.

Sec. 4. That as soon as practicable after the choice and determination of the site for the joint county and municipal building or buildings provided for in this act, said building commission shall employ competent engineers and architects and have prepared, approve and adopt plans and specifications for the construction and erection of said building or buildings, taking into consideration the present needs and probable future requirements of the several departments, activities and bureaus of Mecklenburg County and the city of Charlotte.

Sec. 5. That as soon as practicable after adoption of the plans and specifications for said joint county and municipal building or buildings as provided in this act, said building commission shall advertise for and secure bids for the building and erection thereof, and make and enter into a contract or contracts in the name of Mecklenburg County and the city of Charlotte with responsible parties for the construction and erection of said building or buildings according to said plans and specifications and proceed to have same carried out and performed as speedily as reasonably possible: Provided, that in securing bids and letting contracts for said building or buildings, said commission shall be governed by and follow the requirements of law relative to the letting of such contracts by municipalities generally.

Sec. 6. That the total cost of the site for and the construction and erection of said joint county and municipal building or buildings, including the expenses of said building commission and all other incidental costs and expenses, shall be borne and paid by Mecklenburg County and the city of Charlotte in equal proportions. Said commission shall on or before the fifth day of each calendar month notify the mayor of said city and the chairman of the board of commissioners of said county of the amount of funds which will be needed by said commission during the succeeding calendar month, and said county and city shall each deposit one-half of said sum with the treasurer of said commission on or before the fifth day of such succeeding calendar month. The treasurer of Mecklenburg County shall be ex officio the treasurer of said building commission and shall serve as such without extra compensation therefor; as such treasurer he shall receive, hold and be responsible for all moneys of said commission, keeping same in a separate fund, shall deposit same only upon written orders signed by the chairman and two members of said building commission and shall keep full and accurate accounts of all receipts and disbursements of same. Said county treasurer's official bond shall be liable for his faithful performance of said acts.
SEC. 7. The county attorney of Mecklenburg County and the city attorney of the city of Charlotte shall jointly act as attorneys and legal advisers to said building commission, and shall approve all contracts and commitments of said commission as to form and legality.

SEC. 8. That upon completion of said joint county and municipal building or buildings, said building commission shall as nearly as practicable allocate and appropriate one-half thereof to the use and occupancy of Mecklenburg County and one-half to the use and occupancy of the city of Charlotte, said two parts to be as nearly equal as practicable in floor space and location, and shall give due notice thereof to the said county and city, and said county and city shall thereafter enjoy the use and occupancy of the parts respectively allocated to them. Said commission shall then make or have made and prepared a complete audit and report of all its business and activities, and shall file complete copies of same with said county and city authorities.

SEC. 9. That the upkeep, maintenance and operation of said building shall be vested in and attended to by a building committee to be composed of the chairman of the county commissioners of Mecklenburg County, the commissioner of public works of the city of Charlotte, and the foreman, for the time being, of the grand jury of said county; and the costs thereof shall be borne and paid equally by the said county and city: Provided, however, that in the event either said county or city shall desire to use and occupy more than its one-half of said building, and the other assents thereto, they may agree upon the terms of payment of costs and rent therefor.

SEC. 10. That if both the county commissioners of Mecklenburg County and the governing body of the city of Charlotte shall not, on or before the fifteenth day of June, one thousand nine hundred and twenty-three, by proper resolutions and ordinances of their respective bodies, provide for, authorize and agree to the acquisition of a site and erection of such building or buildings as authorized by this act, and on or before said date nominate and appoint their respective members of the building committee as hereinbefore provided for, then a special election shall be held at all the voting precincts in Mecklenburg County on the fourth Saturday in July, one thousand nine hundred and twenty-three, being the twenty-eighth day of said month, for the purpose of ascertaining the will of the voters of said county upon the question of the erection of such joint county and municipal building: Provided, however, that if said county commissioners and said governing body of said city shall each by proper resolution fix and agree upon an earlier date for holding said election than the date set forth above, they shall immediately notify the chairman of the board of elections of said county of the date as so fixed and agreed upon by them, and said chairman of the board of

Attorneys and legal advisers.

Approval of contracts.

Allocation of floor space.

Notice of allocation.

Use and occupancy of allotments.

Audit and reports of building commission.

Upkeep, maintenance and operation of building.

Apportionment of cost.

Proviso: division by consent.

Election if county or city government fail to act.

Date for election.

Question.

Proviso: date for election may be changed.
elections shall immediately take the proper steps as provided in this act to call and hold said election upon said date, and same shall be so held. At said election all voters of Mecklenburg County qualified to vote at said election may vote a written or printed ticket. Those who favor the erection of such joint county and municipal building shall vote a ticket with the words “For Joint County and City Building,” written or printed thereon, and those who oppose same shall vote a ticket with the words “Against Joint County and City Building,” written or printed thereon; and if a majority of the votes cast at said election shall be “For Joint County and City Building,” and the result shall be so declared, then the provisions of this act shall be mandatory, and the county commissioners of said county and the governing body of said city shall each immediately take the proper action as set forth in this act to provide for the acquisition of a site and the erection of such joint county and municipal building or buildings. The said election shall be held in the manner provided by law for the election of members for the General Assembly, except as otherwise provided in this act. No right of action or defense founded upon any invalidity of such election shall be asserted, nor shall the validity of said election be open to question in any court upon any grounds whatsoever, except in an action or proceeding commenced within thirty (30) days after the determination of the result of said election by the board of elections of Mecklenburg County.

SEC. 11. It shall be the duty of the chairman of the board of elections of Mecklenburg County to publish a notice of the election provided for in this act daily for one (1) week in one or more newspapers published in said county, stating the date the registration books shall open, the date the registration will close, the date of the election and the purpose of the election, and he shall see that the registrars of the several voting precincts in said county are provided in due time with the registration and poll books in their respective precincts; he shall cause to be printed and distributed to the registrars a sufficient number of tickets, both for and against joint county and city building, and shall provide the registrar at each precinct with at least three (3) blank forms for the returns of said elections. All the expenses incurred under this act by the chairman of the county board of elections shall be paid by the board of county commissioners upon an itemized statement duly verified by him. The registration books for said election shall open thirty (30) days before the date of said election at nine o'clock in the morning and shall remain open each day thereafter (Sunday excepted) from nine a.m. to six thirty p.m., up to and including the Saturday preceding the date of said election. On each Saturday during said period each registrar shall attend at his polling place for the registration of voters; and shall also attend with the pollholders at the polling
place on the date of the election for the challenge, and the hearing of same, of any persons registered, whose right to vote shall be challenged. The registrars and pollholders shall be those now holding such positions; and the chairman of the board of elections is authorized to fill any vacancies occurring, and from time to time as they occur. Immediately upon the close of the election the votes cast at each precinct shall be counted and the number cast for and against joint county and city building shall be ascertained, and two abstracts thereof shall be filled in and signed by the registrar and judges of election, one of which shall be delivered on or before the Thursday next after the date of the election of the chairman of the board of elections of said county, and the other to the register of deeds of said county with the registration and poll books. The registrar and pollholders shall select one of their number to transmit the returns to the chairman of the board of elections and the register of deeds. The registrars and pollholders shall receive the same compensation as now fixed by law for their services, to be paid by the board of county commissioners.

Sec. 12. It shall be the duty of the board of elections of Mecklenburg County to meet in the courthouse of said county on the Thursday next after the date of said election at twelve o'clock of the day, and duly canvass the returns made of said election, and judicially declare and determine the result thereof, and shall certify the result to the board of county commissioners of said county and the governing body of the city of Charlotte as soon as the same is determined, and post a copy of their canvass at the courthouse in said county.

Sec. 13. The county of Mecklenburg and the city of Charlotte are each authorized to issue bonds of said county and city, respectively, to such amount as may be necessary to pay for their respective shares of the cost of the joint county and municipal building authorized by this act, such bonds of the city of Charlotte to be issued as may be provided by the Municipal Finance Act then in force, and such bonds of the county of Mecklenburg to be issued in such manner as may be determined by the board of county commissioners, with interest at not more than six per centum per annum. Sufficient advertisement of the proposed sale of any county bonds shall be deemed to have been given in accordance with the provisions of the Municipal Finance Act then in force. A vote of electors shall not be required for any bond issue authorized by this section, nor shall any ordinance, resolution or order therefor be subject to a petition of voters for a referendum thereof, and such ordinance, resolution or order shall be in effect upon passage. After the issuance of any such bonds by said county or said city, the county or city issuing the same shall annually levy and collect a sufficient tax upon all taxable property to provide for the payment of the interest and principal of said bonds as the same fall due, or to provide for the payment of the
interest thereupon and provide for a sinking fund for the payment of the principal at maturity. The funds raised by such taxes shall be segregated and kept separate and shall not be spent for any other purpose than for the payment of said principal and interest.

Sec. 14. That in the event that it shall be decided to erect a joint county and municipal building for Mecklenburg County and the city of Charlotte, as authorized in this act, then the choice and designation of a site for such building shall be controlled by the provisions of this act, and not by the provisions of subsection ten of section twelve hundred ninety-seven of the Consolidated Statutes.

Sec. 15. That all laws and clauses of laws in conflict with this act be and the same are hereby repealed to the extent of such conflict.

Sec. 16. That this act shall be in force and effect from and after the date of its ratification.

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 393

AN ACT TO AMEND CHAPTER 451 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION 1915, PROVIDING FOR THE APPOINTMENT OF RURAL POLICEMEN FOR CERTAIN TOWNSHIPS IN ANSON COUNTY, AND TO LEVY A TAX THEREFOR.

The General Assembly of North Carolina do enact:

Section 1. That section one of chapter four hundred and fifty-one, Public-Local Laws of North Carolina, session nineteen hundred and fifteen, be and the same is hereby amended by inserting after the word "Gulledge" and before the word "and" in the second line of said section the word "Ansonville."

Sec. 2. That section two of chapter four hundred and fifty-one, Public-Local Laws of North Carolina, session nineteen hundred and fifteen, be and the same is hereby amended by inserting after the word "Gulledge" and before the word "and" in line seven of said section the word "Ansonville."

Sec. 3. That section four of chapter four hundred and fifty-one, Public-Local Laws of North Carolina, session nineteen hundred and fifteen, be and the same is hereby amended by inserting after the word "Gulledge" and before the word "and" in line five of said section the word "Ansonville," and by inserting after the word "Gulledge" and before the word "and" in line twelve of said section the word "Ansonville."
SEC. 4. That section five of chapter four hundred and fifty-one, Public-Local Laws of North Carolina, session nineteen hundred and fifteen, be and the same is hereby amended by inserting after the word "Gulledge" and before the word "and" in line two of said section the word "Ansonville," and by inserting after the word "Gulledge" and before the word "and" in line eighteen of said section the word "Ansonville."

SEC. 5. That section ten of chapter four hundred and fifty-one, Public-Local Laws of North Carolina, session nineteen hundred and fifteen, be and the same is hereby amended by inserting after the word "Gulledge" and before the word "and" in line two of said section the word "Ansonville."

SEC. 6. That section eleven of chapter four hundred and fifty-one, Public-Local Laws of North Carolina, session nineteen hundred and fifteen, be and the same is hereby amended by inserting after the word "Gulledge" and before the word "and" in line three of said section the word "Ansonville."

SEC. 7. That section fifteen of chapter four hundred and fifty-one, Public-Local Laws of North Carolina, session nineteen hundred and fifteen, be and the same is hereby amended by inserting after the word "Gulledge" in line four of said section and before the word "and" in line five of said section the word "Ansonville," and by inserting after the word "Gulledge" and before the word "and" in line ten of said section the word "Ansonville."

SEC. 8. That section eighteen of chapter four hundred and fifty-one, Public-Local Laws of North Carolina, session nineteen hundred and fifteen, be and the same is hereby amended by inserting after the word "Gulledge" and before the word "and" in line six of said section the word "Ansonville."

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 394

AN ACT TO FIX THE COMPENSATION OF THE SHERIFF AND TREASURER OF HAYWOOD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Haywood County, in their settlements with the sheriff of said county for the collection of taxes, are hereby authorized and directed to allow him the sum of forty-five hundred dollars per annum, payable in equal monthly installments, for his services as tax collector. Which amount in the annual settlement with the said sheriff shall be prorated among the several funds for which

Allowance to sheriff as tax collector.

Allowance pro-rated.
Further compensation not allowed.

Levies are made and for which accounts are kept by said board. The salary hereby authorized shall be in lieu of all commissions for the collection of taxes due the county or school funds or for any special or privilege tax that might be levied for any purpose whatsoever, and the county commissioners shall, in no form or guise, allow him any other or further compensation for the collection of taxes.

Taxes for 1923-1924.

Sec. 2. This act shall not apply to the taxes to be collected for the years one thousand nine hundred and twenty-three and one thousand nine hundred and twenty-four, but shall apply to succeeding years.

Regular fees.

Sec. 3. This act shall in no wise affect the regular fees allowed the sheriff by law in the discharge of his duties as sheriff.

Settlements as collections are made.

Sec. 4. The sheriff of Haywood County shall be required, and it is hereby made his duty, to pay over to the treasurer of Haywood County all taxes as collected whenever the same shall have reached the amount of five hundred dollars, and he is further directed to pay over to the treasurer at the end of each month all the taxes collected by him during the preceding month, regardless of amount.

Monthly settlements.

Sec. 5. On and after the first Monday in December, one thousand nine hundred and twenty-four, the county commissioners of Haywood County are hereby authorized and directed, in their settlements with the treasurer of said county, to allow him (or her) the sum of two thousand dollars per annum, payable in equal monthly installments, which sum shall constitute his (or her) full compensation for receiving and disbursing the funds of Haywood County of all descriptions from whatever source derived and for the performance of any other duties that the board may require of said treasurer. The salary hereby authorized shall be prorated among the different funds for which levies are made and accounts kept.

Allowance to treasurer.

Sec. 6. The county commissioners are further authorized and directed to require good and sufficient bonds from both sheriff and treasurer for the faithful performance of their duties and the safety of the county funds, and the county commissioners are further authorized to pay the premiums on the same, which amount shall be prorated among the different funds of the county in the same manner as the salaries allowed under this act.

Salary prorated.

Sec. 7. The term "sheriff" herein used shall be understood to mean the party whose duty it shall be to collect the taxes of Haywood County, notwithstanding that his term of sheriff may have expired and his successor be elected and qualified before all the taxes for the preceding year may have been collected.

Bonds of sheriff and of treasurer.

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

Payment of premiums.

Ratified this the 2d day of March, A.D. 1923.
CHAPTER 395

AN ACT TO PROVIDE FOR THE PROTECTION OF FISH IN MADISON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That all persons, firms or corporations who shall hereafter build or maintain a dam across any stream, creek or river in Madison County shall make ample provision for fish by providing fish ladders, canals or other devices which will enable fish to go upstream.

Sec. 2. That any person, firm or corporation violating the provisions of this act shall be guilty of a misdemeanor and fined not exceeding fifty dollars, or imprisoned not exceeding thirty days.

Sec. 3. That this act shall be in force and effect from and after June first, one thousand nine hundred and twenty-three.

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 396

AN ACT TO AUTHORIZE THE BOARD OF ROAD COMMISSIONERS OF DAVIE COUNTY TO PAY FOR TOPSOIL USED IN BUILDING AND REPAIRING ROADS IN SAID COUNTY.

Whereas the landowners of Davie County have furnished topsoil to build and repair the roads of the said county without compensation, and believing this to be unjust to the said landowners: Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That all topsoil used in building and repairing the roads of Davie County shall be paid for at a uniform price per cubic yard, the price to be agreed upon by the board of road commissioners and landowners: Provided, the price shall not in any case exceed ten cents (10 cents) per cubic yard.

Sec. 2. That the board of county commissioners of Davie County shall, in making up their budget of expenses for the county each year, include a sufficient sum to pay for said topsoil.

Sec. 3. That said board of county commissioners of Davie County are hereby authorized to levy a special tax not to exceed five cents (5 cents) on the one hundred dollars valuation of property for the purpose of paying for said topsoil: Provided, this tax shall not be levied unless the general county fund is not sufficient to meet the additional expenditure incurred under this act.

29—Public-Local
Sec. 4. That all laws and clauses of laws in conflict with this act are hereby repealed.

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 397

AN ACT TO REPEAL PART OF CHAPTER 413 OF THE PUBLIC-LOCAL LAWS OF SESSION 1919, WITH RESPECT TO PROTECTING PARTRIDGES IN MONTGOMERY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That all of section one of chapter four hundred and thirteen of the Public-Local Laws of one thousand nine hundred and nineteen, after the word "year" in line five of said act, be and the same is hereby repealed.

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 and effect from and after its ratification.

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 398

AN ACT RELATING TO THE GAME LAW OF PASQUOTANK COUNTY, REQUIRING EVERY HUNTER TO PAY A LICENSE.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person to hunt in Pasquotank County, any wild bird or other game for which open and close seasons are now provided by law, without first securing a license from the clerk of the Superior Court of Pasquotank County.

SECTION 2. That the clerk of the Superior Court of Pasquotank County shall charge every applicant one dollar for each license issued as provided in section one of this act, and no license shall be issued except upon presentation to said clerk by said applicant of the written consent of at least ten landowners owning not less than fifty acres of land each in Pasquotank County, which written consent shall give to said applicant permission to hunt on said land, and said written consent shall be filed with said clerk of the Superior Court: Provided, it shall not be necessary for a landowner or tenant to secure license to hunt upon lands owned or leased by said landowner or tenant.
Sec. 3. That every person while hunting shall have with him his license issued according to the provisions of this act, and the license shall contain the names of persons giving consent to hunt on their lands, and upon the request of any person shall exhibit said license.

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

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

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 399

AN ACT TO FIX THE SALARY OF THE COUNTY SUPERINTENDENT OF SCHOOLS OF ROBESON COUNTY, AND REQUIRE A BOND, AND TO FIX THE TIME FOR THE ELECTION OF A COUNTY SUPERINTENDENT OF SCHOOLS BY THE BOARD OF EDUCATION OF ROBESON COUNTY, AND TO GIVE PUBLIC NOTICE THEREOF.

The General Assembly of North Carolina do enact:

SECTION 1. Prior to the election of county superintendent of schools for Robeson County, all applicants for the position of county superintendent of schools shall file a written application with the board of education, with a brief statement of the applicant's training and educational qualifications, and any written endorsement that the applicant may desire to present to the board: Provided, that such application may be filed on behalf of any person by any other citizen of Robeson County.

Sec. 2. That the election shall be public, and, at the time thereof and immediately before, all citizens desiring to do so may attend the meeting of the board and present the claims of any person who may be an applicant; or any citizen may, at said time, enter any protest he may desire against the election of any applicant for such position.

Sec. 3. That the board of education, at such time, shall fix the annual salary of the county superintendent of schools, which salary shall not exceed the sum of three thousand dollars and actual expenses of the said superintendent while attending his duties in the county, such expense account to be approved by the board of education.

Sec. 4. The county superintendent of schools of Robeson County so elected, before qualifying, shall file with the board of...
Section 1. That the question of abolishing the road commission of Union County may be submitted to the voters of said county at the general election to be held in the year one thousand nine hundred and twenty-four or at any special election which may be held in said county before said general election, by the board of county commissioners by a proper resolution adopted at a regular meeting of said board, which resolution, together with a notice of said election, shall be published in some newspaper in Union County for at least thirty days before the date of holding said election. At said election the voters who favor the abolition of the road commission shall vote a ballot on which shall be written or printed the words “For abolition of road commission,” and the voters who are in favor of retaining the road commission shall vote a ballot on which shall be written or printed the words “Against abolition of road commission.” At the close of the election the votes shall be counted and returns thereof made to the county commissioners of Union County by the officials conducting said election as provided by law.

Sec. 2. If a majority of the qualified voters participating in said election vote a ballot with the words “For abolition of road commission,” then the road commission of Union County shall be forthwith abolished, and all of the authority conferred upon said commission shall at once vest in the board of county commissioners of Union County, who shall from thenceforth have complete control and charge of the road work of Union County.

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

Ratified this the 2d day of March, A.D. 1923.
CHAPTER 401
AN ACT TO FIX THE PAY OF TALES JURORS IN NASH COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That all tales jurors in Nash County, who serve more than one day during a term of the Superior Court in said county, shall be allowed the same fee as regular jurors are allowed, together with mileage.

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 402
AN ACT TO AMEND SECTION 3905 OF THE CONSOLIDATED STATUTES OF NORTH CAROLINA, RELATING TO FEES OF CORONER OF DAVIDSON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That in lines three and four of section three thousand nine hundred and five of the Consolidated Statutes of North Carolina the words “five” in line three and line four be stricken out and the words “fifteen” inserted in said lines, and adding at the end of line four of said section the following phrase: “Provided, the coroner is a licensed physician.”

Sec. 2. That this act shall apply to Davidson County only.

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 403
AN ACT PROVIDING FOR THE BETTER PROTECTION OF GAME IN HALIFAX COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the open season for bob-white, partridges or quail and wild turkeys in Halifax County shall be from Thanksgiving Day to January fifteenth.

Sec. 2. That the open season for squirrels in Halifax County shall be from September first to January fifteenth.

Sec. 3. That the open season for deer in Halifax County shall be from September first to December thirty-first.
Seasons to include first and last days. Proviso: limit for season for deer and turkeys.  

Proviso: limit for season for deer and turkeys.  

Killing deer in water.  

Tax fee.  

Misdemeanor.  

Proviso: suspension of judgment forbidden.  

Repealing clause.  

Sec. 4. All open seasons above set out shall include the first and last days.

Sec. 5. That it shall be unlawful in Halifax County for any person to kill or take in any one day more than twelve bob-white, quail or partridges, two wild turkeys and two deer: Provided, it shall be unlawful for any person to kill or take in any one season more than one doe and two buck deer and ten wild turkeys.

Sec. 6. That it shall be unlawful in Halifax County for any person to kill any deer in water above the deer's knees or while swimming in any stream, lake or other body of water.

Sec. 7. That when an arrest or a prosecution for a violation of the provisions of this law is had by any officer or person, and the defendant is convicted, there shall be taxed, as costs against said defendant and in favor of the person making the arrest or instituting the prosecution, a fee of ten dollars.

Sec. 8. That any person violating any section of this act shall be guilty of a misdemeanor, and upon conviction shall be fined fifty dollars or imprisoned for not less than five nor more than thirty days: Provided, that there shall be no suspension of judgment upon payment of costs.

Sec. 9. That all laws, special or local, in conflict with the provisions of this act are hereby repealed.

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 404

AN ACT TO REQUIRE THE BOARD OF EDUCATION OF GREENE COUNTY TO MAKE AND FILE WITH THE BOARD OF COUNTY COMMISSIONERS OF GREENE COUNTY AN ANNUAL ITEMIZED STATEMENT OF RECEIPTS AND EXPENDITURES OF SAID BOARD.

The General Assembly of North Carolina do enact:

SECTION 1. The board of education of Greene County shall make and file with the board of county commissioners of said county on the first Monday in July, one thousand nine hundred and twenty-three, and annually on the first Monday in each July thereafter, a full, complete and accurate statement and account, itemized, of all funds received and expended by or under authority of said board of education or the county superintendent of public instruction of said county, from the first day of July of the preceding year to the first day of July, in which said statement and account shall show the date and from what source said
funds were received and the date and for what purpose same
were expended; and shall be so arranged in form as to show under
the head of salaries and expenses of the board of education, county
superintendent, and public school supervisor, all salaries, office
expenses and expenditures of county superintendent of public
instruction, county supervisor of schools and the board of educa-
tion as overhead charges in administering the school funds in said
county; and so as to show under the head and name of each
school in said county, separately, the salary paid to each teacher,
school officials, and all expenses and other amounts paid to or for
each school in said county, under separate head; and all other
amounts disbursed for any purpose shall be shown under the head
of miscellaneous expenditures.

Sec. 2. The board of county commissioners of said county shall
receive the itemized statements and accounts of the board of
education required to be filed with said board as provided in sec-
tion two of this act, and shall have the name properly recorded in
permanent record book to be provided by said board of county
commissioners for that purpose, which book shall be designated
and marked “Accounts of Board of Education,” and shall be kept
in the office of the register of deeds of said county as a permanent
public record of said office.

Sec. 3. That this act shall be in force from and after its rati-
fication.

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 405

AN ACT TO PROHIBIT THE SALE OF DEER MEAT, KILLED
IN THE COUNTIES OF BUNCOMBE, HAYWOOD, JACKSON,
HENDERSON AND TRANSYLVANIA.

The General Assembly of North Carolina do enact:

Section 1. That it shall be unlawful to sell, offer for sale, or
have on hand for the purpose of sale, in said county, any deer
carcass or meat, killed in the counties of Buncombe, Haywood,
Jackson, Henderson and Transylvania.

Sec. 2. That it shall be unlawful to kill any deer in the county
of Buncombe for the purpose of selling the carcass or meat of said
deer in said county or selling or offering for sale outside of said
county the carcass or meat of any deer killed in said county of
Buncombe.

Sec. 3. That any person, firm or corporation violating any of
the provisions of this act shall, upon conviction, be fined or im-
prisoned in the discretion of the court.
Repealing clause.

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

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 406

AN ACT TO REGULATE THE SALE OF MERCHANDISE ON SUNDAY IN THE COUNTY OF DURHAM.

The General Assembly of North Carolina do enact:

Section 1. That no person, firm or corporation in the county of Durham shall expose for sale, sell or offer for sale on Sunday any goods, wares or merchandise, except as hereinafter permitted: and no store, shop or other place of business in which goods, wares or merchandise of any kind are kept for sale shall keep open doors from twelve o'clock midnight Saturday night until twelve o'clock midnight Sunday night: Provided, that this section shall not be construed to apply to hotels or boarding or lodging houses for actual guests, or to restaurants or cafés furnishing meals to actual guests, where the same are not otherwise prohibited by law from keeping open on Sunday, but such restaurants or cafés outside of incorporate limits of city of Durham shall close not later than twelve o'clock midnight Saturday and not later than twelve o'clock midnight Sunday night; and also shall not apply to undertakers: Provided further, that drug stores with licensed pharmacists may be kept open for the sale of goods to be sold for medical or surgical purposes, and for the sale of cigars, cigarettes, tobacco and soft drinks, and cigar stands and news-stands may sell cigars, cigarettes, tobacco, newspapers and magazines: Provided further, that nothing in this section shall be construed to prohibit livery stables and garages from operating on Sunday or to prohibit sale of gasoline and oil or to prohibit publication and sale of newspapers; and Provided further, this act shall not be construed to repeal any ordinance of the city of Durham, North Carolina, relative to Sunday, nor to limit the power of the city of Durham to enact ordinances relating to Sunday. Any person, firm or corporation 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 except as hereinabove provided all laws in conflict with this act be and the same are hereby repealed, and this act shall be in force from and after its ratification.

Sec. 3. That this act shall apply only to the county of Durham.

Ratified this the 2d day of March, A.D. 1923.
CHAPTER 407

AN ACT TO PROVIDE COMPENSATION FOR SERVICES OF THE DEPUTY CLERK OF SUPERIOR COURT OF WARREN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the county board of commissioners of Warren County be and they are hereby authorized and directed to pay from the general fund of said county to the deputy clerk of the Superior Court of said county the sum of three hundred dollars per annum, in monthly payments of twenty-five dollars.

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

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 408

AN ACT TO CREATE AN AUDITOR AND TAX COMMISSIONER FOR IREDELL COUNTY AND TO ABOLISH THE OFFICE OF COUNTY TREASURER FOR SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That from and after the first Monday in December, nineteen hundred and twenty-four, the office of county treasurer for Iredell County is abolished and the office of county auditor and tax commissioner for Iredell County is hereby established, agreeable to the provisions hereafter set out.

Sec. 2. That it shall be the duty of the said officer to visit each township in the county and check up by name each resident, firm or corporation in the township and the number of acres of land and the value of personal property owned by each of them and enter the same in the tax books for tax purposes. The duties set out in this section shall be performed in the year one thousand nine hundred and twenty-five, and every year thereafter.

Sec. 3. That it shall be the duty of the sheriff of said county to collect all the taxes and deposit the same in some bank in Iredell County in his name as sheriff of the county, and pay over the same to the county auditor and tax commissioner on demand.

Sec. 4. That the county commissioners shall have authority to appoint the assessor or assessors of lands in this county under the laws enacted by the Legislature, and if more than one person is given authority to assess the lands in the county, in that event
the county auditor and tax commissioner shall be one of the [assessors] and the director of the work: Provided, that if only one person is appointed assessor by legislative authority the commissioners shall increase the number to three, one of whom shall be the auditor and tax commissioner, with authority to direct the work.

SEC. 5. That it shall be the duty of the register of deeds of Iredell County to furnish a daily record of all lands transferred, deeded and filed in the office of the register of deeds for registration. He shall also furnish said county auditor and tax commissioner a daily record of real and personal property mortgaged and recorded in the office of register of deeds of the county, as evidence of solvent credits. The county auditor and tax commissioner shall have authority to summon and examine bank officials or other individuals in regard to money on deposit by individuals in any bank or any person, firm or corporation.

SEC. 6. That it shall be the duty of the county auditor and tax commissioner to keep separate accounts with the sheriff, the clerk of the court, the register of deeds, county superintendent of public instruction, and to check the records of each of said officials, verifying the accounts of receipts and disbursements of each office every thirty days.

SEC. 7. That it shall be the duty of the county auditor and tax commissioner to purchase all needed supplies for the county home, county jail and for each of the officers in said county, and keep a permanent record of said purchases made for each of the departments aforesaid, and the cost thereof, so as to show the monthly and yearly expenditures of each. He shall also keep an account of the monthly and yearly expenses of the road forces of the county and require the superintendent of roads to file with his office all monthly expenditures.

SEC. 8. That the board of county commissioners shall make no order for the payment of any claim against the county of Iredell until the same has been first audited and approved by the county auditor and tax commissioner or by the chairman of the board of county commissioners.

SEC. 9. That when the claims audited and approved by the county auditor and tax commissioner or chairman of board of county commissioners are presented to the board of county commissioners and the same have been ordered paid, then the county auditor and tax commissioner shall issue his check in the name of the county upon the funds of the county for payment of such claims and keep vouchers on file and book account of the same.

SEC. 10. That it shall be the duty of the county auditor and tax commissioner to keep a separate account of the amount of money received and disbursed in each of the departments of the county government and business affairs and road-working forces of the county, showing the receipts and monthly expenditures in each of said departments; and at the end of the current year
he shall file with the board of county commissioners a detailed statement of all moneys received from the collection of taxes, fees, commissions, forfeitures and fines and other moneys received from whatever source, and an itemized statement of the expenditures of the same and the amounts received and expended by each of the various departments, business affairs and road-working forces of the said county; and that the board of commissioners with the said county auditor and tax commissioner and county attorney shall inspect and review said expenditures in the various county affairs and make such orders as are necessary for the continuous economical and proper administration of the business affairs of the county, and that the said board of commissioners shall have an itemized statement of all moneys received from every source and moneys paid out for each department of the county government published in one or more papers of the county.

Sec. 11. That the county auditor shall have a book in which he shall keep a record of the county indebtedness, including the amount of bonds outstanding against the county, and if registered, the name of the holder of said bonds, together with the rate of interest, and when payable, and date of maturity of said bonds.

Sec. 12. That the county attorney shall be the legal adviser of the county auditor and tax commissioner.

Sec. 13. That the board of county commissioners on the first Monday in December, one thousand nine hundred and twenty-four, shall elect a county auditor and tax commissioner for the term of two years and fix the salary thereof. That, after the expiration of said term, the county auditor and tax commissioner shall be elected as required by law for the election of register of deeds in the said county of Iredell.

Sec. 14. That the office of county auditor and tax commissioner shall appoint, with the consent of the commissioners, the tax lister for each of the townships in the county of Iredell, who shall list the taxable property as required by law. This officer shall have authority to appoint assistants in his office if the administration of the office make it necessary, and the county commissioners shall fix the pay of said assistants.

Sec. 15. That the county auditor and tax commissioner shall issue all license upon the presentation of a receipt from the sheriff that the tax for said license has been paid to him.

Sec. 16. That it shall be the duty of the county auditor and tax commissioner to perform all the duties which the law requires of the register of deeds in this county in making out of the tax rolls and tax books.

Sec. 17. That all moneys collected for the schools of the county due the general school fund and money due any special-tax district or city schools, and drainage district or other special-tax district, shall be kept in a separate account showing amount received and due said fund and amount paid out.
Corrected of tax books.

Removal for cause.

Repealing clause.

When act effective.

Proviso: adoption by county commissioners.

Sec. 18. That in all cases when on account of errors, or overcharges, occurring in the making out of the tax books, and in all cases where lands or other property have been assessed too high or too low, the county auditor and tax commissioner shall have authority to make the necessary corrections and to fix the valuation at its proper value.

Sec. 19. That the board of county commissioners shall have the authority to remove the county auditor and tax commissioner for failure to perform any of the duties required by him in this act.

Sec. 20. That all laws and clauses of laws in conflict with this act are repealed.

Sec. 21. That this act shall be in force from and after the first Monday in December, nineteen hundred and twenty-four: Provided, this act shall not be operative until the said act shall have been adopted by a resolution of the board of commissioners of Iredell County.

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 409

AN ACT TO REGULATE THE HUNTING OF GAME IN BRUNSWICK COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the closed season of each year during which deer shall not be hunted with guns, chased with dogs, killed, trapped or destroyed in the county of Brunswick shall be from January first to October fifteenth.

Sec. 2. That the closed season of each year during which squirrel shall not be hunted in said county, killed or in any way captured, shall be from February fifteenth to October fifteenth.

Sec. 3. That the closed season of each year during which quail or wild turkeys shall not be killed, wounded or in any manner taken or captured in said county, shall be from February fifteenth to November fifteenth.

Sec. 4. That if any person or persons shall, at any time during the aforesaid closed seasons, chase with dogs, kill, wound or in any manner take or capture any deer, squirrel or game birds, he shall be guilty of a misdemeanor and shall be fined not more than fifty dollars ($50.00) or imprisoned not exceeding thirty (30) days.

Sec. 5. That all nonresidents of said county desiring to hunt, shoot or trap birds, deer or any other animal in any part of said county shall make application to the clerk of the Superior Court of said county for a license to so hunt and it shall be the duty of said clerk to issue such license upon the payment to him by said applicant of the sum of five dollars ($5.00), which said license shall be good only for one season herein allowed for hunting.
and no license shall extend from one season to another season. The clerk shall be allowed fifty cents for issuing said license, the same to be paid by the party applying therefor. The license fund provided for in this section shall be collected by said clerk and by him paid to the board of county commissioners of said county, who shall use such part thereof for the proper enforcement of the provisions of this act, and the balance of said funds may be used for general county purposes. The board of county commissioners of said county shall have the authority to appoint one or more game wardens in said county for the purpose of enforcing the provisions of this act and to fix their compensations: Provided, said compensation shall not exceed the amount collected from nonresidents as herein provided: Provided further, that the license mentioned shall not apply to nonresidents owning land in said county and persons invited by them to hunt on lands so owned by them: Provided further, that no license granted hereunder shall be a bar to or affect in any manner any prosecution for trespass.

SEC. 6. That any nonresident of said county who shall hunt in said county without first having obtained the license herein provided for shall be guilty of a misdemeanor and shall be fined not more than fifty dollars ($50.00) or imprisoned not exceeding thirty (30) days, and each day's hunting without having obtained said license shall constitute a separate offense.

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

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 410

AN ACT TO PROVIDE FOR RETIREMENT OF COUNTY OFFICERS IN HENDERSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That any officer who has held a county office in Henderson County for a period of time aggregating fifty years or more may, in his discretion, retire from office in the manner hereinafter provided.

SEC. 2. That in the event any such officer referred to in section one hereof desires to retire from office he may do so by filing with the board of county commissioners of Henderson County, in writing, a request to be permitted to retire from office, which said request shall be accepted by the said board of county commissioners and placed on file in the office of the clerk of said board.

Clerk's fee.
Clerk to collect license fund.
Payment to county commissioners.
Use for enforcement of act.
Surplus to general fund.
Appointment of game wardens Compensation.
Proviso: limit of pay.
Proviso: non-resident landowners and guests.
License no bar to prosecution for trespass.

Misdemeanor.
Punishment.
Separate offenses.

Officers entitled to retire.
Request for retirement.
Acceptance and filing of request.
Sec. 3. That the retirement of any person from office under this act shall entitle such person to receive the sum of one hundred dollars per month, payable monthly in advance, during the life of said retiring person, and the board of county commissioners of Henderson County are hereby directed to pay said sum to such retired person from the general funds of said county.

Sec. 4. The vacancy in any office in Henderson County caused by retirement, as herein provided, shall be filled in the same manner as is now provided by law for filling vacancies in said office.

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

Sec. 6. This act shall be effective from and after its ratification.

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 411

AN ACT TO REQUIRE OFFICIAL BONDS OF COUNTY OFFICERS IN BRUNSWICK COUNTY TO BE EXECUTED BY SURETY COMPANIES.

The General Assembly of North Carolina do enact:

Section 1. That all official bonds required by law to be given to the State of North Carolina, by the sheriff, clerk of the Superior Court, register of deeds, county treasurer or any financial agent of Brunswick County, shall be executed by some surety company or companies licensed and authorized to do business in the State of North Carolina, and the premium or premiums on the aforesaid bonds shall be paid one-half by the officer required by law to file such bond or bonds and one-half thereof to be paid by the county of Brunswick.

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 412

AN ACT TO AMEND CHAPTER 606, PUBLIC-LOCAL LAWS OF 1917, BY PROVIDING FOR THE AUSTRALIAN BALLOT FOR STANLY COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section forty-three-a of chapter six hundred and six, Public-Local Laws of one thousand nine hundred and seventeen, be and the same is hereby amended by adding in line two of said section after the comma following the word "Henderson" and before the word "and" the word "Stanly."
SEC. 2. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 413

AN ACT TO FIX THE SALARIES OF OFFICERS OF NASH COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That from and after the ratification of this act the salaries of the clerk of the Superior Court, the register of deeds, and the sheriff of Nash County shall be as follows: clerk of the Superior Court, thirty-five hundred dollars ($3,500) per annum; register of deeds, three thousand dollars ($3,000) per annum; sheriff, thirty-six hundred dollars ($3,600) per annum.

SEC. 2. That the above salaries are in lieu of all other salaries heretofore fixed by special act of the General Assembly and amendments thereto, except that said salaries are not to include the salaries to be paid to assistants, deputies and clerks of said officers. Each of said officers shall appoint such assistants, deputies and clerks as may be necessary to perform the duties of said offices, and the salaries of said assistants, deputies and clerks shall be fixed by the said officers with the approval of the board of county commissioners of Nash County; but the salaries of the assistants, deputies and clerks of the sheriff of Nash County shall not exceed sixty-four hundred dollars ($6,400) per annum; the salaries of the assistants, deputies and clerks of the clerk of the Superior Court of Nash County shall not exceed three thousand dollars ($3,000) per annum; and the salaries for the assistants, deputies and clerks of the register of deeds of Nash County shall not exceed two thousand dollars ($2,000) per annum.

SEC. 3. That from and after the ratification of this act the members of the county board of education of Nash County, other than the chairman, shall receive a salary of three hundred dollars ($300) per annum each; and the chairman of the county board of education of Nash County shall receive a salary of three hundred and fifty dollars ($350) per annum; and each member of the county board of education of Nash County, including the chairman, shall be allowed mileage to and from the respective places of meeting and while necessarily engaged in their official duties, not to exceed ten cents per mile, which salaries and mileage shall be paid out of the county school funds.

SEC. 4. That the treasurer of Nash County, in addition to the salary now paid him, may, in the discretion of the board of

Salaries established.
Clerk of Superior Court.
Register of deeds.
Sheriff.
Salaries in lieu of all other salaries.
Salaries of deputies and clerks.
Officers to appoint assistants, deputies and clerks.
Salaries fixed.
Limit as to sheriff.
Limit as to clerk of Superior Court.
Limit as to register of deeds.
Salaries of members of county board of education.
Salary of chairman.
Mileage.
Clerical help to treasurer.
Salaries payable monthly.

Repealing clause.

county commissioners of Nash County, be allowed the sum of five hundred dollars ($500) per annum, to be expended by him in the employment of clerical help in his office.

Sec. 5. That the salaries fixed under the provisions of this act shall be payable monthly.

Sec. 6. That all laws and clauses of laws, in so far as they duplicate the salaries herein fixed or conflict with this act, are hereby repealed.

Sec. 7. This act shall take effect from and after its ratification.

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 414


The General Assembly of North Carolina do enact:

Section 1. That the elections mentioned and provided for in an act entitled "An act for the promotion of education and for the relief of taxpayers of Hyde County," ratified the third day of February, one thousand nine hundred and twenty-three, shall be held under the same laws, regulations and rules, as near as may be, as elections for the establishment of special school tax districts are held.

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 415

AN ACT TO AMEND CHAPTER 403, SECTION 12, OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION 1921.

The General Assembly of North Carolina do enact:

Section 1. That section twelve of chapter four hundred and three of the Public-Local Laws of North Carolina, session one thousand nine hundred and twenty-one, be amended as follows: beginning after the word "roads" in line six in section twelve of chapter four hundred and three of Public-Local Laws of North Carolina, the same is hereby amended to read as follows: "If the said road commission and the owner of said land cannot agree as to damage, if any, said damage shall be assessed as follows: the road commission is hereby authorized and directed to name a man and the landowner affected is hereby authorized and
empowered to name a man, and the two thus named shall act as jurors in assessing said damages. In selecting said jurors it shall be the duty of the road commission and the landowner to give the names of the parties selected by them to the clerk of the Superior Court of Stanly County, who shall summon them to meet and assess said damages as jurors are now summoned for like purposes. It shall be the duty of the road commission before said jurors are selected to notify the landowner in writing to appear before the clerk of the Superior Court of Stanly County and name a man as juror, and in case said landowner fails to appear and name a man as his juror within twenty-four hours after the service of such notice, then and in that event said road commission is authorized to assess said damage in the manner now prescribed by law: Provided, that nothing herein contained shall require the landowner to name his juror before the road commission has named its: Provided further, that in case the two jurors selected cannot agree as to the amount of damage, it shall then be their duty to appoint a third man to act as juror with them, and in case they fail to agree upon a third man it shall be their duty to immediately notify the clerk of the Superior Court of Stanly County of their inability to agree upon a third man, and it shall be the duty of the said clerk to appoint a third man to act as juror together with the other two named: Provided further, that the said road commission shall have sixty days after said road or highway is completed before starting proceedings for the assessment of damage under this act: Provided further, that any jurors named shall be freeholders and residents of Stanly County, and absolutely disinterested in the result of the matter in controversy; and before entering upon the discharge of their duties as jurors they shall be duly sworn by the clerk of the Superior Court of Stanly County to faithfully and impartially discharge their duties as such jurors. It shall be the duty of the jurors appointed under this act to go upon the lands and assess the damages done the owner, and in so doing they shall take into consideration the special benefits received by the owner, and in determining such benefits consideration shall be given to the benefits the owner has derived from the fact that any old road right of way has reverted to said owner by reason of the relocation of the new road: Provided, that no suit shall be instituted by the owner for damages on account of the location of the road under this act or the taking of timber or material until sixty days after the completion of said road; and no suit shall be brought by any landowner unless the same is commenced within six months after the completion of said road: Provided further, that either party shall have the right of appeal from the award made by said jurors to the Superior Court: Provided, however, that after all necessary surveys are made and the location or relocation of the road determined upon, it shall be the duty of the road commission

Names of jurors reported to clerk of court.

Clerk to summon jurors.

Notice to landowner to appear and select juror.

Assessment if landowner fail to appear and name juror.

Proviso: landowner not required to name before road commission.

Proviso: selection of umpire.

Appointment by clerk of court.

Time for starting proceedings.

Proviso: jurors to be freeholders.

Jurors to qualify.

Assessment of damages.

Special benefits considered.

Time for institution of suit.

Statute of limitations.

Proviso: right of appeal.

Proviso: notice to landowner of location and changes of roads.
to serve notice upon the owner or agent or party in charge of said lands, notifying them that the road is to be located, changed, altered, widened, or relocated upon said lands under the authority of this act.

Repealing clause.

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

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 416

AN ACT PROVIDING FOR THE PROTECTION OF GAME IN NASH, FRANKLIN AND EDGECOMBE COUNTIES.

The General Assembly of North Carolina do enact:

Section 1. That the open season for bob-white, partridge or quail, and wild turkey in Nash, Franklin and Edgecombe shall be from Thanksgiving Day to January the thirty-first.

Sec. 2. That the open season for squirrels in Nash, Franklin and Edgecombe counties shall be from October first to January the thirty-first.

Sec. 3. All open seasons above set out shall include the first and last days.

Sec. 4. That it shall be unlawful in Nash, Franklin and Edgecombe counties for any person to kill or take in any one day more than twelve bob-whites, quail or partridges and two wild turkeys: Provided, it shall be unlawful for any one person to kill or take in any one season more than ten wild turkeys.

Sec. 5. That it shall be unlawful for any person to hunt in Nash, Franklin and Edgecombe counties any wild bird or other game, for which close seasons are provided, with an automatic or repeating shotgun.

Sec. 6. That when an arrest or a prosecution for a violation of the provisions of this law is had by any officer or person, and the defendant is convicted, there shall be taxed, as costs against said defendant and in favor of the person making the arrest or instituting the prosecution, a fee of five dollars.

Sec. 7. That any person violating any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not exceeding fifty dollars, or imprisoned not more than thirty days.

Sec. 8. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

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

Ratified this the 2d day of March, A.D. 1923.
CHAPTER 417

AN ACT TO PROTECT FISH IN SURRY COUNTY, BY PROHIBITING THE THROWING OF SAWDUST IN THE CREEKS AND RIVERS, AND PREVENT THE KILLING AND DESTROYING OF FISH IN SAID CREEKS AND RIVERS BY THE USE OF ANY DYNAMITE OR OTHER EXPLOSIVE.

The General Assembly of North Carolina do enact:

Section 1. That it shall be unlawful for any owner, lessee, firm or corporation, or any other person having charge of any sawmill in Surry County to throw the dust of said mill or permit the same to go into any creek or river in Surry County: Provided, this section shall not apply to the owner operating sawmills run by water.

Sec. 2. That it shall be unlawful for any person to kill or destroy fish by the use of dynamite or other explosive in any creek or river in Surry County.

Sec. 3. 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 at the discretion of the court.

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

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 418

AN ACT TO REGULATE THE FEES OF THE VARIOUS JUSTICES OF THE PEACE IN SURRY COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the various justices of the peace of Surry County shall be allowed the following fees and expenses, namely: Issuing attachment papers, fifty cents for the original and thirty cents for each copy thereof; for transcript of judgment, fifteen cents; for issuing summons, thirty cents, and fifteen cents for each additional defendant; issuing subpoena, fifteen cents for each witness; for trial and judgment contested, one dollar; for trial and judgment uncontested, sixty cents; for taking affidavit, twenty-five cents; for jury trial and verdict, one dollar; for issuing execution, forty cents, and twenty cents for each renewal of execution; for return to notice of appeal, forty cents; for order of arrest in civil and criminal cases, forty cents; for warrant for arrest (criminal cases), forty cents; for warrant of commitment, thirty-five
468 1923—Chapter 418—419

cents; for taking depositions, twenty cents for each copy-sheet; for garnishment of taxes, fifty cents; for certificate of return, fifty cents; for examination of woman in bastardy proceeding, fifty cents; for widow's year's allowance, one dollar; for filing and docketing lien, seventy-five cents; for probate of deed, mortgage, deed in trust and all instruments conveying or passing any right in real property, twenty-five cents and twenty-five cents additional where private examination of wife is taken thereon; for probate of chattel mortgage, fifteen cents and ten cents additional for each signer thereof; for issuing claim and delivery papers, one dollar and fifty cents; for recognizing witnesses, ten cents for each witness; for order of removal, forty cents; for capias and order, one dollar.

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

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 419

AN ACT TO ESTABLISH A MOORE COUNTY GAME COMMISSION AND THE OFFICE OF COUNTY GAME WARDEN; TO PROVIDE FOR THE EXPENSES OF THE MEMBERS OF THE COMMISSION AND TO FIX THE COMPENSATION OF THE COUNTY GAME WARDEN AND DEPUTIES; TO PRESCRIBE THE DUTIES OF THE COMMISSION, THE COUNTY GAME WARDEN AND DEPUTIES; TO PROVIDE FOR THE PROTECTION OF WILD BIRDS AND ANIMALS; TO PROVIDE OPEN AND CLOSE SEASONS FOR GAME BIRDS, GAME ANIMALS AND FUR-BEARING ANIMALS; TO CREATE A COUNTY-WIDE RESIDENT AND NON-RESIDENT HUNTING LICENSE, AND A COUNTY GAME PROTECTION FUND; TO TAKE MOORE COUNTY OUT OF THE AUDUBON SOCIETY OF NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Section 1. That this act shall be known by the short title of the "Moore County Game Law."

Sec. 2. Definitions. That for the purposes of this act the following shall be construed, respectively, to mean:

Commission. County Game Commission.

Person. The plural or the singular as the case demands, including individuals, associations, partnerships and corporations, unless the context otherwise requires.

Take. Whenever it is made lawful to "take" birds or animals or parts thereof or birds' nests or eggs, it shall mean the pursuit,
hunting, capture or killing of birds or animals or collection of birds' nests or eggs in the manner, at the time and by means specifically permitted. Whenever it is made unlawful to "take" birds or animals or parts thereof or birds' nests or eggs, the word "take" shall include pursuing, shooting, hunting, killing, capturing, snaring and netting birds or animals, collecting birds' nests or eggs and all lesser acts, such as disturbing or annoying birds or animals or placing or using any net or other device for the purpose of taking birds or animals, whether or not they result in taking such birds or animals.

Open season. The time during which birds or animals may be lawfully taken. Each period of time prescribed as an open season shall be construed to include the first and last days thereof.

Close season. The time during which birds or animals may not be taken.

Transport. Shipping, transporting, carrying, importing, exporting, receiving or delivering for shipment, transportation, carriage, or export.

Common carrier. Railroad companies, express companies and any person transporting persons, birds, animals, or other property for hire.

Game animals. Deer, squirrels, and rabbits.
Fur-bearing animals. Skunks, muskrats, raccoon, opossum, red and grey fox, beaver, mink, otter, wildcat and bear.
Nongame animals. All wild animals except game animals and fur-bearing animals.

Upland game birds. Quail, commonly known as bob-white or partridge, wild turkey, grouse, and pheasants.
Migratory game birds. Anatidae or waterfowl, including brant, wild ducks, geese, and swans; gruidae or cranes, including little brown, sandhill, and whooping cranes; rallidae or rails, including coots, gallinules, and sora and other rails; limicolae or shorebirds, including avocets, curlew, dowitchers, godwits, knots, oyster catchers, phalaropes, plovers, sandpipers, snipe, stilts, surf birds, turn-stones, willet, woodcock and yellowlegs; columbidae or pigeons, including doves and wild pigeons.
Nongame birds. All wild birds except upland game birds and migratory game birds.

Sec. 3. Application and construction of act. In all cases where possession, transportation, purchase, or sale of any wild animal, wild birds or any part thereof is restricted or unlawful, the possession, transportation, purchase or sale of such animal, bird or any part thereof coming from or taken without the county, whether belonging to the same or a different species from that native to this county, provided such animal or bird belongs to the same family as those protected by this act, shall be deemed to be and is, unless otherwise herein provided, unlawful.
Sec. 4. Taking, limit, possession, sale and transportation of game restricted. No person shall at any time of the year take in any manner, number, or quantity, any wild bird or wild animal, or take the nest or egg of any wild bird, or possess, buy, sell, offer or expose for sale, or transport at any time or in any manner any such bird, animal, or part thereof, or any bird’s nest or egg, except as permitted by this act; the possession of any game animal, except squirrels and rabbits, or game bird or part of such game animal or game bird in any hotel, restaurant, café, market or store or by any produce dealer in this State shall be prima facie evidence of the possession thereof for the purpose of sale in violation of the provisions of this act; but this provision shall not be construed to prohibit the person lawfully obtaining game from having it prepared in a public eating place and served to himself and guests: Provided, however, that for the purpose of this act any person hiring another to kill aforesaid game animals or game birds and shall receive same, shall be deemed buying game and subject to the penalties of this act.

Sec. 5. Manner of taking game defined. Game birds and game animals shall be taken only in the daytime, between sunrise and sunset, with a shotgun not larger than No. 10 gauge or a rifle, nor shall an automatic or pump gun be used unless otherwise specifically permitted by this act. No person shall take any animal or bird from any automobile, or by the aid or with the use of any jacklight or other artificial light, net, trap, snare, salt-lick or poison; nor shall any such jacklight, net, trap, snare, salt-lick or poison be used or set to take any animals or birds; nor shall birds or animals be taken from an airplane, power-boat, sailboat, any boat under sail, or any floating device towed by power boat or sail-boat; nor shall any person take any dove or upland game bird on any field or forest upon which corn, wheat, or other grain has been deposited for the purpose of drawing such birds thereto. A person may take game birds and wild animals during the open season therefor, with the aid of a dog, unless specifically prohibited by this act. An association, organized for the protection of game, may run trials for dogs at any time.

Sec. 6. Transportation of game animals and game birds.

Subdivision 1. By common carrier. No common carrier or employee of such carrier shall, while engaged in such business, transport as owner any wild animal or bird or any part thereof or nest or egg of any bird, nor shall any such carrier or employee knowingly receive or possess the same for shipment for another, unless the person offering the same for shipment is in possession of a valid hunting license and shall exhibit the same to the agent of the common carrier to whom, and at the time, the birds or animals are offered for transportation.

Subdivision 2. By resident. A person who is a resident of this State may transport within this State, otherwise than by
parcel post, during the open season therefor, game birds and game animals lawfully taken.

Subdivision 3. By nonresident. A person who is a nonresident of the county and a holder of a valid nonresident hunting license may, under a permit issued by the county game warden, transport within this State, or from a point within to a point without, otherwise than by parcel post, during the open season therefor, game birds and game animals lawfully taken by him or parts thereof, but he shall not transport out of the State during any one open season more than one male deer and two wild turkeys, or during one calendar week more than two days bag limit of other game animals and game birds.

Subdivision 4. Transportation of fur-bearing animals and nongame animals. A person may transport at any time and in any manner nongame animals and the fur and fur-bearing animals lawfully taken.

Subdivision 5. Transportation of specimens; sale, and possession. A person may transport, except by parcel post, and possess at any time and in any manner the head, antlers, hide, or skin of game animals or game birds lawfully taken. A person may buy and sell at any time the mounted specimens of heads, antlers, hides, and feet of game animals, and the skins of game birds lawfully taken and possessed: Provided, the person selling such specimens has a written permit, issued by the county game warden, authorizing him to do so.

Sec. 7. Marking packages. Any package in which any wild animal or bird, or part thereof, or egg or nest of any wild bird is transported, shall have clearly and conspicuously marked on the outside thereof the names and addresses of the consignor and the consignee, together with an accurate statement of the number and kinds of animals or birds or parts thereof, or eggs or nest of birds contained therein.

Sec. 8. Sale of imported plumage prohibited. No person shall purchase, offer to purchase, sell, offer to sell, expose for sale, or have in possession for sale any bird of paradise or geese pigeon, or any feather or any part thereof. The provisions of this section shall not apply to birds, or parts thereof, bought, sold, or possessed for scientific purposes, under a permit duly issued pursuant to the provisions of this act.

Sec. 9. Licenses.

Subdivision 1. Hunting and trapping licenses. No person shall, at any time, take any wild animal or bird without first having procured a license as provided by this act, which license shall authorize him to hunt or trap only during the periods of the year when it shall be lawful.

Subdivision 2. Application for license. The applicant for a license shall fill out a blank application furnished by the county game warden, stating applicant's name, age, occupation, place Facts to be stated.
of residence, and postoffice address, whether a citizen of the
United States or an alien, and such other facts or descriptions as
may be required by the county game warden, and stating that
applicant will conscientiously support the county game law. Said
application shall be subscribed and sworn to by the applicant be-
fore an officer authorized to administer oaths in this county; and
the persons hereby authorized to issue licenses are also hereby
authorized to administer oaths to applicants for such licenses.
Licenses shall be issued by the clerk of the Superior Court of said
county, the county game warden, deputy game wardens, and such
other persons as the county game warden may authorize in
writing to issue licenses.

Subdivision 3. Fees and powers under license. Said applicant,
if a resident of this county, shall pay to the officer or person
countersigning and issuing the license the sum of one dollar ($1.00)
as a license fee and the sum of twenty-five cents (25 cents) as a
fee to the officer or person other than the county game warden for
issuing the same, and shall obtain a resident county license which
shall entitle him to take game birds and wild animals as authorized
by this act.

All persons who have lived in this county for at least six months
immediately preceding the making of such application shall be
deemed resident citizens for the purpose of this section.

Said applicant, if a nonresident of this county or a resident for
less than six months, or an alien, shall pay to the officer or person
countersigning and issuing the license the sum of fifteen dollars as
a license fee and the sum of twenty-five cents as a fee to the officer
or person other than the county game warden for issuing the
license, which shall entitle him to take game birds and wild animals
as authorized by this act: Provided, that the county game warden
may, upon request, issue a nonresident license to any United States
game warden to be used in the discharge of his duties without the
payment of any fees.

Subdivision 4. Form and contents of license. The form of
the license shall be determined and the license blanks prepared
by the county game warden, and by him furnished to the officers
or persons authorized to issue licenses. Each license shall be
issued in the name of the county game warden and countersign-
signed by the officer or person issuing it. Each licensee shall
sign his name in ink on the license issued to him.

Subdivision 5. Termination of licenses. Each of such licenses
shall be void after the first day of April next succeeding the date
of issuance.

Subdivision 6. Carrying and exhibiting license. Each licensee
shall have his license on his person at all times when he is taking
animals or birds, and shall exhibit same for inspection to any
warden or other officer requesting to see it.
Subdivision 7. Alteration or transfer of license. No person shall alter or change in any manner or loan or transfer to another any license issued pursuant to the provisions of this act, nor shall any person other than the person to whom it is issued use the same.

Subdivision 8. Exception. That any person who is a resident of this county and any dependent member of his family under twenty-one years of age may take game birds and wild animals in the open season for the same, and not contrary to the provisions of this act, on lands of such resident without securing a license; and a minor member of a family resident in this State, under twenty-one years of age, may hunt under the license of his parents or guardian; but such minor must carry said license when so hunting, unless accompanied by said parent or guardian; and a nonresident child of any resident of this county may lawfully procure and use the same license required by a resident when such nonresident child is actually visiting such resident parent: Provided, that no nonresident visiting in the home of a resident of this county shall be required to take out license to hunt upon the lands of said resident, and a party who leases a farm for cultivation shall not be required to obtain a license to hunt thereon.

Subdivision 9. Disposition of fees. The license fees provided to be paid in this act shall be remitted by the officers or persons issuing the licenses on the first Tuesday of each month to the county game warden, with a schedule setting forth the name and address of each licensee, the serial number and classification of the license, and the amount paid for each license issued, except that the officer or person issuing licenses shall before making such remittance, deduct and retain as his fee the amount of fees provided to be paid to him by the provisions of this act for issuing licenses.

Subdivision 10. Reports. On or before the first day of April of each year, each officer or person authorized to issue licenses shall forward to the county game warden the stubs of licenses issued by him and all unused licenses, together with a report covering the number of licenses issued and the amount of license money received by him; the county game warden shall tabulate the total number of licenses of all kinds issued in the county and the fees received therefor, and he shall include such data in his biennial report.

SEC. 10. Wild deer, open season, bag limit. Deer may be taken from November first to November fifteenth. A person may take not to exceed one buck and one doe in the open season.

SEC. 11. Squirrels, open season, bag limit. Squirrels may be taken from October fifteenth to January fifteenth, but no person shall take any squirrel at any time in any public or private park. A person may take in any one day not to exceed five squirrels.
Purchase and sale of squirrels. Squirrels lawfully taken may be bought and sold during the open season and the first five (5) days next succeeding the close of the open season.

Sec. 12. Rabbits; open season. Rabbits may be taken in any number from November twenty-fifth to March first. Rabbits lawfully taken may be bought and sold during the open season and the first five (5) days next succeeding the close of the open season: Provided, that nothing in this act shall prevent the trapping of rabbits at any time, or the hunting of rabbits without gun in open season.

Nongame animals. Sec. 13. Nongame animals. Nongame animals may be taken in any number at any time.

Open season for upland game birds.

Sec. 14. Upland game birds; open season; bag limit. Quail, commonly called bob-white or partridges, wild turkeys, grouse and wild Mongolian, Chinese, or English ring-necked pheasants may be taken from November twenty-fifth to the last day of February. A person may take in any one open season not to exceed three (3) wild turkeys, and in any one day not to exceed ten (10) quail or bobwhite, partridge, and ten of other species of upland game birds in the aggregate of all kinds.

Open season for migratory game birds.

Sec. 15. Migratory game birds; open season; bag limit; possession. Migratory game birds may be taken, possessed, sold and bought only during such time and in such manner and numbers as may be prescribed by regulations which the commission is hereby authorized and directed from time to time to make, but no such regulations shall contravene the provisions of the Federal Migratory Bird Treaty Act and regulations thereunder.

Possession of game.

Sec. 16. Possession and sale of game animals and game birds. Game animals and game birds lawfully taken may be possessed during the open season therefor, and the first five (5) days next succeeding the close of such open season, but a person may not have in possession in any one day more than one male or doe, two turkeys, and two days limit of other game animals and game birds.

Open season for fur-bearing animals.

Sec. 17. Fur-bearing animals, open season; sale and possession. Red and grey fox, opossum and raccoon may be taken in any manner from September first to March first; skunk, muskrat, beaver, mink, and otter may be taken in any manner from November twentieth to February first; bear and wildcat may be taken in any manner and at any time: Provided, that any person setting a bear trap shall surround it with an enclosure not less than ten (10) feet in circumference, composed of a guard wire not less than three feet nor more than four feet from the ground, and shall post such guard with a sign not less than one foot square lettered "Warning!—Bear Trap," together with the name and address of the owner of such trap. Any person removing or interfering with such guard wire or warning notice, or the bear trap and set of another, without permission of the owner, shall be guilty of a
violation of this act. The skins of fur-bearing animals lawfully taken may be bought, sold, transported, and possessed at any time.

Sec. 18. Certain nongame birds and nongame animals unprotected. English sparrow, great horned owl, Cooper's hawk, sharp-shinned hawk, crows, jays, blackbirds and buzzards and their nests and eggs may be taken, possessed, bought, sold and transported at any time and in any manner, but such birds may not be killed by the use of poison except under a permit issued by the county game warden.

Sec. 19. County game commission created. A commission to be known as the "County Game Commission" is hereby created. The commission shall consist of five members, to be appointed by the county within thirty days after the passage and approval of this act, to serve two years, unless sooner removed, and one of whom, designated by the county, shall act as chairman of the commission until a new commissioner's designation shall be made by the commission. The county commission may remove a game commissioner for inefficiency, neglect of duty or misconduct in office, giving him a copy of the charges against him and an opportunity of being publicly heard in person or by counsel in his own defense, upon not less than ten days notice. If such commissioner shall be removed the commission shall file in the office of the clerk of court a complete statement of all charges made against such commissioner and their findings thereon, together with a complete record of the proceedings. No person shall be appointed a member of the commission unless he shall be well informed on the subject of wild life and the requirements for the conservation of wild birds and animals. The county commissioners shall fill vacancies by appointment for the unexpired term. The members of the commission shall receive no compensation for their services as members thereof, but each commissioner shall have reimbursed to him all actual necessary traveling and other expenses and disbursements, not exceeding twenty-five dollars ($25.00) in any one fiscal year, incurred or made by him in the discharge of his official duties, to be paid on proper vouchers. A majority of the commissioners shall constitute a quorum for the transaction of business, and meetings may be held at any time or place within the county. The commission shall adopt a seal of office, which may be used to authenticate papers and documents issued and executed by it or the county game warden.

Sec. 20. County game warden, salary, bond, clerks. The commissioners shall meet at the county courthouse within thirty days after their appointment and shall appoint a county game warden, who shall act as secretary of the commission and who shall receive a salary fixed by the commission and approved by the county commissioners, payable monthly, upon his own requisition, and he shall be reimbursed for his actual and necessary traveling expenses,
not to exceed one hundred and fifty dollars per annum, incurred in
the discharge of his official duties when he is away from the place
where his office is located, to be paid on proper vouchers. The
county game warden shall give a bond in the sum of two thousand
dollars ($2,000), to be approved by the county commissioners,
conditioned that he will faithfully perform the duties imposed
upon him by the provisions of this act, which bond shall be filed
with said commission. The premiums on the bonds of the county
game warden and each of his deputies shall be paid from the
county game protection fund.

The county game warden shall be provided with suitable offices
in the county courthouse or he may, with the approval of the
commission, have his office elsewhere in the county.

The commission shall also appoint such clerks and other em-
ployees as shall be necessary to enforce the provisions of this
act, but no clerks or other employees shall be so hired unless
there be sufficient money in the county game protection fund to
pay his salary and necessary traveling expenses.

Sec. 21. Deputy game wardens. The commission shall employ
and fix the compensation of one or more persons in said county
who shall be deputy game warden of the county, and shall have
authority to enforce the provisions of this act. Each deputy game
warden shall give a bond in the sum of one thousand dollars
($1,000) to be approved by and filed with the commissioners,
conditioned that he will faithfully perform the duties imposed
upon him by the provisions of this act.

Sec. 22. Report of commission. The commission, on the first
day of January, nineteen hundred and twenty-five, and every two
years thereafter shall make a report to the county commissioners
covering all its transactions, including the number and class of
licenses issued in each county, the amount of money received there-
for and from all the sources, the total amount of money received
from all licenses issued and all other sources, an itemized state-
ment of all expenses incurred, and the amount of funds on hand
to the credit of the county game protection fund, and such other
information as will give a complete report of the enforcement of
this act for the two fiscal years immediately preceding the making
of such report.

Sec. 23. Powers and duties of commission. The commission
shall have charge, control and management of the propagation and
distribution of wild birds and animals. The commission, with
the approval of the county commissioners, may by order set aside
lands of the county and, with the consent of the owner, any lands
as game and bird preserves. The commission may acquire in the
name of the county, by gift, moneys or other property for use in
carrying out the provisions of this act, and may also acquire in
the name of the county, by gift, lease, or purchase, suitable areas
for use as game and bird preserves, and for the propagation of
such game animals and game birds: Provided, there shall be sufficient moneys in the county game protection fund to pay therefor, and may by order set aside as game and bird preserves areas so acquired. At least thirty days before such an order shall take effect, a copy of the order, certified by the secretary to the commission, shall be filed in the office of the register of deeds in which the game or bird preserve is located. Notices or signboards warning all persons against hunting or trespassing thereon for that purpose shall be conspicuously posted by the county game warden or under his direction close to or along the entire boundary of such a preserve, and as many of such notices or signboards shall be so posted as the commission in its order creating a preserve determines shall be best calculated to give public notice of the location of the boundaries of such preserve; or such a preserve may be posted on the boundaries thereof indicated in such other manner and by such other means as the commission may determine. No person shall take, kill, shoot, capture, injure, or destroy any wild bird or animal or bird’s nest or egg on any game or bird preserve or game farm, or carry or discharge any firearms thereon, or create any disturbance tending to frighten or drive away any bird or animal thereon, or enter thereon for any purpose except under regulations which the commission is hereby authorized to make from time to time.

That the commission shall have, and is hereby given, full power and authority to shorten the open season for any game bird, game animal or fur-bearing animals for said county or any section thereof when special circumstances may make such desirable. No such change may be made by the commission except upon the written petition of twenty-five or more reputable citizens of the section to be affected by such change, and after a public hearing, of which notice shall be given by at least two (2) publications, two weeks in a paper published in the county: Provided, that this section shall not be construed to prevent the Legislature from shortening the season herein fixed for any county, or as repealing any local law shortening or closing any of the seasons fixed by this act for the taking of any game bird or animal named in this act.

The commission after such public hearing shall act upon such petition as it may deem advisable under the circumstances. When any such change is made the commission shall make an order covering the same, and such order of such change shall be given equal publicity as the above public notice required.

Sec. 24. Acquisition of birds and animals. The commission may acquire by gift, purchase or capture wild birds or animals for propagation purposes or for restocking the forests and covers of this county. It may establish and maintain game farms on lands owned by the county or leased by the commission and

Proviso: sufficient money in game protection fund.
Order establishing preserves.
Copy of order filed.
Notice of location of preserves.
Trespass on game preserves.
Power to shorten season.
Petition for change.
Public hearing.
Notice of hearing.
Proviso: powers of Legislature not abridged.
Action on petition.
Order covering change.
Publicity given to order.
Acquisition of birds or animals for propagation or restocking.
Lands for propagating game.
propagate wild birds or animals thereon and distribute such birds and animals in the covers of the State.

**Sec. 25. Birds and animals injurious to agriculture.** The commission shall have power to issue permits to kill any species of birds or animals which may become seriously injurious to the agriculture or other interests in any particular community, or such birds or animals may be captured alive by it or under its direction and planted in other sections of the county for restocking or may be disposed of in such other manner as it may determine. Any permit issued pursuant to this section shall expire within four (4) months after the date of issuance.

**Sec. 26. Scientific and propagation permits.** The county game warden may issue a permit, revocable at his pleasure, to any person authorizing the holder to collect and possess wild animals or wild birds, or birds' nests or eggs, for scientific, propagation or exhibition purposes. Before such a permit to take for scientific purposes is issued, the applicant must file written testimonials from two well-known ornithologists or zoologists and pay the sum of one dollar ($1.00) for the permit; but duly accredited representatives of public educational or scientific institutions or governmental departments of the United States engaged in the scientific study of birds and animals may be granted such a permit without endorsements or charge or without being required to obtain a hunting license. If the State game warden is satisfied of the good faith of the applicant he may issue to him a permit which shall fix the date of its expiration and may fix a restriction upon the number and kinds of animals, birds or birds' nests or eggs to be taken thereunder, but no such permit shall be valid after the last day of the calendar year in which it is issued.

Permits to take game animals or game birds during the close season shall not be issued except to a duly accredited representative of a school, college, university, or other institution of learning, or a representative of the Federal Government engaged in the scientific study of birds and animals or to a duly accredited representative of a State game department or commission to restock the covers of the State which he represents.

Specimens of birds or animals legally taken and birds and animals reared in domestication pursuant to the provisions of this act may be bought, sold, and transported at any time by any person holding a valid permit issued in accordance with the provisions of this section. When transported by common carrier or contained in a package, said specimens or any package in which the same are transported shall have clearly and conspicuously marked on the outside the name and address of the consignor and consignee, and an accurate statement of the number and kinds of bird or animal specimens or parts thereof or birds' nests or eggs contained therein, and that such specimens are for scientific or propagation purposes.
Each person receiving a permit under this section must file, at the expiration of his permit, with the county game warden, a report of his operations under the permit, which report shall set forth the name and address of the permittee, number of his permit, number of each species of bird, animal, or bird’s nest or eggs taken thereunder or otherwise acquired, disposition of the same, names and addresses of persons acquiring the same from the permittee, and the number of each species on hand for propagation purposes at the expiration of the permit. The commission is hereby authorized to prescribe from time to time rules and regulations governing the possession, purchase, sale, and transportation of birds and animals raised in domestication pursuant to the provisions of this act.

Sec. 27. Duties and powers of county game warden and deputies. The county game warden shall have general supervision and control of all deputy wardens, and under the supervision and direction of the commission the county game warden and each of his deputies shall enforce all the provisions of this act and any other law now in force or hereafter enacted for the protection of game, and shall exercise all necessary powers incident thereto other than those specifically conferred on the commission. It shall be the duty of all deputy wardens to obey and carry out all instructions and directions of the county game warden with respect to the enforcement of the provisions of this act.

It shall be the duty of the county game warden, immediately after his appointment, to prepare forms of hunting licenses and other forms necessary for use in the administration of the provisions of this act and to promptly distribute them to the officers and persons required to issue licenses or use such forms. The county game warden shall cause the hunting license accounts of officers and persons issuing licenses to be examined and audited at least once during each year, and shall require such officers or persons to promptly pay to him in accordance with the provisions of this act all moneys received by them from the sales of hunting licenses.

The county game warden and each of his deputies shall have power to execute all warrants issued for violation of this act and to serve subpoenas issued for the examination, investigation or trial of offenders against any of the provisions of this act; to make search of any place except a residence where such warden has cause to believe that wild birds or animals or any parts thereof, or the nests or eggs of birds are possessed in violation of law; to seize wild birds or animals or parts thereof, or nests or eggs of birds killed, captured, or possessed in violation of law, or showing evidence of illegal killing; to seize and confiscate all instruments and devices illegally used in taking wild birds or animals and to hold the same to be disposed of as provided in this act; to arrest, without warrant, any person committing a
violation of this act in his presence and take such person immediately before a court having jurisdiction for trial or hearing, and to exercise such other powers of peace officers in the enforcement of the provisions of this act, or of judgments obtained for violation thereof, as are not herein specifically conferred.

Sec. 28. Power to dispose of contraband birds, animals or devices. All game birds and edible portions of game animals, seized under the provisions of this act, shall be disposed of by the county game warden, or under his direction, by gift to hospitals, charitable institutions, and almshouses within the State. Nongame birds or parts thereof and the plumes or skins of game birds or birds of foreign species shall be disposed of by the county game warden by gift to scientific and educational institutions within the State, or may be retained by him for use of the commission, or in his discretion they may be destroyed. The county game warden shall take a receipt from the donee for any such gift and file such receipt in his office, and he shall keep a permanent record of such gifts. The heads, antlers, horns, hides, skins, or feet, or parts of any game or fur-bearing animal, seized under the provisions of this act, if the person from whom the same were seized is convicted of violating any of the provisions of this act, or if the owner thereof is unknown, may be sold for cash by the county game warden, or under his direction, at public auction to the highest bidder. Notice of the time and place of such sale, together with a description of the articles to be sold, shall be given by the county game warden or under his direction in such manner as he may determine to be best calculated to bring the best price therefor: Provided, that if the property seized is perishable, that same may be disposed of by the county game warden immediately. The State game warden or his deputy, authorized to make the sale, shall issue to the purchaser a certificate stating that the purchaser has the legal right to be in possession of the article or articles bought, and any one so acquiring said article or articles from the State, other than the person from whom they were seized, shall have the right to possess the same. If the person from whom any of said articles were seized be acquitted of the charge of violating any of the provisions of this act, the article so seized, unless it be an instrument or device the use of which is prohibited by this act, or money derived from the sale thereof if it was perishable property, shall be returned to him.

No officer shall be liable for any damage on account of any search, examination, seizure, or sale as herein provided.

It shall be, and is hereby made, the duty of each deputy game warden to make a full and complete report to the county game warden of all property by him confiscated because of a violation of the game laws of this State, showing in detail a description of the property, the person from whom it was confiscated, the price received therefor upon public sale, and the disposition of the
money. The county game warden shall keep in his office a perma-
nent record showing all property confiscated by him or any of
his deputies, and the disposition made thereof under the pro-
visions of this act.

Sec. 29. Duties of sheriffs and other peace officers. All sheriffs,
deputy sheriffs, police officers, and constables are hereby made
ex officio deputy game wardens, and it shall be their duty to
aid in the enforcement of this law. In addition to fees to which
he may be entitled under the general law of this State, any ex
officio deputy game warden or game warden shall receive the
sum of ten dollars ($10.00) in any case involving a violation of
this act in which he secures the evidence upon which the con-
viction was obtained, which shall be assessed against the defendant
and paid by such defendant as a part of the cost in a case of
conviction; if no conviction is procured, no fee shall be taxed
against the county or State.

Sec. 30. County game protection fund created. The county
game warden shall promptly pay to the county treasurer all
moneys received by him from the sale of hunting licenses or
from any other source connected with the enforcement of the
provisions of this act, and the county treasurer shall deposit all
such moneys in a special fund to be known as the "County Game
Protection Fund," which is hereby reserved, set aside, appropriated
and made available until expended as may be directed by the
commission in the enforcement of the provisions of this act, and
shall be used for no other purpose.

Sec. 31. Membership in the State Audubon Society dissolved.
Provided, that the membership of Moore County in the State
Audubon Society as provided for in chapter three hundred and
thirty-seven, Private Laws of one thousand nine hundred and
thirteen, is by this act dissolved.

Sec. 32. Penalties. Unless a different or other penalty or
punishment is herein specifically prescribed, a person who takes,
possesses, transports, buys, sells, offers for sale, or has in posses-
sion for sale or transportation any bird, animal, or parts thereof
or nest or egg of any bird, in violation of any of the provisions of
this act, or who violates any of the provisions of or who fails
to perform any duty imposed by this act, or any lawful order,
rule or regulation adopted by the commission, is guilty of a
misdemeanor and upon conviction thereof shall be fined not less
than ten dollars nor more than one hundred dollars or be impris-
oned not more than six months, or both.

A person who takes, possesses, buys, sells, offers for sale, trans-
ports, or has in possession for sale or transportation, any wild deer
or any part thereof in violation of any of the provisions of this
act or any lawful rule or regulation of the commission, or who
shall use any poison for the purpose of taking birds or animals in
violation of the provisions of this act, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than twenty-five dollars nor more than two hundred dollars or be imprisoned not more than six months, or both, and the court may revoke any license of a convicted offender.

Any person who shall swear or affirm to any false statement in an application for a hunting and trapping license shall be deemed guilty of perjury, and on conviction thereof shall be subject to the penalties provided for the commission of perjury, and any false statement contained in an application for such a license shall render the license null and void.

Any public officer who fails to perform any duty imposed by any of the provisions of this act or any lawful rules or regulations of the commission shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than fifty dollars nor more than five hundred dollars, or be imprisoned not more than six months, or both.

Sec. 33. That all acts inconsistent with this act are hereby repealed.

Sec. 34. *Invalidity of any provision not to affect remainder of this act.* If any clause, sentence, paragraph or part of this act shall, for any reason, be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Sec. 35. This act shall take effect on and after April first, one thousand nine hundred and twenty-three.

Ratified this the 2d day of March, A.D. 1923.

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**CHAPTER 420**

AN ACT AUTHORIZING THE CONSTABLE OF ASHEVILLE TOWNSHIP, BUNCOMBE COUNTY, TO APPOINT A DEPUTY CONSTABLE.

The General Assembly of North Carolina do enact:

Section 1. That the constable of Asheville Township, Buncombe County, be and is hereby authorized and fully empowered to appoint one deputy constable for Asheville Township, county aforesaid, which deputy shall be vested with the same powers and authority as a constable, and whose term of office shall expire on the first Monday in December, of each year, and who shall be paid for his services such salary or fees as the constable and
deputy constable shall mutually agree upon: Provided, however, that said deputy constable shall not be paid any salary by the county of Buncombe or receive any fees for services in any case in excess of that allowed by law to the constable.

Sec. 2. That the deputy township constable herein provided for must reside within and be a qualified voter within the limits of Asheville Township, and it shall be the duty of the constable of said township, upon the appointment of such deputy, to report the fact thereof to the board of county commissioners, who shall incorporate his report in the minutes of their proceedings, and such deputy constable shall take the oath of office before the clerk of the Superior Court for the county of Buncombe.

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

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 421

AN ACT FOR THE RELIEF OF THE COUNTY BOARD OF EDUCATION OF MADISON COUNTY.

Whereas Fred C. Sams, superintendent of public instruction of Madison County, served as superintendent of public welfare of Madison County from June ninth [one thousand nine hundred and nineteen], until June sixth, one thousand nine hundred and twenty-one; and

Whereas the said Fred C. Sams rendered faithful services to the county as superintendent of public welfare; and

Whereas Madison having a population of less than twenty-five thousand inhabitants, the superintendent of public instruction was entitled, according to law, to serve as superintendent of public welfare in addition to his regular duties as superintendent of public instruction; and

Whereas, on account of the superintendent of public instruction serving as superintendent of public welfare, the county was saved the full-time salary of a superintendent of public welfare, thereby saving the county several hundred dollars; and

Whereas the said Fred C. Sams was paid four hundred dollars for serving as superintendent of public welfare for the period of time herein named by the county board of education of Madison County: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That four hundred dollars paid Fred C. Sams, as superintendent of public welfare from June ninth, one thousand nine hundred and nineteen, to June sixth, one thousand nine hun-
dred and twenty-one, was a just obligation on the public school funds of Madison County, and all the acts of the county board of education of Madison County in paying said Fred C. Sams as superintendent of public welfare are hereby declared legal and binding and are fully ratified for all intents and purposes.

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

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 422

AN ACT TO AMEND CHAPTER 102, PUBLIC-LOCAL LAWS OF 1919, RELATING TO THE SALARY OF THE SHERIFF OF GRANVILLE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section twelve of chapter one hundred and two, Public-Local Laws of one thousand nine hundred and nineteen, as amended by subsection (c) of section three of chapter ten, Public-Local Laws, extra session of one thousand nine hundred and twenty, be and the same is hereby stricken out, and the following inserted in lieu thereof:

"Sec. 12. The said sheriff shall receive a salary of three thousand dollars per annum in lieu of all other compensation whatsoever."

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

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 423

AN ACT FOR THE RELIEF OF THE TREASURER OF TRANSYLVANIA COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of education of Transylvania County is hereby directed and empowered, and shall allow and approve such commissions or fees to the treasurer of Transylvania County for the receipt and disbursement of all funds which are received or paid out under the direction of or to the credit or benefit of the said board of education, for the years one thousand nine hundred
and twenty-three and one thousand nine hundred and twenty-four, in
clusive, as were allowed to and collected by the treasurer of
said county for similar funds and services during the years one
thousand nine hundred and twenty-one and one thousand nine
hundred and twenty-two, inclusive, and as are allowed by law.

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

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 424

AN ACT RELATING TO THE GAME LAW OF TYRRELL
COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That it shall be unlawful for any person to kill or
otherwise destroy in Tyrrell County, between March first and
October fifteenth, any raccoon, opossum or mink: Provided, that
any of said animals may be killed if caught or found destroying
crops, poultry or other property.

Sec. 2. That it shall be unlawful for any person to kill or
otherwise destroy in Tyrrell County any of the following birds or
animals within the dates set forth: quail or partridge, between
February fifteenth and November fifteenth; squirrel, between Feb-
uary fifteenth and November fifteenth; deer, between February
fifteenth and November first. And it shall be unlawful for any
person to kill or otherwise destroy more than twelve partridge in
any one day or five squirrels in any one day, and it shall be
unlawful for any person to hunt quail or partridge or squirrel
more than two days in any one week.

Sec. 3. That it shall be unlawful for any person to wilfully
destroy quail or partridge eggs.

Sec. 4. That it shall be unlawful for any person to kill or other-
wise destroy any wild bird or wild fowl by or with the aid of
what is known as fire-lighting or fire-blinding. Any person vio-
lating the provisions of this section shall be guilty of a misde-
meanor and upon conviction shall be fined not less than ten dollars
nor more than two hundred dollars.

Sec. 5. That it shall be unlawful for any person who is not a
resident of North Carolina to hunt in Tyrrell County without first
securing from the clerk of the Superior Court of Tyrrell County,
upon the payment to said clerk of ten dollars and fifty cents
($10.50), a hunting license; and it shall be unlawful for any
person not a resident of Tyrrell County to hunt in said county
without first securing from the clerk of the Superior Court of

Nonresidents of
State to obtain
license.

Cost.

Nonresidents of
county to obtain
license.
CHAPTER 425

AN ACT TO AMEND CHAPTER 553 OF THE PUBLIC-LOCAL LAWS OF THE SESSION OF 1919 SO FAR AS THE SAME RELATES TO OLIN TOWNSHIP IN IREDELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section three of chapter five hundred and fifty-three of Public-Local Laws of the session of one thousand nine hundred and nineteen be and the same is hereby amended by striking out all of section three after the word “county” in line one of said section.

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

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 426

AN ACT TO AMEND CHAPTER 594, PUBLIC LAWS OF 1915, RELATIVE TO THE SALARY OF THE CLERK OF THE COURT OF NORTHAMPTON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter five hundred and ninety-four of the Public-Local Laws of one thousand nine hundred and fifteen be amended by striking out the words “two thousand dollars” in

said county, upon the payment to said clerk of two dollars ($2), a hunting license: Provided, any nonresident of Tyrrell County who owns land in said county shall not be required to pay either of said licenses when hunting on his own land.

SEC. 6. Any person violating any of the provisions of this act, excepting the provisions of section four, penalty for violating which is hereinebefore provided for, shall be guilty of a misdemeanor, and upon conviction shall be fined not exceeding fifty dollars ($50), in the discretion of the court.

SEC. 7. That this act shall apply to Tyrrell County only.

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

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

Ratified this the 2d day of March, A.D. 1923.
line two of section five, and inserting in lieu thereof the words "three thousand dollars," and by adding at the end of said section the following: "Provided, that the deputy or assistant to the clerk of the Superior Court shall be allowed compensation for actual services not in excess of one hundred dollars per month, to be fixed by the board of county commissioners."

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

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 427

AN ACT TO PERMIT THE BOARD OF COUNTY COMMISSIONERS, OR COUNCIL, OR BOARD OF ALDERMEN OR COMMISSIONERS TO STRIKE FROM THE TAX BOOKS AND DISCHARGE SHERIFFS AND TAX COLLECTORS FROM THE COLLECTION OF SUCH TAXES AS MAY BE IMPOSSIBLE OF COLLECTION.

The General Assembly of North Carolina do enact:

Section 1. That any board of county commissioners, or council, or board of aldermen or commissioners of any city or town shall have power to strike from the tax books and cancel any tax which may seem to them in the exercise of their discretion impossible of collection.

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.

Sec. 4. This act shall apply only to Rowan County.

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 428

AN ACT TO AMEND CHAPTER 146 OF THE PUBLIC-LOCAL LAWS OF 1913, AND ACTS AMENDATORY THEREOF, RELATIVE TO COUNTY SOLICITOR FOR NEW HANOVER COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That at the election held in New Hanover County for the election of county officers in the year one thousand nine hundred and twenty-six, and each four years thereafter, there shall be elected a county solicitor for the county of New Hanover,
who shall be inducted into office on the first Monday in December, one thousand nine hundred and twenty-six, and he shall hold office for a term of four years, or until his successor shall have been elected and qualified; and the term of office of the present county solicitor of said New Hanover County, J. A. McNorton, shall be extended to and shall not expire until the said first Monday in December, in the year one thousand nine hundred and twenty-six, or until his successor shall have been elected and qualified.

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

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 429

AN ACT TO PERMIT THE BOARD OF COUNTY COMMISSIONERS OF CASWELL COUNTY TO EMPLOY A PROSECUTING ATTORNEY AND FIX HIS FEES THEREFOR.

The General Assembly of North Carolina do enact:

SECTION 1. The board of commissioners of Caswell County be and they are hereby authorized to employ a prosecuting attorney for the county of Caswell, whose duty shall be to prosecute all crimes in Caswell County wherein the justice of the peace has not final jurisdiction, and crimes before a justice of the peace of which he has jurisdiction, when requested by said justice.

Sec. 2. The justices of the peace of Caswell County shall, upon issuing any warrant, immediately notify the prosecuting attorney of the crime charged and when the same is set for hearing.

Sec. 3. The board of county commissioners shall fix the fees for said attorney, not to exceed three-fourths of the fees now allowed by law to solicitors for prosecuting like actions, and said fees to be charged in as a part of the bill of costs. Said prosecuting attorney may assist, if requested by the solicitor, in prosecuting the criminal docket in the Superior Court.

Sec. 4. The board of county commissioners of Caswell County shall, at any time after appointing said prosecuting attorney, revoke his appointment if in their judgment it is to the best interest of the county to do so.

Sec. 5. That in case the county has to pay any part of the fees of prosecuting attorney, that they shall not pay more than one-half the fees allowed by the board of county commissioners.

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

Ratified this the 2d day of March, A.D. 1923.
CHAPTER 430

AN ACT FOR THE PROTECTION OF GAME AND FISH IN THE COUNTIES OF BERTIE, GATES, HERTFORD AND NORTHAMPTON.

The General Assembly of North Carolina do enact:

Section 1. That this act shall be known by the short title of "The County Game and Fish Law."

Sec. 2. Definitions. That for the purpose of this act the following shall be construed, respectively, to mean:

Person. The plural or the singular as the case demands, including individuals, associations, partnerships and corporations, unless the context otherwise requires.

Take. Whenever it is made lawful to "take" birds, game or fish, it shall mean the pursuit, hunting, capture or killing of birds or fish in the manner, at the time, and by means specifically permitted. Whenever it is made unlawful to "take" birds, game or fish, the word "take" shall include pursuing, shooting, hunting, killing, capturing, trapping, snaring and netting birds or fish.

Open season. The time during which birds, game or fish may be lawfully taken. Each period of time prescribed as an open season shall be construed to include the first and last days thereof.

Close season. The time during which birds, game or fish may not be taken.

Sec. 3. Manner of taking game defined. Game birds shall be taken only in the daytime, between sunrise and sunset, with a shot-gun not larger than number ten-gauge or a rifle, unless otherwise specifically permitted by this act. No person shall take any game bird by the aid or with the use of any jack-light, or other artificial light, net, trap, snare, salt-lick, or poison; nor shall any such jack-light, net, trap, snare, salt-lick or poison be used or set to take any game birds. A person may take game birds and wild animals during the open season therefor, with or without the aid of a dog, unless specifically prohibited by this act.

Sec. 4. Wild deer; open season; bag limit. Deer may be taken from October first to January first. A person may take not to exceed five deer in the open season.

Sec. 5. Squirrels; open season; bag limit. Squirrels may be taken from November first to February first. A person may take in any one day not to exceed six squirrels. Squirrels lawfully taken may be bought and sold during the open season.

Sec. 6. Rabbits; open season. Rabbits may be taken in any number from October first to March first. Rabbits lawfully taken may be bought and sold during the open season.

Sec. 7. Upland game birds; open season; bag limit. Quail, commonly called bob-white or partridge, and wild turkeys, may be taken in the manner prescribed by law.
Bag limit. taken from November first to the last day of February. A person may take in any one open season not to exceed six wild turkeys, and in any one day not to exceed twelve quail or bob-white, partridge, and ten of other species of upland game birds in the aggregate of all kinds.

SEC. 8. Migratory game birds; open season; bag limit; possession. Migratory game birds may be taken, possessed, sold and bought only during such time and in such manner and numbers as are or may be prescribed by regulations of the Federal Migratory Bird Treaty Act and regulations thereunder.

Possession of game.

SEC. 9. Possession and sale of game animals and game birds. Game animals and game birds lawfully taken may be possessed during the open season therefor, but a person may not have in possession in any one day more than two male deer, two turkeys, and one day’s limit of other game birds.

Nongame birds.

SEC. 10. Certain nongame birds unprotected. English sparrow, great horned owl, Cooper’s hawk, sharp-shinned hawk, crows, jays, blackbirds and buzzards and their nests and eggs may be taken, possessed, bought, sold and transported at any time and in any manner, but such birds may not be killed by the use of poison.

Game wardens ex officio.

SEC. 11. Duties of sheriffs and other peace officers. All sheriffs, deputy sheriffs, police officers and constables are hereby made ex officio deputy game wardens, and it shall be their duty to aid in the enforcement of this law, but shall serve without compensation except as herein provided. In addition to fees to which he may be entitled under the general law of the State any sheriff or other officer shall receive the sum of ten dollars in any case involving a violation of this act in which he secures the evidence upon which the conviction was obtained, which shall be assessed against the defendant and paid by such defendant as a part of the cost in a case of conviction; if no conviction is procured, no fee shall be taxed against the county.

Open season for net fishing.

SEC. 12. That for the purpose of protecting the fish hereinafter mentioned, during their spawning season no person or persons shall take from any stream in said counties, by use or by means of any wire trap or fyke net, or gill net, except from and including the first day of December to and including the fifteenth day of March, in each and every year, any speckle perch, raccoon perch, red throats, yellow or other perch, or any sun fish and bass of all kinds. Any person violating the provisions of this section shall be guilty of a misdemeanor, and upon conviction shall be fined not exceeding the sum of fifty dollars or imprisoned not exceeding thirty days.

Protected fish.

Misdemeanor.

Punishment.

Officers charged with enforcement of section.

Compensation.
arising under said preceding section in the same amount and 
manner as provided in said section eleven.

Sec. 14. Penalties. Unless a different or other penalty or pun-
ishment is herein specifically prescribed, a person who takes or 
kills any bird, game or fish in violation of any of the provisions 
of this act, or who violates any of the provisions of or who fails 
to perform any duty imposed by this act, is guilty of a misde-
meanor, and upon conviction thereof shall be fined not less than 
ten dollars nor more than fifty dollars or be imprisoned not more 
than thirty days.

Sec. 15. That this act shall apply only to the counties of Bertie, 
Gates, Hertford and Northampton.

Sec. 16. That all acts inconsistent with this act are hereby 
repealed.

Sec. 17. Date effective. This act shall take effect from and 
after May first, one thousand nine hundred and twenty-three.

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 431

AN ACT TO PLACE THE OFFICERS OF SAMPSON COUNTY 
ON A SALARY.

The General Assembly of North Carolina do enact:

Section 1. That the sheriff, clerk of the Superior Court, and 
register of deeds of Sampson County, and their respective deputi-
ies, shall collect and receive and account for all the fees to 
which they are entitled by virtue of their respective offices, and 
pay the same on the first Monday of each calendar month into the 
treasury of Sampson County, except as hereinafter provided, and 
they shall be responsible and chargeable with all moneys of every 
kind which are to be, or by law should be, paid into their 
respective offices, and shall be held to strict account therefor.

Sec. 2. That the said officers shall faithfully collect all fees, 
commissions, profits, and emoluments of all kinds now belonging or 
appertaining to or which may hereafter by any law belong or 
appertain to their respective offices, and pay over the same as 
herein provided. And they shall receive as compensation for 
their services only such salary, compensation, and allowances as is 
hereinafter provided.

Sec. 3. That each and all of said officers shall open and keep 
Account books, a set of account books in which shall promptly, correctly, truly, 
and accurately be entered an itemized account of all moneys 
collected or received by said officers or which by law shall be 
payable into their respective offices, and all of said books shall at 
all times be open to the inspection of the public on demand, and 
said books shall be safely and securely kept so as to prevent loss 
or destruction by theft, fire or any accident.
Sec. 4. That on the first Monday of each month a true and accurate transcript shall be transmitted by each of the officers of Sampson County to the board of commissioners of said county, said transcript to contain and show in detail all the entries made upon said books referred to in the next preceding section during the preceding calendar month, and this transcript shall be sworn to and duly verified by filing the same.

Sec. 5. The sheriff of Sampson County shall receive a salary of five thousand dollars per annum as full compensation for his services and the services of such deputies as the business of his office and the public good may require; and he shall be allowed no further compensation, except he shall receive and retain for his services the fees allowed by law for the service of all summons, warrants, notices, subpoenas and all other legal process issuing from the Superior, recorders' and justices' courts. He shall receive and be allowed the amount of his actual expenses for conveying prisoners from the place of trial to jail or from jail to the place of trial; for conveying prisoners to or from other counties, or to the State's Prison; for taking insane persons to and from the State Hospital; and it shall be the duty of the sheriff to render to the board of county commissioners monthly a statement of expenses herein provided for, showing the amount of the expense, the date and purpose for which it was incurred, and if satisfied that the amount is correct, the said commissioners shall pay the same by order upon the treasurer; and the costs of conveying prisoners, where it may be recovered, shall be taxed in the bill of costs by the court; and the sheriff shall also be allowed such fees as are allowed by law for the seizure and destruction of illicit distilleries.

Sec. 6. That nothing herein shall prevent the sheriff from acting in the capacity of jailer and receiving the compensation allowed by the county commissioners for keeping such jail. The sheriff may appoint a jailer, who shall receive the compensation allowed for keeping the jail, which shall be paid from the county funds as provided by law.

Sec. 7. That the clerk of the Superior Court of Sampson County shall receive a salary of thirty-seven hundred and fifty dollars per annum, and shall not receive any other sum whatsoever, to go into effect December first, one thousand nine hundred and twenty-six.

Sec. 8. That the register of deeds of Sampson County shall receive a salary of three thousand dollars per annum. That all fees and sums of money incident to this office shall be collected by the registrar and a daily account thereof kept by him.

Sec. 9. All moneys left to the credit of the "salary fund" at the end of the year shall be transferred to the general county fund.
Sec. 10. That the salaries herein provided for shall be paid by
the treasurer of Sampson County to the persons entitled to receive
the same, in monthly installments or otherwise, upon warrants
drawn by the board of county commissioners of said county and
countersigned by the chairman and the clerk of the said board of
commissioners. Said warrant to be drawn on “salary fund”
herein provided, and if at any time said “salary fund” shall be
exhausted, then in that event the board of commissioners shall
order the deficiency paid out of the general county fund.

Sec. 11. Any officers herein mentioned who shall wilfully fail
or refuse to collect any fee, commission, or emolument of any
kind belonging to his office shall be guilty of a misdemeanor.

Sec. 12. That the sheriff of Sampson County shall on the first
Monday of each and every calendar month after he receives his
tax books for collection of taxes, and until he makes final settle-
ment with the board of county commissioners, make a written
report to the board of county commissioners, showing the total
amount of taxes collected for the preceding month. Also the
total amount collected up to date, said report to be filed with the
register of deeds for information of the board of commissioners.

Sec. 13. The auditor of Sampson County shall keep a record
of the amount of moneys due the general county fund, the school
fund, and any and all special funds, and shall not use the moneys
to the credit of either one of these funds to pay a voucher that
should properly be paid by moneys belonging to either of the
other funds.

Sec. 14. The auditor of Sampson County shall on the first Mon-
day of every calendar month make a written report to the board
of county commissioners of said county, showing the amount of
moneys received from the sheriff as taxes for the previous month
and the total amount received since the last settlement, also the
amount on hand to the credit of the county fund and the school
fund.

Sec. 15. That the board of county commissioners of Sampson
County are hereby authorized to set aside and place to the credit
of the “salary fund,” each and every year, all commissions hereto-
fore allowed the sheriff for the collection of taxes, and all such
fees or other emoluments received by the register of deeds and
clerk of the court.

Sec. 16. That wherever the word “treasurer” has been herein-
before used in this act, the same shall apply to the bank or banks
handling county funds as financial agent of the county in lieu of a
treasurer.

Sec. 17. That all laws and clauses of laws in conflict with the
provisions of this act are hereby repealed.

Sec. 18. That this act shall be in force from and after the first
Monday in December, one thousand nine hundred and twenty-four.

Ratified this the 2d day of March, A.D. 1923.
CHAPTER 432

AN ACT TO PLACE THE SHERIFF OF STANLY COUNTY UPON A SALARY.

The General Assembly of North Carolina do enact:

Section 1. That the sheriff of Stanly County shall be paid a salary at the rate of three thousand five hundred dollars ($3,500) per year, payable in equal installments, by the treasurer of Stanly County upon a warrant of the county commissioners of Stanly County, for collecting all taxes of Stanly County placed in his hands by the county commissioners or State authorities for collection; that the above shall, be the sole compensation for collecting taxes, and he shall receive no other commission, or cost in addition to the above amount; but in addition to said salary the sheriff shall receive all process fees and other fees for duties required of him by law as sheriff of Stanly County. The said sheriff shall also be paid the annual sum of one thousand five hundred dollars ($1,500) to be used in employing clerical assistance in discharging the duties of his office, payable monthly.

Sec. 2. That the provisions of this act as to the payment of salary shall take effect from and after the first day of May, one thousand nine hundred and twenty-three; and shall apply to the taxes levied for the year one thousand nine hundred and twenty-three and for all taxes levied thereafter in Stanly County.

Sec. 3. That when any sheriff of Stanly County shall go out of office the tax books then in his hands shall be duly audited by the county commissioners or under their direction and full settlement made for all taxes collected by him, and remaining taxes uncollected on the books shall be turned over to the retiring sheriff's successor in office.

Sec. 4. That all laws and clauses of laws in conflict with the provisions of this act, so far as they relate to Stanly County only, are hereby repealed.

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 433

AN ACT REGULATING RIGHTS OF WAY OF PUBLIC SERVICE CORPORATIONS.

The General Assembly of North Carolina do enact:

Section 1. That section four hundred and forty (440) of the Consolidated Statutes of North Carolina shall apply and be in full force and effect, and shall regulate all suits, actions or pro-
ceedings brought or maintained against corporations under the laws of the State of North Carolina, whose business is the generation and transmission of electric power as a public-service corporation.

Sec. 2. That no action shall be brought against any electric company chartered under the laws of this State and which has maintained its transmission lines for a term of two years prior to the enactment of this statute, for damages or compensation for rights of way or use and occupancy of any line by the company for use of its transmission lines unless the action or proceeding is commenced within six months after the passage of this act: Provided, that this act shall apply only to the counties of Yancey, Mitchell, and Haywood.

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

Ratified this the 2d day of March, A.D. 1923.

CHAPTER 434

AN ACT TO PROVIDE FOR THE WORKING OF CERTAIN ROADS IN TRANSYLVANIA COUNTY AND FOR LEVYING A SPECIAL TAX THEREFOR.

The General Assembly of North Carolina do enact:

Section 1. The board of county commissioners of Transylvania County are hereby directed, authorized and empowered to levy annually a specific tax, not to exceed ten cents on the one hundred dollars valuation of property, real and personal, in said county, to be expended for the building and maintaining of bridges and culverts on certain public roads hereafter set forth, and under the direction and control of the county road supervisor: Provided, that the amount so raised shall amount to at least eight thousand dollars, and that the said board of county commissioners be and they are hereby directed, authorized and empowered to levy annually a specific tax, not to exceed nine cents on the one hundred dollars valuation of property, real and personal, in said county, to be expended in paying the salary of the county road supervisor, and the wages of such hands as he may employ, and the maintenance of such teams and road machinery as said county road supervisor may determine to be necessary. Said specific taxes shall be levied and collected each and every year, as other taxes are levied and collected, and full and complete power is hereby given to said county commissioners for so levying of said taxes, and to the sheriff and tax collector for so collecting said taxes.

Sec. 2. That all able-bodied males, between the ages of twenty-one and forty-five years, residents of Transylvania County, shall
pay an annual road tax of four dollars, said tax to be in lieu of all labor by said males, for the working and maintaining of the public roads in Transylvania County, and shall be collected by the sheriff and tax collector of said county at the same time and manner as other taxes are collected, and the said sheriff and tax collector is hereby vested with full power and authority to so collect said tax.

Sec. 3. That any and all sums of money collected under the aforesaid taxes and assessments shall be paid by the sheriff to the county treasurer as other taxes are paid, and shall be designated as a "special road fund," and that said fund shall be paid out and disbursed by the county treasurer upon the written order of the county road supervisor, hereinafter named, or his successor in office, and that the said county treasurer shall take a receipt or voucher for all amounts paid to said county road supervisor, and said treasurer shall make due settlement for said fund with the county commissioners, at such time or times as he makes settlements with said commissioners for other taxes: Provided, that said fund shall not be used for any other purpose.

Sec. 4. That Theodore Reid be and he is hereby appointed county road supervisor of Transylvania County, to serve for the period of two years from and after the first day of April, one thousand nine hundred and twenty-three; that in the case of the death or resignation of the said Theodore Reid, that his successor shall be appointed by the chairman of the board of road commissioners of Transylvania County to fill the unexpired period of said term. At the expiration of said term, then said chairman of the board of road commissioners shall appoint Reid's successor for a further period of two years.

Sec. 5. That the said county road supervisor shall have full charge and control of the maintenance of all public roads in Transylvania County, except such public roads as are designated and known as State highways, and such road or roads as the State Highway Commission, or the Federal Government, or either, contribute to the building or the maintenance thereof, or such roads as are under the control of the State Highway Commission, Federal Government or their respective agents or representatives: Provided, however, that nothing herein contained shall repeal, alter or amend any powers heretofore conveyed to the road commissioners of Transylvania County concerning the laying out, altering or amending the public roads or highways or cartways of said county, or in the construction or maintenance of such roads as are are under the control or partial control of the State Highway Commission or the Federal Government.

Sec. 6. That the office of township road overseer or district road overseer for each and every township or district in Transylvania County is hereby abolished.
Sec. 7. That all the duties heretofore performed by the several road overseers, in the several townships and road districts in Transylvania County, are hereby transferred to the said county road supervisor, and the said road overseers in the said several townships and districts are hereby prohibited from collecting any taxes, summoning any hands or performing any work of any kind on any public road, or cartways, in said county: Provided further, that said township or district road overseers are hereby directed and instructed to turn over to said county road supervisor any and all funds which they may have in hand from the collection of road taxes, or received by them in lieu of work by hands on roads, also all tools and materials belonging to their several townships or districts, for use on said roads; and any person violating any of the provisions of this section shall be guilty of a misdemeanor and upon conviction shall be fined or imprisoned in the discretion of the court.

Sec. 8. That the said county road supervisor shall give a justified bond for the faithful performance of the duties of his office, payable to the State of North Carolina, in the sum of two thousand dollars, which said bonds shall be approved by the chairman of the board of road commissioners and deposited with the clerk of the court of said county.

Sec. 9. That the board of road commissioners of Transylvania County are hereby directed to deliver to the said county road supervisor four head of mules, with harness and one wagon, as may be selected by said county road supervisor, from the mules, harness and wagons now under the control of the said road commissioners.

Sec. 10. That all bridges, or culverts, costing more than one hundred dollars, and being under the control of said county road supervisor, shall be built by contract, after an invitation for bids for same has been duly advertised in some newspaper, published in Transylvania County, for a period of thirty days, and said contract shall be let to lowest responsible bidder: Provided, that this section shall apply only to bridges on such roads as are maintained by said county road supervisor.

Sec. 11. That said county road supervisor shall receive an annual salary of fifteen hundred dollars, which shall be paid to him by the county treasurer in equal monthly installments of one hundred and twenty-five dollars on the first Monday in each and every month; that said county road supervisor shall publish annually, in some newspaper published in Transylvania County, an itemized statement of all receipts and disbursements received and paid out by him, and shall file every three months a sworn, itemized statement of his receipts and disbursements, with the chairman of the board of road commissioners of said county.

Sec. 12. All laws and clauses of laws in conflict herewith are hereby repealed.
AN ACT TO AUTHORIZE COUNTY BOARDS OF EDUCATION TO INSURE SCHOOL BUILDINGS IN MUTUAL FIRE INSURANCE ASSOCIATIONS.

The General Assembly of North Carolina do enact:

Section 1. That county boards of education be and they are hereby authorized and empowered, whenever in their discretion they shall deem advisable, to insure school buildings in mutual fire associations, and whenever they exercise this discretion and do insure school buildings in such associations they are hereby authorized and empowered to pay such premiums or assessments as may be lawful and properly charged or assessed against them by reason of their participation in such associations, out of the county school funds as a necessary and proper expense thereof: Provided, that this bill shall apply to Randolph County only.

Sec. 2. This act shall be in effect from and after its ratification.
Ratified this the 3d day of March, A.D. 1923.

AN ACT TO PROVIDE FOR STANDARD-WEIGHT PACKAGES OF MEAL AND FLOUR; TO PREVENT THE SALE OF SHORT-WEIGHT PACKAGES; TO PROVIDE THE LAW IN CONFORMITY WITH THE LAWS OF ADJOINING STATES, AND TO PROTECT THE MILLERS OF NORTH CAROLINA FROM UNFAIR COMPETITION.

The General Assembly of North Carolina do enact:

Section 1. That chapter one hundred and seventy of the Laws of one thousand nine hundred and twenty-one is hereby repealed.

Sec. 2. The standard weight of a bushel of corn meal, whether bolted or unbolted, shall be forty-eight (48) pounds.

Sec. 3. That it shall be unlawful for any person or persons to pack for sale, sell or offer for sale in this State corn meal except in packages containing by standard weight one-eighth bushel, one-fourth bushel, one-half bushel, one bushel, one and one-half bushels or two bushels. The weight of the meal, and whether the same is bolted or unbolted, shall be plainly stated on the outside of the package.
Sec. 4. It shall be unlawful for any person or persons to pack for sale, sell or offer for sale in this State flour except in packages containing by standard weight twelve pounds, twenty-four pounds, forty-eight pounds, ninety-eight pounds or one hundred and ninety-six pounds of flour, with the weight plainly stated on the outside of the package: Provided, that sections one and two of the act shall not apply to the retailing of meal or flour direct to customers from bulk, when the same is priced and delivered by actual weight or measure.

Sec. 5. The Board of Agriculture shall cause to be made from time to time, under rules and regulations to be prescribed by them in accordance with section six of this act, such inspections or examinations as may be necessary to determine whether the provisions of this act have been violated. If it shall appear from such inspection or examination that any of the provisions of this act have been violated, the Commissioner of Agriculture shall certify the fact to the solicitor in the district in which the violation was committed, and furnish that officer with the facts in the case, duly authenticated by the inspector, under oath, who made the examination.

Sec. 6. Any person or persons violating any provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by fine or imprisonment in the discretion of the court, and the meal or flour offered for sale in violation of this act shall be subject to seizure, condemnation and sale by the Commissioner of Agriculture, as is provided for the seizure, condemnation and sale of commercial fertilizers; and the proceeds thereof, if sold, less the legal costs and charges, shall be paid into the Treasury for the use of the Department of Agriculture in executing the provisions of this act: Provided, that the Commissioner of Agriculture may in his discretion order the release of the meal or flour seized when the owner of the same shall offer to pack it in accordance with the provisions of sections one and two of the act, and it shall appear to the satisfaction of the Commissioner that said owner did not intend to violate the provisions of the law.

Sec. 7. The Board of Agriculture shall have authority to make uniform rules and regulations for carrying out the provisions of this act.

Sec. 8. The provisions of this act shall not apply to meal or flour on hand at the time of the passage of this act.

Sec. 9. Except as provided in section seven, this act shall be in force from and after April first, one thousand nine hundred and twenty-three. This act shall only apply to Cherokee, Rutherford, Gaston, and Graham counties.

Sec. 10. All laws and clauses of laws in conflict with this act are hereby repealed.

Ratified this the 3d day of March, A.D. 1923.
CHAPTER 437

AN ACT TO REPEAL CHAPTER 462 OF THE PUBLIC-LOCAL LAWS OF THE REGULAR SESSION OF THE GENERAL ASSEMBLY OF NORTH CAROLINA OF 1921, RATIFIED ON THE 7TH DAY OF MARCH, A.D. 1921, ENTITLED "AN ACT TO REGULATE THE APPOINTMENT OF MEMBERS OF THE BURKE COUNTY ROAD COMMISSION."

The General Assembly of North Carolina do enact:

Section 1. That chapter four hundred and sixty-two (462) of the Public-Local Laws of the regular session of the General Assembly of North Carolina of the year one thousand nine hundred and twenty-one (1921), ratified on the seventh (7th) day of March, A.D. one thousand nine hundred and twenty-one (1921), be and the same is hereby repealed.

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

Ratified this the 3d day of March, A.D. 1923.

CHAPTER 438

AN ACT TO PROTECT GAME AND REGULATE HUNTING IN BLADEN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That it shall be unlawful for any person to hunt, kill or destroy in any manner any squirrel or wild turkey in Bladen County, from the fifteenth day of January to the fifteenth day of November of any year.

Sec. 2. That it shall be unlawful for any person to hunt, kill or destroy in any manner any bob-white (partridge or quail) in Bladen County from the first day of March to the first day of December of any year.

Sec. 3. That it shall be unlawful for any person to hunt, kill or destroy in any manner any deer in Bladen County, from the first day of December to the fifteenth day of November of any year.

Sec. 4. That it shall be unlawful for any person to kill in any one day in Bladen County more than ten squirrel, fifteen bob-white or quail, or one wild turkey during the open season herein provided for.

Sec. 5. That it shall be unlawful to hunt, kill or destroy in any manner any raccoon, opossum, skunk, mink or otter in Bladen County, from the first day of March to the first day of December of any year.
SEC. 6. That it shall be unlawful to hunt, kill or destroy any fox in Bladen County, in any manner, from the first day of March to the first day of October of any year.

SEC. 7. That it shall be unlawful to set any steel trap or other device for the capture of wild animals or birds in Bladen County: Provided, that a person may set traps for fur-bearing animals on land owned by him or on land owned by other parties where he has written permission from owner: Provided further, squirrels committing depredations on crops or fruit trees may be taken during the period of such depredations, on cultivated lands where such crops or fruit trees are located, by any person whose crops or fruit trees are being so damaged: Provided further, that opossums, minks, skunks and foxes committing depredations on poultry or livestock may be trapped during the period of such depredations in the immediate vicinity thereof.

SEC. 8. That the county commissioners are hereby authorized, empowered and instructed to employ a game warden for Bladen County, who shall be paid a salary not to exceed the amount of fines and license taxes paid into the county or school fund as is hereinafter provided.

SEC. 9. That it shall be the duty of the game warden to select as many assistant game wardens as he may deem necessary, and to fix their compensation, to be approved by the board of county commissioners: Provided, that the compensation of the game warden and such assistants as he may employ shall not exceed the amount of fines and license taxes as is hereinafter provided.

SEC. 10. That it shall be the duty of the game warden to prosecute all violations of the game laws of said county, and the game warden and deputy wardens shall have and are hereby vested with full power of arresting violators and offenders, serving process from any court or magistrate having jurisdiction of any provision for the enforcement of said laws.

SEC. 11. That all nonresidents of Bladen County shall pay an annual license tax of ten dollars before being allowed to hunt in said county: Provided, that all nonresidents owning real estate in fee simple in the aforesaid county shall not be required to pay the license tax herein provided for the privilege of hunting on their own land: Provided further, that those having bona fide leases to land which were recorded prior to January eighteenth, one thousand nine hundred and twenty-three, shall not be required to pay ten dollars nonresident tax as provided for in this act.

SEC. 12. That all persons having licenses must carry same on their persons while hunting and show them when called upon to do so by a warden, sheriff, constable or other officer, and failure to do so shall be prima facie evidence that such persons are hunting without licenses.

SEC. 13. That it shall be unlawful for any person to hunt, shoot, kill or trap any game mentioned in sections one, two, three, four,
five, six and seven of this act during the closed season, as therein designated. Any person violating any of the provisions of this act shall be guilty of a misdemeanor and shall, for each offense, be fined not more than fifty dollars, nor less than five dollars, or be imprisoned not more than thirty days nor less than ten days.

Sec. 14. That if any sentence, clause, paragraph, or part of this act shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the sentence, clause, paragraph or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Sec. 15. That all laws and parts of laws in conflict with this act are hereby repealed.

Sec. 16. That this act shall be in force from and after its ratification.

Ratified this the 3d day of March, A.D. 1923.

CHAPTER 439

AN ACT AUTHORIZING THE BOARD OF DRAINAGE COMMISSIONERS OF HYDE COUNTY TO MODIFY THE BOUNDARIES OF DRAINAGE DISTRICTS.

The General Assembly of North Carolina do enact:

SECTION 1. Whenever a drainage district shall have been established in Hyde County under the general drainage laws or under a special act of the General Assembly, and a drainage system constructed therein, if it shall be found under the practical operation of the system that one or more tracts of land in said district cannot be successfully drained for agricultural purposes, then the owner or owners of such tract or tracts of land may apply for relief to the board of drainage commissioners, and said board of drainage commissioners is hereby authorized, empowered and directed to grant such relief by so altering and changing the boundaries of the said drainage district as to exclude from it the said tract or tracts of land which the said drainage system does not and cannot successfully drain. If, upon application for such relief, the board of drainage commissioners shall fail or refuse to grant it, an appeal may be taken direct to the Superior Court of Hyde County, which shall have full power and authority to find the facts and grant relief as in other suits in equity.

Sec. 2. If any tract or tracts of land shall be excluded from a drainage district under authority of section one of this act, the said land or lands shall not thereafter be liable for any maintenance tax nor for any other obligation to or of the said drainage
AN ACT TO PROTECT THE PUBLIC ROADS OF MONTGOMERY COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That it shall be unlawful for any person or corporation to obstruct any drain ditch, disfigure or render unfit for travel any public road of Montgomery County, or cut holes or deep ruts therein by means of plows, log carts, wagons, snaking logs, cut up by disc harrows or otherwise.

Section 2. That it shall be unlawful to run tractors or other motor vehicles equipped with cleats upon the public roads of Montgomery County: Provided, that motor-driven vehicles may be used with cleats for road repair work: Provided further, that in individual cases of necessity motor-driven vehicles may be used on such roads by permission of the chairman of the board of highway commissioners for Montgomery County.

Section 3. That the highway commission of Montgomery County is hereby authorized to make and prescribe such other rules, regulations or ordinances for the use of, and to police traffic on, the public roads of said county, and to prevent their abuse by individuals or corporations, by trucks, tractors, trailers or other heavy and destructive vehicles, or by any other means, and to provide necessary means for the enforcement of the same, and any violation of such rules, regulations or ordinances, so prescribed by said highway commission, shall constitute a misdemeanor: Provided, that no rule, regulation or ordinance shall be in conflict with any existing statute or any rule or regulation of the State Highway Commission.

Section 4. That for the purpose of enforcing section three of this act the county of Montgomery is hereby divided into five several road districts, and the members of the board of the highway commissioners of said county residing in the several districts are charged with the duty of looking after the roads of the said district; that Troy Township and Ophir Township shall constitute the first
Second district. district; Pee Dee Township, Mount Gilead Township and Cheeks
Third district. Creek Township shall constitute the second district; that Rocky
Fourth district. Springs Township shall constitute the third district; that Biscue
township and Little River Township shall constitute the fourth
district; that Eldorado Township and Uwharrie Township shall
constitute the fifth district.

Sec. 5. That any person violating any of the provisions of this
act shall be guilty of a misdemeanor, and shall be fined not exceed-
ing fifty dollars ($50) or imprisoned not exceeding thirty days.

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

Sec. 7. That this act shall be in full force and effect from and
after its ratification.
Ratified this the 3d day of March, A.D. 1923.

CHAPTER 441

AN ACT TO AMEND CHAPTER 354 OF THE PUBLIC-LOCAL
AND PRIVATE LAWS OF SESSION 1921 OF THE GENERAL
ASSEMBLY WITH REFERENCE TO THE WORKING OF
THE PUBLIC ROADS OF GRANVILLE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter three hundred and fifty-four of the
Public-Local and Private Laws of the General Assembly, session
of one thousand nine hundred and twenty-one, be and the same is
hereby amended as follows:

Sec. 2. Strike out sections seven, twelve, thirteen, fourteen and
fifteen of said act, and strike out the word "overseer" wherever
the same occurs in section seventeen of said act.

Sec. 3. The board of road commissioners of Granville County
are hereby authorized and empowered to appoint at their next
regular meeting after the ratification of this act, and on the
first day of January of each year thereafter, one road supervisor
for each township in Granville County, whose duty it shall be to
inspect and report the condition of the roads in their respective
townships as often as the board of road commissioners may require,
and make recommendations of needed repairs to said roads, and
to supervise the expenditure of such sums as may be allotted to
them for the roads of their respective townships.

Sec. 4. For such services the said board of road commissioners
shall make such compensation as may be deemed just by the board
of road commissioners.

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

Sec. 6. That this act shall be in force and effect from and
after its ratification.
Ratified this the 3d day of March, A.D. 1923.
CHAPTER 442

AN ACT RELATING TO FOX HUNTING IN CUMBERLAND COUNTY, AND PROVIDING FOR A GAME WARDEN.

The General Assembly of North Carolina do enact:

Section 1. That the closed season of each year during which foxes shall not be hunted with gun, chased with dog, killed or destroyed, shall be from February fifteenth to August thirty-first.

Sec. 2. That every person who is not a bona fide resident of the county shall not so hunt, chase, kill or destroy any foxes therein until he shall have procured from the county game warden an annual fox hunter's license, the fee for which shall be twenty-five dollars, which license shall expire on February first after its issuance, which shall be a personal privilege and not transferable, and which shall be issued by said warden to any person who has not violated this act, upon payment of said amount.

Sec. 3. Said license shall not be required of nonresidents for hunting on land. The privilege of so hunting, chasing, killing or destroying foxes on their own land.

Sec. 4. That no person shall, at any time, trap foxes, except on his own land.

Sec. 5. That S. W. Tillinghast is hereby appointed game warden for said county, his term to expire August thirty-first, one thousand nine hundred and twenty-seven. The clerk of the Superior Court of said county shall appoint his successor or successors, whose term shall be for four years from the date of such appointment, and shall fill any vacancies for the unexpired term. The duties of such game warden shall be the enforcement of the game laws, and whose compensation shall be the license fees above provided for, sworn report of which collections shall be annually made to such clerk on or before September fifteenth.

Sec. 6. This act shall apply to Cumberland County only.

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

Ratified this the 3d day of March, A.D. 1923.

CHAPTER 443

AN ACT RELATING TO THE COLLECTION OF TAXES IN HOKE COUNTY AND TO THE SALE OF LAND FOR TAXES AND TO THE REDEMPTION OF LAND SO SOLD.

The General Assembly of North Carolina do enact:

Section 1. That the sheriff or tax collector shall have the authority to collect all back taxes or insolvent taxes after the insolvent lists have been allowed by the board of county com-
missioners, and to that end the sheriff or tax collector may use all means prescribed by law for the collection of taxes as the same regularly become due; and this section shall apply to the insolvent lists heretofore allowed by said board, as well as to the insolvent lists hereafter allowed.

Sec. 2. That the sheriff or tax collector, in the collection of such property taxes as he may be authorized by law to collect, may sell the land of a delinquent taxpayer for all property and poll taxes due by such delinquent instead of first proceeding against the personality of such delinquent, the sale to be made in the usual manner prescribed by the general law for the sale of land for taxes.

Sec. 3. That after land has been sold for taxes the sheriff or tax collector shall give the notices of purchase, now required by the general law to be given by the purchaser, during the year allowed for redemption, and the purchaser shall not be required to give such notices.

Sec. 4. That when land sold for taxes is redeemed the person redeeming same shall pay, in addition to the amount of taxes due and the cost of advertisement and sale of all notices, a flat rate of eight per cent of the amount of taxes due if redemption is made within four months after sale, and a flat rate of ten per cent if redemption is made within six months after sale, and a flat rate of twenty per cent if redemption is made after six months from the date of sale.

Sec. 5. That this act shall apply only to Hoke County.

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

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

Ratified this the 3d day of March, A.D. 1923.

CHAPTER 444

AN ACT TO PROVIDE FOR THE ISSUANCE OF FUNDING BONDS TO COVER FLOATING INDEBTEDNESS OF RANDOLPH COUNTY.

Whereas, as appears from the audit for Randolph County made by the Bureau of County Auditing, Department of State Auditor, as of December four, one thousand nine hundred and twenty-two, there is the sum of one hundred and twenty-two thousand five hundred and thirty-nine dollars and eighty-eight cents ($122,539.88) of outstanding, unfunded or floating indebtedness against the county of Randolph, State of North Carolina, with respect to all general county funds other than school funds; Now, therefore,
The General Assembly of North Carolina do enact:

SECTION 1. That in order to pay off the indebtedness of Randolph County incurred to meet necessary expenses of said county, other than public schools, the board of county commissioners of Randolph County are hereby authorized and empowered to issue and sell bonds of said county in such amount or amounts as may be necessary to meet and retire said existing indebtedness, not exceeding the aforesaid sum of one hundred and twenty-two thousand five hundred and thirty-nine dollars and eighty-eight cents. Said bonds shall mature serially, beginning not more than five years after the date thereof, and ending not more than twenty-five years after the date thereof. The installment to be paid or retired during any one year shall not be more than three times as great in amount as the smallest prior installment of the issue. The bonds shall bear interest at such rate not exceeding six per cent (6%) per annum, payable semiannually, as shall be determined prior to the issuance thereof. The bonds shall be signed by the chairman of the board of county commissioners of said county, sealed with the seal of said board, and attested by the register of deeds, ex officio clerk to said board.

SEC. 2. The bonds may have coupons for the interest to be paid thereon, which coupons shall bear a facsimile signature of the chairman of the board of county commissioners in office at the date of the execution of the bonds. The delivery of the bonds, signed as aforesaid by the officers in office at the time of such execution shall be valid, notwithstanding any change in office occurring after such execution.

SEC. 3. The bonds issued under this act shall be payable to bearer unless they be registered, and each coupon appertaining to a bond shall be payable to the bearer of the coupon. It shall be optional with the board of county commissioners to issue either registered or coupon bonds, and it shall likewise be optional with said board whether or not the bondholder shall be given the privilege of converting coupon bonds into registered bonds, or vice versa.

SEC. 4. Within the limitations in this act provided, the said board of county commissioners shall have the right, power and authority to fix and determine all the terms, provisions, forms and details of said bonds and interest coupons.

SEC. 5. The bonds shall be sold by the board of county commissioners after advertisement or notice of sale as required by the Municipal Finance Act of North Carolina relative to the sale of municipal bonds, and no other or further advertisement or notice of sale shall be necessary.

SEC. 6. The proceeds arising from the sale of any bonds issued under the provisions of this act shall be used for the purpose of meeting obligations hereinbefore mentioned, and for no other pur-
AN ACT RELATING TO WORKING CONVICTS ON THE COUNTY FARM OF IREDELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be lawful for and the duty of all judges of the Superior Court of the State holding court in the county of Iredell, and any judge or presiding officer of any recorder’s court or other inferior court, mayor’s court, and justice of the peace of said county to sentence any person or persons convicted of any crime in any of said courts to the common jail of Iredell County, to be worked upon the farm at the home for the aged and infirm in Iredell County, instead of sentencing said person or persons to the common jail of Iredell to be worked upon the public roads of said county, or to the penitentiary, as the said presiding judge, recorder, mayor, or justice of the peace may in his discretion deem advisable: Provided, that before any judge of the Superior Court, or mayor of any incorporated city, or judge of any recorder’s court, or justice of the peace for said county can sentence any person to work upon the County Home Farm for the Aged and Infirm of Iredell County, the board of county
commissioners of said county must, through its chairman or attorney, request said court to sentence said convicted person to work upon said farm.

SEC. 2. That it shall be lawful, and the board of county commissioners of Iredell County shall have the right whenever they may deem advisable, to transfer any convict who has been sentenced by any of the above-mentioned courts of the county to serve a term upon the public roads of Iredell County from the public roads of Iredell County, and assign him to work upon the County Home Farm for the Aged and Infirm of Iredell County: Provided, said convict shall consent to said transfer from the county road to the County Home Farm for the Aged and Infirm.

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

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

Ratified this the 3d day of March, A.D. 1923.

CHAPTER 446

AN ACT TO EQUALIZE SCHOOL ADVANTAGES IN CABARRUS COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That upon a written request of the county board of education of Cabarrus County the board of county commissioners of said county shall call an election, and after thirty days notice submit to the qualified voters of Cabarrus County, with the exception of city of Concord, the question of whether there shall be levied and collected annually a special tax not exceeding ten cents on the hundred dollars valuation of property for building purposes, and not exceeding fifteen cents on the hundred dollars valuation of property for school maintenance, in addition to the school taxes now authorized by the Constitution of North Carolina and the General Assembly, except as hereinafter provided. The board of county commissioners shall order a new registration, appoint the registrars and judges of election, designate the voting precincts, and the election shall be conducted as nearly as may be according to the laws governing general elections. Those who favor the levy and collection of this additional tax shall vote a ballot on which shall be written or printed the words "For abolishing all local school taxes and adopting a county-wide equalizing tax"; and those who are opposed, ballots on which shall be written or printed the words "Against abolishing all local school taxes and adopting a county-wide equalizing tax." The registrar and
judges of election shall certify the results to the board of county commissioners, who shall compile and canvass the certified results from the various voting precincts and declare the results of the county election and record the results in the minutes of the board of county commissioners: Provided, that if the General Assembly or the board of county commissioners, by authority of the General Assembly, shall order a general increase in the valuation of property in said territory, then it shall operate automatically to decrease by the same percentage the maximum rates fixed in this section, and vice versa.

**Sec. 2.** That if a majority of the qualified voters at said election shall favor the additional school tax, the board of county commissioners shall annually thereafter levy this additional tax at the rate requested by the county board of education of Cabarrus County, not inconsistent with the maximum rates fixed in section one of this act, and the said tax shall be levied and collected annually on all real and personal property and all polls in said county, with the exception of the city of Concord, observing the constitutional ratio and the constitutional limitation on poll tax.

**Sec. 3.** That if a majority of the qualified electors in the territory designated in this act favor the additional school tax, then said tax shall be levied and collected uniformly throughout said territory in the same manner that other taxes of said county are levied and collected, and shall be paid over to the treasurer of the school fund, and shall be used by the county board of education for the benefit of the schools in the territory embraced in this act: Provided, that there shall not be charged against this fund any commissions by the sheriff for collecting or by the treasurer for disbursing the same.

**Sec. 4.** That if a majority of the qualified electors favor the additional school tax, then it shall operate to repeal all local school taxes heretofore voted by local tax districts: Provided, that all indebtedness, bonded and otherwise, of the special tax districts in said territory shall be assumed by the county board of education and the indebtedness and the interest shall be paid out of the revenue derived from the additional school tax levied under this act.

**Sec. 5.** That if this act is approved by a majority of the qualified voters, then it shall become the duty of the county board of education to as rapidly as possible equalize school advantages in every section of the said county, and to this end the county board of education is authorized to provide at public expense, as a charge against the fund derived from the provisions of this act, for the transportation of those children who live beyond a reasonable walking distance of a public school. It shall also be the duty of the county board of education as early as possible to provide all those who have completed the grammar school with good high
school facilities either by having a high school in walking distance or by providing for the transportation of the pupils to a high school: Provided, that the sixth and seventh grades, the last two grades of the grammar school, may be regarded by the county board of education as junior high school grades and housed with the regular high school, and treated as a part of the regular high school whenever in the judgment of the county board of education it seems best to do so.

Sec. 6. That this act shall not be operated to reduce the funds which are now provided or may hereafter be provided by the Legislature for operating the schools for a period of six months, but shall be an additional amount to be used for the purpose of securing better buildings and equipment and to lengthen the term beyond six months and to provide salaries of teachers above the State salary schedule if the county board of education shall desire to do so: Provided, said increase in salaries shall be uniform and consistent with training, experience and ability.

Sec. 7. That if this act is approved by a majority of the qualified voters, then the county board of education is authorized and empowered to borrow money for the purpose of erecting school buildings and providing suitable equipment, and the borrowed money shall be repaid out of the funds derived from the levy herein authorized for building purposes: Provided, that at no time shall the indebtedness incurred under the provisions of this section be more than two hundred thousand dollars.

Sec. 8. That the expenses of holding the election under this act shall be paid out of the general school fund of Cabarrus County.

Sec. 9. That it shall be the duty of the school committee of each school district to meet each year at the call of the chairman, at least one month before the usual time for the preparation of the annual budget by the county board of education, to consider the needs of the school or schools in its respective district during the succeeding year, and shall report its findings and recommendations to the county board of education.

Sec. 10. That this act shall not interfere in any way with the organization of schools as provided in general law, but if this act is approved by the qualified voters, the county board of education shall have the privilege of appointing five instead of three committeemen for the larger schools: Provided further, that the patrons of any school district may have the privilege of recommending for appointment the members of the school committee, and it shall be the duty of the chairman of the committee to call a community meeting for this purpose when requested to do so by as many as ten patrons of the school.

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

Ratified this the 3d day of March, A.D. 1923.
CHAPTER 447

AN ACT VALIDATING CERTAIN SCHOOL DISTRICT BONDS AND SCHOOL DISTRICTS.

The General Assembly of North Carolina do enact:

SECTION 1. All bonds of any school district heretofore authorized at any election are hereby validated, and when sold either at public or private sale may be delivered accordingly, notwithstanding any irregularity in the calling or holding of such election, or in the proceedings authorizing such bonds, and notwithstanding the amount of such bonds. All bonds so authorized and heretofore sold may be delivered accordingly, notwithstanding any irregularity in the manner of advertising or selling the same, and all such bonds heretofore delivered are hereby validated. The formation of every such district, unless in contravention of the Constitution, is hereby validated.

SEC. 2. For the purpose of paying the principal and interest of all such bonds, as the same may become due, the board of county commissioners of the county in which the school district issuing such bonds is situated, or any other body authorized by law to levy taxes to pay such principal and interest, is hereby authorized and directed to levy annually a special tax ad valorem on all taxable property in such school district, which special tax shall be in an amount sufficient for the said purpose, and shall be in addition to all other taxes authorized to be levied in the said school district.

SEC. 2a. The provisions of this act shall apply only to the counties of Carteret, Scotland, Martin, Wayne, Haywood, and Richmond.

SEC. 3. This act shall be in force from and after its ratification. Ratified this the 3d day of March, A.D. 1923.

CHAPTER 448

AN ACT TO PROVIDE FOR THE REFUNDING OF INDEBTEDNESS OF THE BOARD OF EDUCATION OF RANDOLPH COUNTY.

Whereas a deficit has accrued in the public school funds of Randolph County, by reason of the failure of the county board of education of said county to receive funds from the State Board of Education, the receipt of which the county board has bona fide reason to expect, and also from the failure to receive as much funds from the county tax as they should have received and would have received had it not been for the horizontal reduction in the assessed valuation of property as ordered by the board of county commissioners of Randolph County in the year one thousand nine hundred and twenty-one; and whereas, for the same
reasons the deficit is to some extent increasing during the current year, but the amount thereof is not and cannot be definitely determined at the present time, but which it is estimated will exceed the sum of fifteen thousand dollars, but will not exceed the sum of twenty-five thousand dollars; and whereas said deficit or indebtedness was incurred as a necessary expense of Randolph County for the maintenance of the public schools of the county for the six months of each year, as required by article nine, section three, of the Constitution of North Carolina, and is a bona fide indebtedness of the county which it must pay off and discharge, but which cannot be paid out of current funds without bringing about a decrease in the length of the public school term in the county to less than six months in each year, as required by the Constitution of North Carolina: Now, therefore,

The General Assembly of North Carolina do enact:

Section 1. That the board of county commissioners of Randolph County be and they are hereby authorized and empowered, upon the petition of the board of education of Randolph County, to issue and sell bonds of said county in an amount not exceeding the amount of the deficit in the public school funds of Randolph County heretofore incurred, plus such additional deficit or indebtedness as shall result from any deficiency in the current fiscal year's revenues; that is to say, the year ending the thirtieth day of June, one thousand nine hundred and twenty-three. It is not intended that any revenue to be derived from one thousand nine hundred and twenty-three taxes or expenses for work to be done or services to be performed after the first day of July, one thousand nine hundred and twenty-three, shall be taken into consideration in determining the amount of the deficit for the purpose of this act.

Sec. 2. Such bonds as are issued under this act shall be payable to bearer, and each interest coupon attached to any of said bonds shall be payable to the bearer of said coupon.

Sec. 3. Said bonds shall be issued in the name of Randolph County; they shall be in such form and denomination and with such provisions as to the time, place and medium of payment of principal and of interest as the board of county commissioners shall determine, subject to the limitations and restrictions in this act provided. Said bonds shall mature serially, beginning not more than three years after the date thereof, and ending not more than twenty-five years after the date thereof. The installment to be paid or retired during any one year shall not be more than three times as great in amount as the smallest prior installments of the issue. Said bonds shall bear interest at such rate, not exceeding six per cent per annum, payable semiannually, as shall be determined prior to the issuance thereof. The bonds shall be signed by the chairman of the board of county commissioners,
Valid delivery.

Coupons.

Sale of bonds.

Advertisement of sale.

Specific appropriation of proceeds.

Obligation of purchasers divested.

Faith and credit of county pledged.

Special tax.

Limit of amount of issue. Issue within three years.

Enabling act.

Application of act. When effective. Repealing clause.

Sealed with the seal of said board, and attested by the register of deeds, ex officio clerk to said board. The delivery of the bonds, executed as aforesaid by the officers in office at the time of their execution, shall be valid, notwithstanding any change in office occurring after such execution. Said bonds shall have coupons attached for the interest to be paid thereon, which coupons shall bear the facsimile signature of the chairman of the board of county commissioners in office at the date of the execution of the bonds.

Sec. 4. Said bonds shall be sold by the board of county commissioners after advertisement or notice of sale as required by the Municipal Finance Act of North Carolina relative to the sale of municipal bonds, and no other or further advertisement or notice of sale shall be required.

Sec. 5. The proceeds of the sale of said bonds, when the same shall be sold, shall be used in retiring the deficit or indebtedness mentioned above, and for no other purpose, though the purchaser or purchasers of the bonds shall not be required to see to the application of the funds.

Sec. 6. The full faith and credit of Randolph County shall be and the same are hereby irrevocably pledged to the full and punctual payment of the principal and interest of each and every bond issued in accordance herewith.

Sec. 7. Upon the issuance of said bonds the board of county commissioners shall be and they are hereby required annually to levy a sufficient tax to pay the principal and interest thereof promptly as the same shall fall due.

Sec. 8. The board of county commissioners of Randolph County are hereby given full right, power and authority, within the limitations in this act prescribed, to fix and determine all the terms, provisions, forms and details of said bonds and interest coupons.

Sec. 9. The amount of bonds issued under the authority of this act shall not exceed twenty-five thousand dollars. The authority to issue the bonds herein provided for shall cease and determine at the expiration of the period of three years next following the ratification of this act.

Sec. 10. This act is an enabling act, and shall in no wise restrict the handling of the matters herein referred to according to the terms hereof, but the same may be managed or handled in accordance with the terms or provisions of any other pertinent act, or in accordance herewith, as the lawful authority shall determine.

Sec. 11. This act shall apply to Randolph County only, and shall be in full force and effect from and after its ratification.

Sec. 12. All laws and clauses of laws in conflict herewith are hereby repealed.

Ratified this the 3d day of March, A.D. 1923.
CHAPTER 449

AN ACT TO AUTHORIZE DAVIE COUNTY TO ISSUE BONDS.

The General Assembly of North Carolina do enact:

SECTION 1. The board of county commissioners of Davie County is hereby authorized to issue bonds of said county in an aggregate principal amount not exceeding one hundred thousand dollars, the proceeds of which shall be applied to the following purposes, viz.: (a) Paying floating or other temporary indebtedness now outstanding incurred by said county for necessary expenses of said county, and (b) paying other necessary expenses of said county. All such floating or other temporary indebtedness is hereby validated. At least forty-three thousand dollars of the proceeds of said bonds shall be used to pay such outstanding floating or other temporary indebtedness. The said board of county commissioners is hereby further authorized to levy annually a special tax ad valorem on all taxable property in said county for the special purpose of paying the principal and interest of all bonds issued under this act, as such principal and interest becomes due, which tax shall be in an amount sufficient for said purpose, and shall be in addition to all the other taxes authorized by law to be levied in said county.

SEC. 2. Said bonds may be issued as one issue or divided into two or more separate issues, and in either case may be issued all at one time or in blocks from time to time. The bonds shall be serial bonds, and each issue thereof shall so mature that the aggregate principal amount of the issue shall be payable in annual installments or series, beginning not more than six years after the date of the bonds of such issue, and ending not more than thirty years after such date. No such installment of principal shall be more than two and one-half times as great in amount as the smallest prior installment of same bond issue.

SEC. 3. Said bonds shall be issued in such denominations, shall bear interest at such rates, not exceeding six per cent per annum, payable semiannually, and shall be made payable at such place or places as said board of county commissioners may determine. They may be either coupon bonds or registered bonds, and if issued in coupon form may be registrable as to principal or as to both principal and interest. They shall be signed by the chairman of the board of county commissioners of Davie County, and the county seal shall be affixed to or impressed on the bonds and attested by the clerk of said board; but coupons of such bonds shall bear a printed, lithographed, etched or engraved facsimile signature of the county treasurer in office at the date of the bonds. The delivery of bonds signed as aforesaid by officers in office at the time of such signing shall be valid notwithstanding any change in officers occurring after such signing.
Sale of bonds.

Sale below par forbidden.

Proceeds a separate fund.
Specific appropriation.
Obligation of purchaser devolved.

Powers additional.

Issue of bonds under other acts.

Repealing clause.

SEC. 4. Said bonds shall be sold by the said board of county commissioners in the manner provided by the Municipal Finance Act for the sale of bonds. They shall not be sold for less than par and accrued interest.

SEC. 5. The proceeds of the sale of such bonds shall be placed by the county treasurer in a separate fund and used only for the purpose or purposes for which the bonds were issued. The purchaser of the bonds shall not be bound to see to the application of the proceeds.

SEC. 6. The powers granted by this act are granted in addition to and not in substitution for existing powers of Davie County, and are not subject to any limitation or restriction contained in any other law. Nothing herein shall prevent Davie County from issuing bonds under any existing act as well as under this act.

SEC. 7. All acts and parts of acts in conflict with this act are hereby repealed.

SEC. 8. This act shall be in force from and after its ratification. Ratified this the 3d day of March, A.D. 1923.

CHAPTER 450

AN ACT TO CREATE AND ESTABLISH AN AUDITOR'S OFFICE FOR THE COUNTY OF BLADEN.

The General Assembly of North Carolina do enact:

SECTION 1. That in order to perform the duties heretofore performed by the auditor of Bladen County, and make permanent the said office, and certain other duties as fixed by this act, there is hereby created and established the office of "Auditor of Bladen County." The said auditor shall be a citizen of Bladen County and an expert accountant, and he shall be appointed by the General Assembly of North Carolina at its present session, and biennially thereafter by the Governor of North Carolina, and the term of office of said auditor shall be for two years and until his successor is elected and qualified as provided in this act.

SEC. 2. The said auditor shall give his entire time and attention to the discharge of the duties imposed upon him by this act and by law, and his office shall be kept open daily as the offices of other public officers of said county. The board of commissioners of Bladen County shall furnish to said auditor a suitable room in the county courthouse, together with necessary furniture, fixtures and supplies, stationery, postage, etc., the same to be paid for out of the general funds.

SEC. 3. If for any cause there shall be a vacancy in said office, the Governor of North Carolina shall appoint some fit and suitable citizen of Bladen County, who shall be an expert accountant, to
fill such vacancy; and the person so chosen shall serve out the unexpired term, and shall also serve until his successor shall be elected and qualified as herein provided.

Sec. 4. The resident judge of the Superior Court of the judicial district of North Carolina in which the county of Bladen is situated shall at all times have power to suspend said auditor from office for incompetence, misfeasance or malfeasance in office or other sufficient reason. Any and all charges of incompetence, misfeasance or malfeasance in office, or other sufficient charge to cause the suspension or removal of said auditor, shall be first made in writing and signed by the person preferring such charges, and shall be forwarded to the said resident judge of the said judicial district in which the county of Bladen is situated in the State of North Carolina, and upon the receipt of such charges it shall be the duty of said judge to cause a copy thereof to be served upon the said auditor, and to notify said auditor and the person preferring such charges of the time and place where he will sit for the purpose of hearing such charges, which said time shall not be more than twenty days after service of notice upon the auditor of such charges. The hearing may be held at any place in the discretion of said judge, whether in or out of the said judicial district in which the county of Bladen is situated, and the judge shall have power to send for persons and papers, to administer oaths, and do any and all things necessary for the discharge of his duties under this act. At the time and place appointed for the hearing, the person preferring such charges and the said auditor shall have the right to be present in person and by counsel, and thereupon it shall be the duty of the judge to hear the evidence offered upon both sides, and after hearing such evidence, the said judge shall, within ten days thereafter, render his decision and judgment thereon, which said judgment shall find the facts and shall be signed by said judge, and shall be transmitted to and filed with the clerk of Superior Court of Bladen County and spread upon the minutes of said Superior Court; and the decision and judgment of said judge shall be final and no appeal shall lie therefrom. Upon the hearing the judge shall render such judgment as he in his discretion may consider that the public interests require, and he shall have power in his sound discretion to either suspend or remove said auditor; and in case of such suspension or removal, the Governor of the State of North Carolina shall appoint the successor to the person so suspended or removed, and the person so appointed shall serve for the term of such suspension, or, in case of removal, for the unexpired term and until his successor shall be elected and qualified; and the order of the court as to such suspension, removal and the appointment of the successor to such auditor shall be filed with the clerk of the Superior Court of Bladen County and spread upon the
minutes of said court: Provided, however, that the said judge of
the Superior Court shall have power, upon his own motion, and
without charges being formally preferred against such auditor, if
he deem the public interest requires it, and after a hearing as
herein provided, proceed to suspend or remove such auditor and
appoint his successor as herein provided.

Sec. 5. Before entering upon the discharge of his duties the
said auditor shall execute a good and sufficient bond, payable to
the State of North Carolina, in the penal sum of five thousand
dollars, conditioned upon the faithful performance and discharge
of his duties as required by law. Said bond shall be subject to
approval by the board of commissioners of Bladen County, and
when approved shall be filed with the clerk of court of said county
as other official bonds.

Sec. 6. Before entering upon the discharge of his duties the
said auditor, in addition to the oath to support the Constitution
and laws of the United States and of the State of North Carolina,
shall take before the clerk of Superior Court of Bladen County
the following oath of office, which said oath shall be signed by
such auditor, attested by said clerk, and recorded in the book of
official oaths, to wit: "I do solemnly swear (or affirm) that I will
honestly, diligently and faithfully perform the duties of the office
of auditor of Bladen County to the best of my knowledge, skill
and ability, without fear, favor, reward or the hope of reward: so
help me God."

Sec. 7. It shall be unlawful for said auditor to be jointly,
singly, or in any way, either directly or indirectly, interested in
any other public office of said county, or to be the agent or
employee of any public officer of said county, or to be interested
in any contract or undertaking wherein the said county or any
department of the government thereof is interested; and if the
said auditor shall violate the provisions of this section he shall
be guilty of a misdemeanor, and upon conviction shall forfeit his
office and be fined or imprisoned in the discretion of the court.

Sec. 8. The auditor of Bladen County shall receive, for his
salary and clerk hire and other clerical assistance, the sum of
two thousand dollars per annum, and out of said allowance it
shall be his duty to employ and pay the compensation of all such
clerical assistance as may be necessary to enable him to carry out
the provisions of this act, and it shall at all times be the duty of
said auditor to provide and pay out of the allowance herein made
to him sufficient clerical assistance for the prompt and efficient
discharge of his duties as auditor and all duties imposed upon him
by law and under this act. The salary and allowance herein made
shall be paid by the county commissioners of Bladen County to
said auditor in equal monthly installments, upon warrants drawn
by the board of commissioners of said county and countersigned
by the clerk of said board, and said warrants, when paid, shall be charged to the general fund of Bladen County and shall be paid out of such general fund: Provided, however, that the county commissioners shall furnish a sufficient allowance for the employment and pay of such clerical assistance as may be necessary in making out the tax lists and in performing other services relative to completing the tax lists. Said allowance shall be charged to the general fund and shall be paid out of such general fund.

Sec. 9. It shall be the duty of said auditor to inquire into and investigate and file a detailed and itemized account of the condition of all county finances, the accounts of all public officers, including the board of education and the county or township road governing body, or their successors, and to make a true report thereof and record the same in a book to be kept for that purpose and to be known and designated as the "Record of the auditor of Bladen County." He shall, within ten days after the first Monday in December in each and every year, publish a statement of the financial condition of the county of Bladen County, showing by itemized statement the permanent and floating debt of the county, when contracted, for what contracted, and when due; and shall also publish a statement of the receipts and disbursements of all the public funds of the county showing the total amount received and disbursed for each particular purpose, which report shall be published at the courthouse door, and also in some newspaper of general circulation published in the county immediately following the filing of said report, and the expense of such publication shall be paid by the board of commissioners of said county out of the county funds.

Sec. 10. It shall be the duty of said auditor to act as accountant for the county of Bladen in making settlement with the sheriff and treasurer; to supervise, scrutinize and examine all books, accounts, receipts and vouchers, and all other public records of the county, to the end that it may be seen whether the various public offices are being kept in the condition prescribed by law; and if it shall appear to said auditor that any provision of law is being violated, it shall be his duty to report such violation to the solicitor of the district and to the county attorney, whose duty it shall be to bring such civil or criminal action as may be necessary to secure the proper administration of such public offices.

Sec. 11. It shall be the duty of said auditor to audit and approve for final settlement the accounts of all public offices and to cancel all vouchers included in such settlement by a proper cancellation stamp to be adopted by said auditor for that purpose. All vouchers so canceled shall be listed, sealed and deposited in a vault in the office of the register of deeds and in a metal case to be provided in such vault, the key whereof shall remain in the keeping of the auditor.
Duties imposed by salaries act.

Investigation of officers.
Reports to commissioners and solicitor.

Manner of keeping accounts.

Form of books.

Commissioners to furnish books.

Notice to officers failing to account.

Forfeit on officer.

Suit for penalty.
Misdemeanor.
Punishment.

Proviso: discretion of court.

Powers in securing evidence.
Failure to obey summons or produce papers.

Or to appear and give evidence.

Misdemeanor.
Punishment.
Forfeit.

Power to employ counsel.

Sec. 12. It shall be the duty of said auditor to perform all the duties imposed upon him by virtue of an act of the General Assembly of North Carolina, enacted at the present session, entitled “An act to place the officers of Bladen County upon a salary basis”; and he shall investigate the conditions in offices of all public officers of said county and report to the board of commissioners of said county and to the solicitor of the district any misappropriation of any public funds, violation of law, or malfeasance in office by any public officer.

Sec. 13. The said auditor shall have the right from time to time to prescribe the manner of keeping all the public accounts of the county, and the power to prescribe for each of the public officers of said county, including the county superintendent of education, the form of books to be kept by them in the receipt and disbursement of all funds which may come into their hands by virtue of their office. It shall be the duty of the board of commissioners of said county to furnish to each of the various public officers of said county the necessary books prescribed for such office by said auditor.

Sec. 14. If any clerk of the Superior Court, sheriff, county treasurer, register of deeds, or any other public officer, who may hold county or public money, shall fail to account for the same as provided by law, the auditor shall give such person ten days notice in writing of the time and place at which he will attend to make settlement, and every officer receiving notice and failing to make settlement as required by this act shall forfeit and pay the sum of two hundred dollars to be sued for by said auditor for the use of the public school fund of said county, and shall also be guilty of a misdemeanor and fined or imprisoned, in the discretion of the court: Provided, however, that the court may, in its discretion, and for good cause shown, release any such officer from said forfeiture.

Sec. 15. The said auditor shall have power and authority to send for persons and papers and to administer oaths; and any person failing to obey any summons or to produce promptly any papers or books relative to or supposed to relate to any matters appertaining to the duties of said auditor or the public affairs of Bladen County, or who shall refuse to appear and give evidence of all such matters and things as he shall know of and concerning any matters the investigation whereof is herein made the duty of said auditor, shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned in the discretion of the court, and shall also be liable to forfeit and pay the sum and penalty of two hundred dollars, to be recovered in any court of competent jurisdiction in the name of said auditor for the benefit of the public school fund of said county.

Sec. 16. The said auditor shall have power, if necessary, to employ counsel to advise him upon matters of law, and it shall be
the duty of the board of commissioners of said county to pay for the services of such counsel out of the general funds of said county upon the request of the auditor: Provided, however, that the amount of attorney's fees in any one year shall not exceed the sum of one hundred dollars, unless the employment of such attorney shall have first been submitted to the board of commissioners of said county and his employment authorized by said board.

Sec. 17. All claims or accounts against the county of Bladen, which are chargeable against the public funds of said county, shall before being paid by the board of commissioners of said county or the treasurer thereof, be verified by the claimant before the auditor of said county, who is hereby authorized and empowered to administer oaths for that purpose, and shall be first filed with said auditor, and it shall be the duty of said auditor to investigate these said claims or accounts and to ascertain whether the same be correct, and if found correct to endorse the same as examined by him and found correct. If said auditor shall find any such claim so filed with him to be improper or incorrect, he shall attach thereto a statement in writing, giving the result of his investigation and his reason why such claim or any part thereof should not be paid; and before paying any such claim which had been disapproved by the auditor, it shall be the duty of the board of commissioners of said county to carefully examine into the matter and inquire whether the reasons of the auditor are sufficient to justify the rejection of said claim. And it shall be unlawful for any claim or account against the county of Bladen or the public money thereof to be paid by the board of commissioners of said county until the same has been submitted to and approved or disapproved by the said auditor: Provided, however, that notwithstanding the disapproval of such auditor the board of commissioners shall have power to pay any claim disapproved by him if said board be satisfied, after a careful investigation thereof, that said claim is just and proper and should be paid.

Sec. 18. The said auditor shall act as purchasing agent for the county of Bladen and for the various departments of the county government; and upon requisition made by him and duly approved by the proper and legal authority of said county, he shall purchase all such supplies and other things as may be required for the proper and orderly conduct of the county government or any subdivision or department thereof; and upon such purchase all bills or accounts therefor shall be submitted to the auditor, and he shall endorse the same with his approval or disapproval, and if he disapprove any such claim he shall attach thereto a statement of his reasons therefor, and no claim for any supplies or other things purchased for the public use shall be paid until the same has been submitted to and passed upon by said auditor: Provided, however, that notwithstanding the disapproval of the auditor, the
board of commissioners of said county may, in its discretion, pay any such claim if they be satisfied that the claim is a just and proper claim and should be paid.

Sec. 19. It shall be the duty of said auditor to meet with the board of commissioners of Bladen County on their meeting held on the first Monday in each month, and at such other times as the board of commissioners may require, for the purpose of giving said board of commissioners any information which they may require, and assisting them in the discharge of their duties under the law, and for the purpose of giving them information as to the merits of claims against the county, supplies purchased or to be purchased for the use of the county, information relative to claims for rebates of taxes, or any such information as said board may require; and said board of commissioners of said county, when in need of any information upon any subject, shall have the right to call upon the auditor of said county therefor, or to require him to make an investigation and report to said board upon any matters coming before the said board in the discharge of their official duties. It shall be the duty of said auditor to act as clerk to said board of commissioners and perform the duties required of a clerk, and in general the board of commissioners shall have power to require the auditor of said county to perform such other and further services, not specifically set forth in this act, as said board of commissioners may deem necessary for the public interest.

Sec. 20. It shall be the duty of said auditor of Bladen County to act as tax supervisor, to have general supervision of the listing of property for taxes and the assessment of same by the various list-takers and assessors of the county; and the said auditor shall appoint an assistant for each township, and in townships where the needs may require such number as may be necessary, such assistants to be known as list-takers and assessors, and he shall appoint only those who in his judgment are suitable and competent to perform said duties of list-takers and assessors. The board of commissioners shall fix the compensation of said assistants and pay the same from the general fund.

Sec. 21. It shall be the duty of said auditor to examine the tax lists as made out by the various list-takers and assessors after they are completed and to see that the same are neatly, accurately and properly made out, and to approve or disapprove the same before the said list-takers and assessors shall be paid for such work by the board of commissioners of said county.

Sec. 22. It shall be the duty of said auditor to diligently inquire into and investigate the listing of all property in said county and to cause all property subject to taxation to be properly listed, and to that end it shall be the duty of said auditor to investigate and report to the board of commissioners of said county the names of all persons failing to list their property for taxation, together with
a statement of the property so unlisted; and it shall also be the duty of the said auditor to investigate and report to the board of commissioners the names of all persons subject to poll tax who have failed to give in their poll tax; and thereupon it shall be the duty of said board of commissioners to cause such property and polls to be placed upon the tax books as provided by the general laws of the State.

Sec. 23. It shall be the duty of said auditor to diligently inquire into and investigate the listing of all property in said county subject to tax, to the end that all such property shall be listed at its true value and in accordance with law; and to that end it shall be the duty of said auditor to investigate and report to the board of commissioners of said county the names of all persons whose property is not listed at a fair valuation and as provided by law, together with a statement of the property not so listed at such valuation; and thereupon it shall be the duty of said board of commissioners, after giving notice to the property owners as required by law, to cause all such property to be fairly valued and placed upon the tax books as provided by the general law of the State. The said auditor shall have power, in the discharge of his duties under this section, to send for persons and papers and to administer oaths, and any person failing to obey any summons or to produce promptly any paper or books relating to or supposed to relate to the value of any property under consideration by the auditor, or who shall refuse to appear and give [evidence] of all such matters and things as he shall know of and concerning any matters the investigation whereof is herein made the duty of the auditor, shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned in the discretion of the court, and shall pay a penalty of two hundred dollars, to be recovered in any court of competent jurisdiction in the name of the auditor for the benefit of the public school fund of said county.

Sec. 24. It shall be the duty of said auditor to make out two copies of the tax list for each township as revised and settled upon according to a form to be furnished by the State Auditor. Such form shall show, in different columns, the sum due by each taxpayer to the State and to the county, and also in separate columns the amount of the school poll tax levied by the General Assembly and the board of commissioners, the amount of property school tax levied by the General Assembly and the board of commissioners, and also the amount of any special road or other special taxes levied for the county of Bladen as is now or hereafter may be provided by law. One of said copies shall remain in the office of said auditor and the other shall be delivered to the sheriff on or before the first Monday in October in each year, and he shall receipt for same: Provided, however, that in making out said tax lists the board of commissioners may require the auditor to make out one copy of said tax list according to the form prescribed by
the State Auditor as hereinbefore set forth, the same to remain in the office of the county auditor, and the other copy, in the form of a receipt book, with stubs attached, to be delivered to the sheriff as now provided by law.

Sec. 25. It shall be the duty of said auditor to exercise a general supervision over the tax books of said county with a view to preventing the double listing of property and similar errors; and in connection with the board of commissioners of said county it shall be his duty to go over said tax lists and correct any errors, omissions or mistakes which may appear therein. All applications for rebate in taxes paid, due to erroneous listing, shall be made to said auditor, and it shall be his duty to investigate all such applications for rebates; and at every monthly meeting of the board of commissioners of said county it shall be his duty to present to said board of commissioners a statement showing all applications for rebates, together with the facts in connection with each application, and to indicate whether each particular application for rebate should be allowed or disallowed; and thereupon it shall be the duty of the board of commissioners to take such action upon such application for rebates as may be just and proper.

Sec. 26. It shall be the duty of the mayors of each incorporated town in the county of Bladen to report to the auditor of said county on or before the first Monday in June, one thousand nine hundred and twenty-three, and each and every year thereafter, the names of all persons in their respective towns who may be subject to the payment of what are known as schedule "B" and "C" taxes, and it shall be the duty of said auditor to inquire what other persons in said county, residing outside the towns, may be liable for the payment of such taxes, and it shall be the duty of the auditor to report to the sheriff of said county the names of all persons subject to such taxes: Provided, however, that this section shall not relieve the said sheriff of any duties connected with said taxes as are now or as may hereafter be imposed upon him by law. It shall also be the duty of said auditor on or before the first Monday in May in each year to mail to the mayor of each incorporated town in Bladen County a notice setting forth a copy of this section of this act and to call attention of such mayors to their duties under this section, and also to their duties under the next succeeding section of this act; and if any mayor shall fail or neglect to discharge the duties and make the report required by this and the next succeeding section, he shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned in the discretion of the court.

Sec. 27. It shall be the duty of the mayors of the several towns within the county of Bladen and of all justices of the peace within said county to report to the said auditor, on or before the first Monday in January and June in each and every year, beginning the first Monday in June, one thousand nine hundred and twenty-
three, a statement of all fines or penalties imposed by them, together with the disposition made of the same, giving the name of the person fined and the amount thereof, and it shall be the duty of said auditor to cause all such fines to be paid to the treasurer of said county by said mayor and justices of the peace, and to exercise a general supervision as may be necessary to the end that all fines are accounted for by the collecting officers and turned over to the county treasurer. It shall also be the duty of said auditor, on or before the first Monday in May, one thousand nine hundred and twenty-three, and yearly thereafter, to transmit by mail to all mayors and justices of the peace of Bladen County a notice calling their attention to the provisions of this section, which said notice shall contain a copy of this section, and if any mayor or justice of the peace shall fail to make the reports required by this section to the auditor, or fail to turn over and account for any fines or penalty as provided by law, the person so offending shall be guilty of a misdemeanor, and upon conviction shall be fined not more than fifty dollars or imprisoned not more than thirty days, and shall also forfeit and pay the sum and penalty of fifty dollars, to be recovered in any court of competent jurisdiction in an action brought in the name of the auditor of said county for the benefit of the public school fund of said county, and it shall be the duty of said auditor to prosecute all violations of this and the next preceding section of this act.

SEC. 28. Any person who shall be elected or appointed as auditor of Bladen County who shall willfully fail or neglect to perform any duty required of him by law or by this act, except as herein otherwise provided, shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned, or both, in the discretion of the court.

SEC. 29. That W. A. Ferguson be and he is hereby appointed and elected as auditor of Bladen County under the provisions of this act, and he shall hold his office for a term of two years, beginning with the first day of January, nineteen hundred and twenty-three, and until his successor shall be elected and qualified as provided by this act.

SEC. 30. That chapter three hundred and nine of the Public Local Laws of one thousand nine hundred and twenty-one be and the same is hereby repealed.

SEC. 31. That all laws or clauses of laws in conflict with this act be and the same are hereby repealed.

SEC. 32. That this act shall be in full force and effect from and after the first day of March, one thousand nine hundred and twenty-three.

Ratified this the 3d day of March, A.D. 1923.
CHAPTER 451

AN ACT TO AMEND CHAPTER 241 OF THE PUBLIC-LOCAL LAWS OF THE SESSION OF 1919, RELATIVE TO APPOINTMENT OF SUPERINTENDENT OF ROADS FOR LINCOLN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That chapter two hundred and forty-one of the Public-Local Laws of the session of one thousand nine hundred and nineteen, entitled "An act to appoint a superintendent of roads for Lincoln County," be amended by adding at the end of section one thereof the following:

"Provided further, that the board of county commissioners of Lincoln County, if in the exercise of their sound discretion they deem it for the best interest of the county, may upon the expiration of the present term of office of James L. Putnam, superintendent of roads and highways of Lincoln County, abolish and discontinue said office, or continue the same."

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

Ratified this the 3d day of March, A.D. 1923.

CHAPTER 452

AN ACT TO AMEND CHAPTER 605 OF THE PUBLIC-LOCAL LAWS 1917, RELATING TO THE SALARY OF THE REGISTER OF DEEDS OF SURRY COUNTY.

Whereas, at the session of one thousand nine hundred and seventeen the General Assembly of North Carolina passed an act putting the county officers of Surry County on a salary, which took effect on the first Monday in December, one thousand nine hundred and eighteen, being chapter six hundred and five of the Public-Local Laws of North Carolina, session one thousand nine hundred and seventeen, under which act section eight fixed the salary of the register of deeds of Surry County at the sum of eighteen hundred dollars per annum, with an additional sum of six hundred dollars per annum for clerk hire, and a further sum of six hundred dollars per annum for making out tax books; and

Whereas, since the passage of said act several additional duties have been thrust upon the register of deeds by acts of the Legislature, such as transfer of deeds docket, issuing license and making reports for threshing grain and various other reports required to be made; and
Whereas the volume of business required to be done in the
office of the register of deeds of said county has largely increased
since the passage of said act placing the register of deeds on
salary; and

Whereas the present salary is inadequate for the discharge of
the duties of the office: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That section eight, chapter six hundred and five of
the Public-Local Laws one thousand nine hundred and seventeen,
be amended by striking out in line two of section eight, between
the words “of” and “dollars,” the words “one thousand and eight
hundred,” and inserting in lieu thereof the words “two thousand.”

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

fication.

Ratified this the 3d day of March, A.D. 1923.

CHAPTER 453

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS
OF ROBESON COUNTY TO ISSUE BONDS TO BUILD A
COUNTY HOME.

Whereas, at the various terms of the Superior Court of Robeson
County recently held the grand juries have reported that the
county home of Robeson County is inadequate, unsafe and un-
sanitary; and

Whereas the said grand juries have from time to time recom-

mended to the board of commissioners of Robeson County that a
new county home be immediately built: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Robeson County
be and the same are hereby authorized, empowered and instructed.
in their discretion, to have erected a new county home for the
aged and infirm, of sufficient size to accommodate the present and
future needs of the county, both as to a home for the aged and
infirm and a suitable apartment for the superintendent of said
home, and such other apartment as in the judgment of the board
of commissioners may be necessary, and to equip said home with
adequate, safe, and suitable furniture and appliances for the use
and comfort of the inmates of said home; to provide said home
with hot water, steam, or other proper means of heating, so as to
avoid the danger incident to the use of fireplaces and stoves; to
provide the said home with proper closets, water, and sewerage
connections and electric or other lights, and to properly erect,
furnish, equip, and finish the said county home in a manner suit-
able, convenient, and adequate for the needs of Robeson County.
Sec. 2. That said board of commissioners of Robeson County shall have power and authority, if in their judgment they deem it for the best interest of Robeson County, to sell or otherwise dispose of the present county home site, and acquire a new site for the location of said home at some other place in said county.

For the purpose of acquiring a site of suitable size and location for a county home for the aged and infirm, said board of commissioners are hereby invested with the power of eminent domain to condemn sufficient lands for the use of a county home, provided reasonable compensation shall be paid for said lands, and if the value thereof cannot be agreed upon by the said board of commissioners and the owner thereof, then the value thereof shall be determined and assessed by a jury of three freeholders to be appointed by the clerk of the Superior Court of Robeson County: Provided, either party shall have the right to appeal from the award of the jury to the Superior Court of Robeson County, and the question of the value of the land shall then be determined by a jury as in other cases of fact: Provided further, that the appeal by either party shall not stay the progress of the erection of said county home for the aged and infirm.

Sec. 3. That for the purposes mentioned in sections one and two in this act, the said board of commissioners of Robeson County are authorized and empowered to issue bonds of the county of Robeson, bearing interest at the rate of not less than five per cent, and not more than six per cent per annum, to an amount not exceeding one hundred thousand dollars, in such denomination as the said board of commissioners in their discretion may determine; and the said bonds shall be payable to bearer not less than ten years 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 in gold or its equivalent, 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 their discretion, where the same is not in conflict with the provisions of this act. Said bonds issued under the provisions of this act shall be exempt from all county and municipal taxation, and this fact shall appear on the face of said bonds.

Sec. 4. The said bonds when issued shall be signed by the chairman of the board of commissioners, countersigned by the clerk of said board, and attested by the official seal of Robeson County; and upon request of any holder or holders of said bonds, the clerk of the board of commissioners of Robeson County is authorized and empowered to register said bonds and make the
same payable to the order of the registered holder only, and from the date of said registration, which shall be entered upon the face of said bonds, they shall cease to be payable to bearer.

Sec. 5. 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 Robeson County shall levy and cause to be collected annually 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. 6. 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 Robeson, the commissioners may, in their discretion, purchase annually after the lapse of one year from the date of the issuance of said bonds any amount of said bonds issued and outstanding at their par value, with accrued interest.

Sec. 7. 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 names of every purchaser of said bonds and the number and amount 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 Robeson County, and a record of such redemption shall be made and dated.

Sec. 8. That before selling 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 at least one newspaper of general circulation published in Robeson County, and also once a week for four weeks in succession in some financial newspaper or journal published in the United States, giving the time and place when bids will be opened for the sale of said bonds, and the terms upon which the bonds are issued: Provided, that the board of commissioners shall have the right in their discretion to reject any and all bids for said bonds.

Sec. 9. That the proceeds derived 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 purposes for which they are issued, as provided herein, and the board of commissioners shall cause the treasurer of Robeson County to open and keep separate accounts of said bonds; 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 dis-

34—Public-Local
bursement of said funds. And the said board of commissioners shall require the said treasurer to give bond for the faithful and honest performance of its duties in respect to said funds, which bond shall be not less than the aggregate proceeds of the sale of said bonds, the amount, however, to be left in the discretion of the board of commissioners, and said bond shall be executed in some reliable insurance or bonding company doing business in the State of North Carolina: Provided, however, if the treasurer of Robeson County should fail to give the bond required by the said board of commissioners, then said board shall designate and appoint some solvent bank in Robeson County to handle said funds herein provided.

Sec. 10. 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. 11. 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 the semiannual interest on the said bonds, the board of commissioners of Robeson County shall invest any moneys which may belong to the sinking fund, from time to time, in safe interest-bearing securities, payable to said board of commissioners for the benefit of said sinking fund: Provided, however, that no investment of said fund shall be made until the security for the same has been approved in writing by the clerk of the Superior Court of Robeson County.

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

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

Ratified this the 3d day of March, A.D. 1923.

CHAPTER 454

AN ACT TO AUTHORIZE THE COMMISSIONERS OF LEE COUNTY TO ISSUE SERIAL BONDS FOR THE IMPROVEMENT OF ROADS IN SAID COUNTY.

The General Assembly of North Carolina do enact:

Section 1. The county commissioners of Lee County are hereby authorized to call an election to submit to the qualified voters of the county the question of the issue of serial bonds in the amount of one hundred thousand dollars ($100,000) as hereinafter further
set out, the proceeds of which are to be used in construction, improvement and maintenance of the public roads and highways of the county.

Sec. 2. The election for this purpose shall be held after not less than thirty days advertisement thereof in some newspaper published in the county, in which advertisement shall be stated briefly and succinctly the purpose thereof, and the time at which it is to be held. The election shall be held at the usual voting precincts of the county, or such as may have been established by the county board of elections; and both as to registration and the manner of holding thereof, and canvassing the same and ascertaining the result, it shall be held under the laws, rules and regulations governing elections for members of the General Assembly, wherever the same may be applicable. At the election those favoring the issue of bonds shall vote a written or printed ballot containing the words “For Bonds,” and those opposed to the issue shall vote a written or printed ballot containing the words “Against Bonds.” The commissioners may, in their discretion, order an entirely new registration of voters.

Sec. 3. If the majority of the qualified voters shall vote at said election “For Bonds,” the commissioners are authorized, as soon as may be practicable thereafter, to issue and sell serial bonds to the amount of one hundred thousand dollars, which bonds they may issue in such denominations, and maturing at such dates not exceeding thirty years from date of issue, as they may deem to the best interest of the county; the bonds shall bear not exceeding six per cent interest, payable semiannually, and shall be payable, both as to interest and principal, at such time and place as the board of commissioners may designate. They shall be signed by the chairman of the board and countersigned by the clerk of the board, and shall constitute an obligation of the county, enforceable as other like obligations. The bonds shall be sold and delivered by the board of county commissioners in such manner as they may deem best to secure the highest price or lowest rate of interest obtainable; but not until after an advertisement for four weeks in some newspaper of general circulation in this State: Provided, only one insertion of such advertisement shall be required; and Provided, also, that if the bonds are not sold in pursuance of said advertisement no subsequent advertisement shall be necessary as affecting the validity of a sale, and they may be sold and disposed of as the board of commissioners may consider to the best advantage.

Sec. 4. To provide a fund for the payment of the bonds at maturity and to pay the interest thereon, the board of commissioners shall levy, at the time other taxes are levied, a tax not exceeding fifty cents on the one hundred dollars value of taxable property and one dollar and fifty cents on the poll, which tax
shall be collected as other taxes; and the funds so arising shall be kept as an exclusive fund to be devoted to the purposes herein named.

Sec. 5. The board of commissioners may elect to call an election under this act, or another act ratified at this session of the General Assembly authorizing an election on the issue of coupon bonds maturing simultaneously; but bonds shall not be issued under and by authority of both acts.

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

Ratified this the 3d day of March, A.D. 1923.

CHAPTER 455

AN ACT TO PROVIDE FOR THE CONSTRUCTION AND MAINTENANCE OF THE PUBLIC ROADS AND BRIDGES OF BLADEN COUNTY, AND TO AUTHORIZE THE COUNTY COMMISSIONERS TO LEVY A SPECIAL TAX.

The General Assembly of North Carolina do enact:

Section 1. That the supervision, construction and maintenance of the public roads and bridges of Bladen County is hereby vested in the board of county commissioners.

Sec. 2. That the board of county commissioners is hereby authorized and instructed to take over the funds on hand of each township highway commission and deposit it to the credit of the sinking fund of that township.

Sec. 3. That the board of county commissioners is hereby authorized and instructed to take over the road equipment of each township highway commission and deposit to the credit of the sinking fund of each township an amount sufficient to compensate said township highway commission for such equipment as it may own.

Sec. 4. That the board of county commissioners at the time for levying taxes each year shall levy a sufficient tax on each township in the county to pay the interest on its outstanding road bonds and create a sinking fund sufficient to retire them at maturity.

Sec. 5. That the board of county commissioners is hereby authorized and instructed to employ a road superintendent, overseers and such laborers as are necessary to adequately maintain the public roads of the county and fix the compensation therefor.

Sec. 6. That for the purpose of purchasing such equipment as may be necessary to construct and maintain the roads and bridges of the county, the board of county commissioners is hereby authorized to issue notes or serial bonds in an amount not exceeding fifty thousand dollars, bearing interest at a rate not in excess
of six per cent per annum, payable annually or semiannually, and levy a sufficient tax to pay the interest and create a sinking fund sufficient to retire said indebtedness at maturity.

Sec. 7. That the said board of commissioners shall levy annually a road and bridge tax to be used in building and maintaining the roads and bridges of said county and the purchase of equipment, and may borrow for such purposes and pledge the faith and credit of said county by issuing county scrip or other evidences of indebtedness to secure the payment of the money so borrowed and the interest thereon; but at no time shall they be allowed to levy in any one year for the purposes of this act more than fifty cents on the one hundred dollars valuation of property and one dollar and fifty cents on each poll.

Sec. 8. That the board of commissioners may in their discretion appoint one or more days in each month for a meeting to consider road matters in addition to the regular monthly meetings.

Sec. 9. That the expenses and salary of the board of county commissioners and the entire cost of the construction and maintenance of the roads and bridges shall be kept as a separate account from the general county fund and charged to the road fund.

Sec. 10. That the boards of township highway commissioners created by chapter three hundred thirty-six, Public-Local Laws of the General Assembly of one thousand nine hundred fifteen, are hereby abolished, and the powers and duties conferred upon said township commissions are hereby transferred to and become the duty of the board of county commissioners.

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

Sec. 12. That this act shall be in force from and after the first day of July, one thousand nine hundred and twenty-three.

Ratified this 3d day of March, A.D. 1923.

CHAPTER 456

AN ACT TO AUTHORIZE THE COMMISSIONERS OF LEE COUNTY TO ISSUE SERIAL BONDS FOR THE IMPROVEMENT OF ROADS IN SAID COUNTY.

The General Assembly of North Carolina do enact:

Section 1. The county commissioners of Lee County are hereby authorized to call an election to submit to the qualified voters of the county the question of the issue of serial bonds in the amount of one hundred thousand dollars as hereinafter further set out, the proceeds of which are to be used in construction, improvement, and maintenance of the public roads and highways of the county.
Advertisement of election. 

Voting precincts. 

Law governing elections. 

Ballots. 

New registration. 

Effect of election. 

Amount of bond issue. 

Maturity. 

Interest. 

Authentication. 

Obligation of bonds. 

Sale and delivery of bonds. 

Advertisement of sale. 

Proviso: only one insertion. 

Proviso: sale if not pursuant to advertisement. 

Special tax. 

Tax rate. 

Collection. 

Specific appropriation. 

Selection of authority. 

Sec. 2. The election for this purpose shall be held after not less than thirty days advertisement thereof in some newspaper published in the county, in which advertisement shall be stated briefly and succinctly the purpose thereof, and the time at which it is to be held. The election shall be held at the usual voting precincts of the county, or such as may have been established by the county board of elections; and both as to registration and the manner of holding thereof, and canvassing the same and ascertaining the result, it shall be held under the laws, rules and regulations governing elections for members of the General Assembly, wherever the same may be applicable. At the election those favoring the issue of bonds shall vote a written or printed ballot containing the words “For Bonds,” and those opposed to the issue shall vote a written or printed ballot containing the words “Against Bonds.” The commissioners may, in their discretion, order an entirely new registration of voters. 

Sec. 3. If the majority of the qualified voters shall vote at said election “For Bonds,” the commissioners are authorized, as soon as may be practicable thereafter, to issue and sell serial bonds to the amount of one hundred thousand dollars, which bonds they may issue in such denominations, and maturing at such dates not exceeding thirty years from date of issue, as they may deem to the best interest of the county; the bonds shall bear not exceeding six per cent interest, payable semiannually, and shall be payable, both as to interest and principal, at such time and place as the board of commissioners may designate. They shall be signed by the chairman of the board and countersigned by the clerk of the board, and shall constitute an obligation of the county enforceable as other like obligations. The bonds shall be sold and delivered by the board of county commissioners in such manner as they may deem best to secure the highest price or lowest rate of interest obtainable, but not until after an advertisement for four weeks in some newspaper of general circulation in this State: Provided, only one insertion of such advertisement shall be required; and Provided, also, that if the bonds are not sold in pursuance of said advertisement no subsequent advertisement shall be necessary as affecting the validity of a sale, and they may be sold and disposed of as the board of commissioners may consider to the best advantage. 

Sec. 4. To provide a fund for the payment of the bonds at maturity and to pay the interest thereon, the board of commissioners shall levy, at the time other taxes are levied, a tax not exceeding fifty cents on the one hundred dollars value of taxable property, which tax shall be collected as other taxes, and the funds so arising shall be kept as an exclusive fund to be devoted to the purposes herein named. 

Sec. 5. The board of commissioners may elect to call an election under this act, or another act ratified at this session of the
General Assembly authorizing an election on the issue of coupon bonds maturing simultaneously, but bonds shall not be issued under and by authority of both acts.

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

Ratified this the 3d day of March, A.D. 1923.

CHAPTER 457

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF MOORE COUNTY TO SUBMIT TO THE VOTERS OF SAID COUNTY THE QUESTION OF ISSUING BONDS FOR ROAD IMPROVEMENT IN SAID COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That for the purpose of laying out, establishing, building, constructing, repairing and maintaining public roads and bridges in Moore County, the board of county commissioners of said county are hereby authorized and empowered to submit to a vote of the qualified voters of Moore County at any time within two years from the ratification of this act, upon the petition of the highway commission of Moore County, the question, “Shall Moore County issue bonds not exceeding the sum of one hundred and fifty thousand dollars ($150,000), with interest coupons attached, and authorize the levy of a tax sufficient and available to pay the interest thereon and provide a sinking fund for their redemption, the proceeds of which to be used in laying out, establishing, building, constructing, repairing and maintaining the public roads and bridges of said county?” The said board of county commissioners shall, for at least thirty days before said election, give public notice of such election and the purpose thereof by publication in a newspaper published in said county and by posting notice thereof at the courthouse door of said county.

Sec. 2. That the election held under the provisions of this act shall be conducted in the same manner as is now or may hereafter be prescribed by law for holding elections for the members of the General Assembly, except as herein otherwise stated. The said board of county commissioners shall appoint the registrars and judges of election, and any other election officers necessary for holding said election, and the registration and challenge of voters shall be conducted in the same manner as is now or may hereafter be provided for election of members of the General Assembly, except as herein set forth. The said board of county commissioners shall order a new registration for any election held under this act. The registration books of each precinct shall be kept open for twenty days prior to the election for the purpose
of allowing electors to register who are entitled to participate in said election, and the registration books close on Saturday next preceding the election. The registrars are authorized and directed to register any person legally qualified and entitled to vote in their respective townships or voting precincts who apply for such purpose, in the same manner and under the same rules and regulations as now or may hereafter be provided for registering electors for the general election in said county.

Sec. 3. The vote cast at said election shall be counted at the close of the polls by the election officers and returned to the clerk of the board of county commissioners of said county by one member of said election officers on the second day next succeeding the day of said election; and the said board of county commissioners, at their next regular meeting, or at a called meeting, shall tabulate and declare the results of said election, all of which shall be recorded in the minutes of said board of county commissioners, and no other recording and declaring of the result of said election shall be necessary; that at said election all qualified voters who favor the issue of said bonds and levy of said taxes shall vote a ballot upon which shall be written or printed the words "For Road Bonds," and all qualified voters who are opposed to the issue of said bonds and levy of said taxes shall vote a ballot upon which shall be written or printed the words "Against Road Bonds."

Sec. 4. That in the event that a majority of the votes cast at said election shall be voted "For Road Bonds," and the result declared and recorded as aforesaid, the board of county commissioners of said county shall be and they are hereby authorized, empowered and directed, upon demand of said highway commission of said county, to have prepared and issued, at such time or times, and in such amount or amounts as the said highway commission may deem best, and the work herein provided for shall require, bonds of Moore County, in denominations not exceeding one thousand dollars, and not less than fifty dollars, the total amount not to exceed one hundred and fifty thousand dollars, the amount provided for in section one of this act; that said bonds shall bear interest at a rate not exceeding six per centum per annum, with interest coupons attached, payable annually or semi-annually, as may be deemed best by said board of county commissioners, and during the time of their running the principal thereof shall be payable or redeemable at such time or times, not exceeding forty years from the date of their issue, as the board of commissioners may determine, and the said bonds and coupons shall be payable at such place or places, at such time or times, as the said board of county commissioners may direct.

Sec. 5. That the bonds issued under this act, or provided for therein, shall be signed by the chairman of said board of county commissioners and countersigned by the clerk of said board,
and shall have upon them the seal of the register of deeds of said county, and shall be styled, "Moore County Road Improvement Bonds," and issued as such. The coupons shall bear either the real, engraved or lithographed signature of the chairman of the said county board of commissioners.

Sec. 6. That none of the bonds issued by and under this act shall be disposed of by sale, exchange, hypothecation or otherwise for less than their face value, nor shall the bonds or their proceeds be used for any other purpose or purposes than those declared in this act: Provided, however, that the purchasers of said bonds shall not be required to see to the application of said funds. When said bonds shall be issued they shall be numbered consecutively, and the interest coupons attached. The bonds and coupons shall state on their face when they are due and payable, and 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 the minutes of their meetings, and when any of the bonds are issued, to whom issued, and the number of coupons attached, and the date of the delivery to the purchasers.

Sec. 7. The bonds hereby authorized shall be advertised and sold under sealed proposals or bids, or at public auction; that before selling said bonds the county commissioners of the county of Moore shall advertise the same for thirty days immediately preceding the date of sale in a newspaper published in the State or without the State or both, as the board of commissioners may determine, giving the time and place when bids shall be opened for the sale of bonds, and the terms upon which said bonds are issued: Provided, the board of county commissioners shall have the right in their discretion to reject any and all bids for said bonds.

Sec. 8. That to provide for the interest falling due upon said bonds and to create a sinking fund to pay off the respective bonds as they mature, the board of county commissioners of Moore County shall, in addition to other taxes levied upon real and personal property, compute and levy annually, at the time of levying other taxes upon property in Moore County, a special tax upon all taxable property in Moore County for the special purpose of paying the interest accruing on said bonds as it falls due, and to provide a sinking fund sufficient to pay off the principal of such bonds as they fall due, until the whole amount of said bonds be paid, which tax shall be in an amount sufficient for said purpose. Said taxes shall be collected by the sheriff of Moore County or such other officer as may be designated by the board of county commissioners of said county, who shall account for the same to the treasurer of Moore County, who shall be required by the board of county commissioners to keep the proceeds from the sale of the bonds herein provided for as well as the taxes herein au-
Proviso: after appropriation.

Road fund. Specific appropriation.

Road bond interest and sinking fund. Specific appropriation.

Proviso: balance after payment of bonds credited to road fund.

Sheriff and treasurer liable on bond.

Additional official bonds.

Investment of sinking fund in bonds.

Alternative investments.

Interest to become part of sinking fund.

Supervision of investment.

Road fund.

Authorized to be levied and collected, each in a separate and distinct fund; the money arising from the sale of bonds to be known as "Road Fund," which said fund shall be paid out upon the order of the highway commission for the purposes herein authorized, and no other; and the funds levied and collected by taxation for the liquidation of the interest and principal of the road bonds shall be known and designated as the "Road Bond Interest and Sinking Fund," which said fund shall be paid out by said treasurer upon the order of the county commissioners in payment of the interest and principal of the road bonds, and for no other purpose except as herein provided: Provided, however, that all moneys remaining in the hands of the county treasurer belonging to said fund after all of the aforesaid bonds and coupons shall have been redeemed shall be transferred by order of the board of county commissioners of Moore County to the general highway or road fund of the county. The bond of the sheriff and the bond of the treasurer of Moore County shall be liable for the faithful accounting for moneys received by each under and by virtue of the provisions of this act, and such officers may be required by said board of county commissioners to execute additional bonds to properly secure the funds arising from the levy and collection of said taxes under this section, and to further secure their faithful discharge of their respective duties in preserving, securing and paying out of same, and to further secure the faithful discharge of the duties by the treasurer of Moore in preserving, securing and paying out the moneys derived from the sale of the bonds authorized by the provisions of this act.

Sec. 9. That it shall be the duty of said board of commissioners of Moore County to cause to be invested any and all moneys of the sinking fund provided for herein in the purchase of bonds issued under this act, if such bonds can be purchased at a price advantageous to the county; but if said bonds cannot be purchased as aforesaid, the board of commissioners shall invest said sinking fund upon approved security, and upon terms deemed advantageous to the county, or they may deposit the sinking fund or any part thereof from time to time in any solvent banking institution or trust company in North Carolina, at the prevailing rate of interest for such deposits. The interest that may accrue on the sinking fund shall be invested or deposited in like manner as the principal, and shall become a part of the sinking fund. The purchases, investment and deposits authorized by this section shall be made by the treasurer of Moore County under the direction of the board of commissioners of said county.

Sec. 10. That all funds arising from the sale of bonds as aforesaid, or from the levy of any taxes for road purposes in said county, or from any other source belonging to the road fund of said county, shall be paid to the treasurer of Moore County and by him kept in a separate fund to be known as the "Road Fund"
of said county, and shall be paid out upon the order of said highway commission of Moore County.

Sec. 11. That the expense of holding said election and the costs and expenses incident to the preparation, issue and sale of said bonds herein provided for shall be paid by the highway commission of Moore County out of the general highway or road fund of the county.

Sec. 12. That the registrars, judges of election and other election officers holding such election shall receive for their services the same pay as is now provided by law for holding general elections in said county.

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

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

Ratified this the 3d day of March, A.D. 1923.

CHAPTER 458
AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF CALDWELL COUNTY TO ISSUE BONDS.

The General Assembly of North Carolina do enact:

Section 1. The board of commissioners of Caldwell County are hereby authorized and empowered to issue coupon bonds of said county in a sum not to exceed two hundred thousand dollars in such denominations, and bearing such rate of interest, and payable at such time or times and at such place or places as said board shall determine. The said bonds shall be in the form designated by the board of commissioners, and shall be serial bonds, the first installment of which shall mature not later than five years from the date of their issue, and the last installment of which shall be due not more than thirty years from the date of their issue.

Sec. 2. The bonds hereby authorized shall be issued without a vote of the people as hereinafter directed.

Sec. 3. The proceeds of the said bonds shall be applied in the discretion of the board of county commissioners of Caldwell County to the completion of the hard-surface road from Hickory to Lenoir, or so much thereof as lies within Caldwell County, if the said issue shall be necessary to procure the construction of said road on the part of the State Highway Commission. If the board of commissioners of Caldwell County shall find it necessary to expend the proceeds of said bond issue towards the attainment of the end before mentioned, then said bonds shall be sold and the proceeds turned over to the State Highway Commission towards the completion of the State Highway.
Special tax.  

Amount.  

Additional tax.  

Repealing clause.  

SEC. 4. The board of county commissioners of Caldwell County is hereby authorized to levy annually a special tax ad valorem upon all taxable property in said county, for the special purpose of paying the principal and interest of all bonds issued under this act, as such principal and interest become due, which tax shall be in an amount sufficient for said purpose, and shall be in addition to all other taxes which the said board is authorized by law to levy.

SEC. 5. All conflicting laws are hereby repealed.

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

Ratified this the 3d day of March, A.D. 1923.

CHAPTER 459

AN ACT TO AMEND CHAPTER 152 OF THE PUBLIC LAWS OF 1917, WITH RESPECT TO THE ELECTION OF DRAINAGE COMMISSIONERS IN ROBESON COUNTY.

Whereas, under the provisions of section five of chapter one hundred and fifty-two of the Public Laws of one thousand nine hundred and seventeen, drainage commissioners are required to be elected every three years; and

Whereas the Back Swamp and Jacob Swamp Drainage District in Robeson County was established in nineteen hundred and eleven, and that no election has ever been held in said drainage district, and the original drainage commissioners, to wit, G. B. Sellars, A. W. Pate, and D. B. McNeill, are still serving; and

Whereas various and sundry official acts have been performed by said drainage commissioners since chapter one hundred and fifty-two of the Public Laws of one thousand nine hundred and seventeen was enacted, which said official acts are liable to be questioned: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That all of the official acts of G. B. Sellars, A. W. Pate, and D. B. McNeill, drainage commissioners of the Back Swamp and Jacob Swamp Drainage District in Robeson County, are hereby validated in the same manner as if they had been duly and regularly elected as in said chapter one hundred and fifty-two of the Public Laws of one thousand nine hundred and seventeen provided.

SEC. 2. That upon the written request of any person owning lands in the Back Swamp and Jacob Swamp Drainage District in Robeson County an election shall be forthwith called and held for the purpose of electing drainage commissioners in the said district.
as provided by chapter one hundred and fifty-two of the Public Laws of one thousand nine hundred and seventeen, and the other acts amendatory thereof.

Sec. 3. That the said board of drainage commissioners shall continue to hold office and perform the duties enjoined upon them by law until their successors are elected and qualified.

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

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

Ratified this the 3d day of March, A.D. 1923.

CHAPTER 460

AN ACT TO REGULATE THE DEDICATION OF STREETS, HIGHWAYS, ETC., TO LIMIT THE TIME WITHIN WHICH SUCH DEDICATION MUST BE ACCEPTED, AND TO PROVIDE MEANS OF ADJUDICATION OF ABANDONMENT THEREOF.

The General Assembly of North Carolina do enact:

Section 1. That whenever any strip, piece, or parcel of land which shall have been at any time dedicated or offered to public use as a road, street, avenue, highway, or alleyway by conveyance of any lot or parcel of land by reference to any map or plat showing such strip, piece, or parcel of land shall not have been actually opened and used as such, either by the public or those owning lands shown upon such map or plat, within seven years after the original offer or dedication thereof, then same shall be prima facie presumed to have been abandoned by the public and those owning lands shown upon such map or plat, and the public and those owning lands shown upon such map or plat shall be prima facie presumed to have relinquished and abandoned the right to enforce any public or private easement therein: Provided, that no such abandonment or relinquishment shall be so presumed unless and until the governing body of any incorporated city or town within which such strip, piece, or parcel of land may lie, or, if same lies without any such city or town, the board of commissioners of the county wherein such strip, piece, or parcel is situate shall adopt and pass an ordinance or resolution to the effect that the opening and use of such strip, piece, or parcel of land for the purpose for which same was originally offered or dedicated is not necessary for the public interests, and agreeing to its abandonment and relinquishment.

Sec. 2. Whenever the original dedicador, or those claiming under the original dedicador, or other persons, firms, or corpora-
tions owning any lands shown upon any such map or plat as described in section one of this act, shall claim that any such abandonment and relinquishment of any such strip, piece, or parcel of land has taken place as set forth in section one of this act, and desire to have removed from the title to any such strip, piece, or parcel of land any cloud or question arising from any such offer or dedication as set forth in section one of this act, they, or any one or more of them, may institute a civil action for such purpose in the Superior Court of the county wherein such land lies, and there may be included in such action all such strips, pieces, or parcels of land as lie in the same development or property, whether shown on one or more maps or plats. All those who own or have any interest in or title to any lands which actually touch and abut upon any such strip, piece, or parcel of land shall be made parties, either plaintiff or defendant, to such action; and, if defendants, they shall be served with summons as in other civil actions, and such of said defendants as are minors or non compos mentis shall defend by their guardians, or, if without guardians, by guardians ad litem to be appointed as provided in other civil actions. The owners of, and those having any interest in, any lands shown upon said maps or plats which do not touch or abut upon any such strip, piece, or parcel of land, but who have or claim any right or easement in any such strips, pieces, or parcels of land, shall likewise and upon like terms be joined as parties plaintiff or defendant in such action: Provided, however, that if it be made to appear to the clerk of the court by affidavit filed in such action that such parties are so numerous that it is impracticable to bring them all before the court, and the clerk of the court so finds, and enters an order to such effect, then it shall not be necessary to join such parties as parties to the action in their several names, but only by general designation as referred to above, and publication of the notice as hereinafter provided for shall be held and deemed to be due service of process upon all such parties: Provided further, that in such event both said published notice and the complaint shall state the reasons for not joining and serving process upon such parties in their own names. There shall be published twice a week for four weeks in some newspaper published in said county, or if none be published therein, then in some newspaper of general circulation in said county, a notice in the nature of a summons signed by the clerk of said court, which shall contain the title of the cause, a statement of the pendency of the action and the relief sought, a brief recital of the nature and purposes of the action, with a description of the strips, pieces, or parcels of land involved in the action either by metes and bounds or by reference to recorded maps or plats, and which shall notify and require all persons, firms, and corporations owning or claiming any right, title, or interest in any lands shown upon said maps or plats, or claiming the right to have

Lands included in action.

Parties.

Parties defendant served with summons.

Defendants under disability to defend by guardians.

Landowners claiming rights or easements made parties.

Proviso: order making parties by general designation.

Service of process by publication.

Proviso: notice and complaint to state reason for nonjoinder and service.

Publication of notice in nature of summons.

Contents of notice.

Notice to come in and answer or demur.
any such strip, piece, or parcel of land opened and used for the purpose for which it was originally offered or dedicated, to appear before the clerk of said court on a day certain, not to be earlier than thirty days after final publication of such notice, and file answer or demurrer to the complaint in said action or be forever barred from enforcement of any such right or claim, and any one appearing and pleading shall become thereby a party defendant in such cause without any further formality. The complaint in such action shall contain a clear statement of the facts relied upon as constituting the abandonment and relinquishment of such strips, pieces, or parcels of lands, as set forth in section one of this act, together with a description, either by metes and bounds or by reference to recorded maps or plats, of each strip, piece, or parcel of land whose abandonment and relinquishment is sought to be established, and such other facts as may be pertinent to the inquiry. Said cause shall not be finally at issue until after the return day set in said published notice, and if at such time no issue of fact or law shall have been raised by the pleadings filed, and the judge presiding over said court shall be satisfied, and find that the facts are as provided in section one of this act, then judgment shall be entered adjudging the final abandonment and relinquishment by the public and all interested parties of any and all easements in such strips, pieces, or parcels of land. If any issue or issues of fact or law shall be raised by the pleadings in said action, they shall be tried and determined as in other civil actions generally, and judgment rendered in accordance with such findings and determinations, from which judgment any party or parties aggrieved shall have the right of appeal as provided in civil actions generally. A certified copy of the final judgment in said cause shall be filed and recorded in the office of the register of deeds for said county, and thereafter no person, firm, or corporation shall have any right or cause of action to enforce any public or private easement in any such strip, piece, or parcel of land the rights to the use of and the easements in which are therein adjudged to have been abandoned and relinquished. Except as herein otherwise provided, said action shall be governed by the rules, practice and procedure now or hereafter provided for civil actions generally. The costs in such action shall be taxed as provided in Costs.

SEC. 3. That the provisions of this act shall have no application in any case where the continued use of any strip of land dedicated for street or highway purposes shall be necessary to afford and constitute the only means of ingress, egress, and regress to any lot or parcel of land sold and conveyed by the dedicator of such strips, unless the owners of such lot or parcel of land so sold shall by deed release such rights as they may have to insist upon the opening and uses thereof.
Application of act.

Pending litigation not affected.

When act effective.

Dedications made after ratification of act.

Sec. 4. That this act shall apply only to Mecklenburg and Beaufort counties.

Sec. 5. That this act shall not affect pending litigation, and shall be in force and effect from and after its ratification, and apply to dedications made after as well as before its ratification.

Ratified this the 3d day of March, A.D. 1923.

CHAPTER 461

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF PASQUOTANK COUNTY AND THE BOARD OF ALDERMEN OF ELIZABETH CITY TO AID THE PASQUOTANK MUNICIPAL HOSPITAL ASSOCIATION.

The General Assembly of North Carolina do enact:

Section 1. That the board of county commissioners of Pasquotank County is hereby authorized and empowered to donate out of the general funds a sum not to exceed five hundred dollars to the Pasquotank Municipal Hospital Association to assist said association in the payment of such county taxes as may be assessed against them.

Sec. 2. That the board of aldermen of Elizabeth City, North Carolina, be and is hereby authorized and empowered to donate out of the general fund a sum not to exceed five hundred dollars to the Pasquotank Municipal Hospital Association to assist said association in the payment of such municipal taxes as may be assessed against them.

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

Ratified this the 3d day of March, A.D. 1923.

CHAPTER 462

AN ACT TO AMEND CHAPTER 113, SECTION 2, OF THE PUBLIC LAWS OF 1921, INCREASING THE FEES OF JUSTICES OF THE PEACE IN AVERY COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That chapter one hundred and thirteen, section two, be and the same is hereby amended so as to include Avery County.

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

Ratified this the 3d day of March, A.D. 1923.
CHAPTER 463

AN ACT TO REGULATE THE HUNTING OF DEER IN PAMLICO COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That no person or persons shall hunt with dog and Close season. gun, or in any way kill or destroy any deer in Pamlico County, between January fifteenth and July fifteenth in any year.

Sec. 2. That any violation of section one of this act shall be a Misdemeanor. misdemeanor, and upon conviction shall be fined or imprisoned, or both, in the discretion of the court.

Sec. 3. That all laws and clauses of laws in conflict with this Repealing clause. act are hereby repealed in so far as they may apply to Pamlico County only.

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

Ratified this the 3d day of March, A.D. 1923.

CHAPTER 464

AN ACT TO AMEND CHAPTER 555 OF THE PUBLIC-LOCAL LAWS OF 1917, RELATING TO WILD BIRDS AND OTHER GAME IN CHEROKEE AND MITCHELL COUNTIES.

The General Assembly of North Carolina do enact:

Section 1. That chapter five hundred and fifty-five of the Law amended. Public-Local Laws of one thousand nine hundred and seventeen be and the same is hereby amended by striking out all of said chapter following section one, and by substituting in lieu thereof the following:

Sec. 2. That in Cherokee and Mitchell counties the close season of each year during which no quail or partridges shall be shot, killed, wounded, or in any manner hunted, taken, or captured shall be from the first day of January to the first day of October; but it shall be unlawful at any time to hunt with dog or gun, or to kill, any other birds not enumerated in sections one and two of this act.

Sec. 3. That it shall be unlawful for any person to kill more than twelve quail or partridges in one day.

Sec. 4. That every person, for the privilege of hunting any bird or other game in Cherokee County or Mitchell County, shall pay to the clerk of the Superior Court of the county in which said person hunts a fee of one dollar per year, and every person not a Nonresident’s fee. resident of the State of North Carolina for said hunting privileges shall pay a fee of ten dollars, as aforesaid, said ten dollars to include the one dollar set out above: Provided, if the said non-resident taxpayers.
resident shall pay taxes on property in either of said counties he shall be required to pay only one dollar.

Sec. 5. That the clerks of the Superior Courts of Cherokee and Mitchell counties shall keep as separate funds the fees provided for in section four of this act, and out of said funds shall pay to the informant furnishing information leading to the conviction of any person violating any of the provisions of this act the sum of five dollars: Provided, however, said fund shall be sufficient to make said payment, and said clerks of the Superior Courts of Cherokee and Mitchell counties, at the end of each calendar year, shall pay the surplus of such funds to their respective county boards of commissioners.

Sec. 6. That any person violating any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not more than fifty dollars or imprisoned not exceeding thirty days, or both, in the discretion of the court.

Sec. 7. That this act shall apply only to Cherokee and Mitchell counties.

Sec. 8. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

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

Ratified this the 3d day of March, A.D. 1923.

CHAPTER 465

AN ACT TO REGULATE THE FEES FOR THE VARIOUS JUSTICES OF THE PEACE OF GRAHAM COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the various justices of the peace for Graham County shall be allowed the following fees, viz.:

Issuing attachment papers, fifty cents (50c.) for original and ten cents (10c.) for each copy. Transcript of judgment, ten cents (10c.); issuing summons, twenty cents (20c.) for one defendant and ten cents (10c.) for each additional defendant. Subpoena for each witness, fifteen cents (15c.); trial where issues are joined, one dollar ($1); where issues are not joined, seventy-five cents (75c.); for trial and judgment, taking an affidavit, thirty-five cents (35c.), and all other fees same as are provided in section three thousand nine hundred and twenty-three of Consolidated Statutes of North Carolina.

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

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

Ratified this the 3d day of March, A.D. 1923.
CHAPTER 466

AN ACT MAKING SECTION 5362 OF THE CONSOLIDATED STATUTES INOPERATIVE IN THE MATTAMUSKEET LAKE DRAINAGE DISTRICT OF HYDE COUNTY FOR THE COLLECTION OF MAINTENANCE TAXES ONLY.

The General Assembly of North Carolina do enact:

Section 1. That section five thousand three hundred and sixty-two of the Consolidated Statutes of North Carolina shall not apply or be operative in the collection of assessments for maintenance purposes in Mattamuskeet Lake Drainage District in Hyde County, this to apply to Hyde County 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.

Ratified this the 3d day of March, A.D. 1923.

CHAPTER 467

AN ACT TO PROVIDE FOR THE RECORD OF MARRIAGES WHERE THE OFFICIATING MINISTER OR JUSTICE OF THE PEACE HAS FAILED TO FILL OUT HIS CERTIFICATE, AND REQUIRING REGISTER OF DEEDS TO ASCERTAIN WHETHER UNRETURNED LICENSES HAVE BEEN ACTED UPON.

The General Assembly of North Carolina do enact:

Section 1. That in any case where a marriage license has been returned to the office of register of deeds issuing the same by the officiating minister or justice of the peace without filling out his certificate, and such officiating minister or justice of the peace has since died, or his whereabouts is unknown, it shall be the duty of the register of deeds issuing such license, or his successor in office, to ascertain by sworn testimony whether the marriage authorized by such license was in fact solemnized, and upon satisfactory proof that such marriage was solemnized it shall be his duty to record in his record of marriage licenses and returns thereto the fact of such marriage and the date thereof, as nearly as he can ascertain such date. The testimony required under this section shall be in the form of an affidavit, and shall be attached to the license by the register of deeds.

Sec. 2. That in case a marriage license issued by any register of deeds is not returned to his office within six months from the date of the issue thereof, it shall be the duty of such register of
deeds to make diligent inquiry to ascertain whether the marriage authorized by such license has in fact been solemnized, and in case it has been so solemnized, require the return of such license under the penalties prescribed by law for failure to return marriage licenses.

Application of act.

Sec. 3. That this act shall apply to Wilkes County only.

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

Ratified this the 3d day of March A.D. 1923.

CHAPTER 468

AN ACT TO PROTECT GAME AND REGULATE HUNTING IN SAMPSON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That it shall be unlawful for any person to hunt, kill, or destroy in any manner any squirrel or wild turkey in Sampson County from the fifteenth day of January to the fifteenth day of November, both dates inclusive, of any year.

Sec. 2. That it shall be unlawful for any person to hunt, kill, or destroy in any manner any male deer in Sampson County from the first day of December to the fifteenth day of November, both dates inclusive, of any year.

Sec. 3. That it shall be unlawful at any time to kill female deer in Sampson County.

Sec. 4. That it shall be unlawful for any person to kill in any one day in Sampson County more than six squirrel, fifteen quail or partridges, or one wild turkey during the open season herein provided for.

Sec. 5. That the county commissioners of Sampson County are hereby authorized and empowered to employ a game warden for Sampson County, who shall be paid a monthly salary not to exceed the amount of fines and license taxes paid into the county or school fund, as is hereinafter provided.

Sec. 6. That it shall be the duty of the game warden to select as many assistant game wardens as he may deem necessary, and to fix their compensation, to be approved by the board of county commissioners: Provided, that the compensation of the game warden and such assistants as he may employ shall not exceed the amount of fines and license taxes as is hereinafter provided.

Sec. 7. That it shall be the duty of the game warden to prosecute all violations of the game laws of said county, and to collect and pay to the county commissioners all license taxes as is hereinafter provided.
SEC. 8. That all nonresidents of Sampson County shall pay an annual license tax of ten dollars before being allowed to hunt in said county: Provided, that all nonresident owners of real estate in the aforesaid county shall not be required to pay the license tax herein provided for the privilege of hunting on their own land.

SEC. 9. That it shall be unlawful for any person to shoot, kill, hunt, or trap any game mentioned in sections one, two, three, or four of this act during the closed season, as therein designated. Any person violating any of the provisions of this act shall be guilty of a misdemeanor, and shall for each offense be fined not more than fifty dollars nor less than twenty dollars, or be imprisoned not more than thirty days nor less than ten days.

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

SEC. 11. That this act shall be in force from and after the first day of September, one thousand nine hundred and twenty-three.

Ratified this the 3d day of March, A.D. 1923.

CHAPTER 469

AN ACT TO AMEND SECTION 3767 OF CHAPTER 70 OF THE CONSOLIDATED STATUTES, TO ALLOW COUNTY COMMISSIONERS OF HENDERSON COUNTY TO COOPERATE WITH THE STATE HIGHWAY COMMISSION.

The General Assembly of North Carolina do enact:

SECTION 1. That section three thousand seven hundred and sixty-seven, chapter seventy, of the Consolidated Statutes be amended by adding at the end of said section the following paragraph:

"Whenever and wherever the board of county commissioners of Henderson County, North Carolina, have issued or shall have issued bonds to rebuild the public roads and bridges of said county, it shall be lawful in the discretion of the board of commissioners of said county to cooperate with the State Highway Commission in building and rebuilding the roads and bridges in said county, and to expend the funds derived from the sale of said bonds, or so much thereof as in the discretion of the board of commissioners makes for the best interest of the county, on the highways taken over or to be taken over by said State Highway Commission of the State of North Carolina."

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

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

Ratified this the 3d day of March, A.D. 1923.
CHAPTER 470

AN ACT TO PLACE THE SHERIFF AND TREASURER OF DARE COUNTY UPON A FEE BASIS IN LIEU OF SALARY.

The General Assembly of North Carolina do enact:

Section 1. The county commissioners of Dare County may within their discretion change from time to time the salaries of the sheriff and the treasurer and place them upon a fee basis in lieu thereof.

Sec. 2. That the county commissioners may within their discretion fix the percentage of fees to be received by such officers: Provided, however, that the minimum fee for the sheriff shall be three and one-half per cent and the maximum five per cent. The minimum for the treasurer shall be two per cent and the maximum three per cent, on both county and school funds. The above to be used within the discretion of the county commissioners in lieu of the fees now provided by law in such cases.

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

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

Ratified this the 3d day of March, A.D. 1923.

CHAPTER 471

AN ACT PROHIBITING THE PLACING OF SAWMILLS OR PLANING MILLS ON CREEKS AND STREAMS IN ANSON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That it shall be unlawful for any person, firm, or corporation to place or use any sawmill or planing mill on or near any creek or stream in the county of Anson in such a manner as will permit the sawdust or shavings from said mill or mills to be carried or washed into said creeks or streams. It shall also be unlawful for any person, firm, or corporation to cut any trees which may obstruct the waters of said creeks or streams.

Sec. 2. That any person, firm, or corporation violating the provisions of this act shall be guilty of a misdemeanor, and fined or imprisoned at the discretion of the court.

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

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

Ratified this the 3d day of March, A.D. 1923.
CHAPTER 472

AN ACT TO AMEND CHAPTER 328, PUBLIC-LOCAL LAWS OF 1919, RELATING TO THE ROAD COMMISSIONERS AND THE PUBLIC ROADS OF BERTIE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter three hundred and twenty-eight of the Public-Local Laws of one thousand nine hundred and nineteen be and the same is hereby amended by striking from said section all of the first thirteen lines and that portion of line fourteen which ends with the word “qualified,” and by substituting in lieu thereof the following: “That Charles H. Jenkins, of Aulander, North Carolina; W. T. Tadlock, of Windsor, North Carolina, and D. A. Askew, of Colerain, North Carolina, be and they are hereby appointed and constituted a board of road commissioners for Bertie County; that the terms of office of said members of the board of road commissioners of Bertie County herein created shall begin on the first day of April, one thousand nine hundred and twenty-three, and the first two members of said board named herein, Charles H. Jenkins and W. T. Tadlock, shall hold office for two years and until their successors are appointed and qualified, and D. A. Askew, the third member named herein, shall hold office for four years and until his successor is appointed and qualified; that each of the three members of the said board of road commissioners shall be responsible for and have supervision of the road work in one of the three following road districts in Bertie County: First district, composed of and including Windsor, Snakebite, and Indian Woods townships; second district, composed of and including Colerain, White’s, and Merry Hill townships; third district, composed of and including Mitchell, Woodville, and Roxobel townships: Provided, however, that the provisions of this act shall not apply to roads or highways which are a part of the State Highway system.

Sec. 2. That section four of said chapter three hundred and twenty-eight of the Public-Local Laws of one thousand nine hundred and nineteen be and the same is hereby amended by striking from line twenty-three of said section the words “the chairman” and substituting in lieu thereof the words “each member,” and by striking from the last line of said section the words “twenty-five dollars” and substituting in lieu thereof the words “one hundred and fifty dollars.”

Sec. 3. That section five of said chapter three hundred and twenty-eight, Public-Local Laws of one thousand nine hundred and nineteen, be and the same is hereby amended by striking from line two of said section the word “shall” and substituting in lieu thereof the word “may,” and by changing the period into a comma at the end of said section five, and by adding at the end of said
section the following: "Provided further, if said road engineer is not employed, or in case the services of said engineer are discontinued, then each member of said board of road commissioners of Bertie County shall receive two hundred and fifty dollars annually instead of one hundred and fifty dollars, as provided in section four of this act."

Sec. 4. That section twenty-five of said chapter three hundred and twenty-eight, Public-Local Laws of one thousand nine hundred and nineteen, be and the same is hereby amended by striking from line eleven of said section twenty-five the word "twenty-five" and substituting in lieu thereof the word "forty," and by striking from line thirteen of said section the words "seventy-five cents" and substituting in lieu thereof the words "one dollar and twenty cents."

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

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

Ratified this the 3d day of March, A.D. 1923.

CHAPTER 473

AN ACT REGULATING THE SALARY OF THE SHERIFF AND CLERK OF THE SUPERIOR COURT OF HENDERSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the sheriff of Henderson County shall receive as his sole compensation the sum of two thousand and four hundred dollars ($2,400) per year, payable in twelve monthly installments.

Sec. 2. That in addition to the compensation mentioned in section one, the sheriff of Henderson County shall receive the sum of one hundred dollars ($100) per month, payable monthly, for deputy hire.

Sec. 3. It shall be the duty of the board of county commissioners of Henderson County to provide the sheriff with sufficient automobiles, motorcycles, and such other motor vehicles as may be necessary to enable him to discharge the duties of his office in a reasonable way; and shall furnish the necessary gasoline and oil for the operation of said motor vehicles, and shall keep the same in repair so that they may be ready for use at all times.

Sec. 4. That the clerk of the Superior Court of Henderson County shall receive as his sole compensation for the discharge of the duties required of him under the color of his office the sum of twenty-four hundred dollars ($2,400) per year, payable in twelve monthly installments.
1923—Chapter 473—474

Sec. 5. That in addition to the compensation mentioned in section four (4), the clerk of the court shall receive the sum of one hundred dollars ($100) per month, payable monthly, as deputy hire.

Sec. 6. It shall be the duty of the board of county commissioners of Henderson County to promptly pay to the sheriff and clerk the salaries provided for by this act as the same shall come due; and also to pay any other expenses provided for in this act, all out of the general funds of Henderson County.

Sec. 7. This act shall be in force and effect from and after February first (1st), 1923.

Sec. 8. Any laws and clauses of laws, Public, Local, or Private, in conflict with this act are hereby repealed.

Ratified this the 3d day of March, A.D. 1923.

CHAPTER 474

An Act to Provide for the Office of Superintendent of Public Welfare in Mitchell County.

The General Assembly of North Carolina do enact:

Section 1. That on Tuesday after the first Monday in April, nineteen hundred and twenty-three, and on Tuesday after the first Monday in April of every two years thereafter, the county board of commissioners and the county board of education of Mitchell County shall meet in joint session for the purpose of electing a county superintendent of public welfare, who shall serve for the ensuing two years, and until his successor is elected by said boards and qualified. The county superintendent of public instruction shall serve as secretary to the joint meeting of said boards, and shall make permanent record of the proceedings and issue all notices and reports necessary previous and subsequent to the meeting. The person elected superintendent of public welfare shall be qualified by character, fitness, and experience to discharge well the duties thereof. No one so elected shall begin the work of this position until he shall have received a certificate of approval from the State Board of Charities and Public Welfare, and in case such approval is not received, the two boards shall, upon receiving notice thereof, proceed in like manner to elect another person. In case of a tie vote, the matter may be referred for a decision to the State Commissioner of Public Welfare.

Sec. 2. In lieu of section one of this act, and upon the approval of the State Department of Public Instruction and the State Board of Charities and Public Welfare, the two boards may elect an assistant superintendent of public instruction or supervisor, who shall assume the duties of superintendent of public welfare in addi
Superintendent of public instruction to assist.

Division of work.

Designation of office.

Designation of duties.

Salary.

Payment of salary.

Expense fund.

Joint session of boards for discussing work.

Dismissal for cause.

Reports.

Repealing clause.

tion to the duties of assistant superintendent of public instruction or supervisor, whichever title such officer may carry. If the work thus outlined appears too great for such officer, the two boards may require the superintendent of public instruction to take part of the work, and to this end shall divide the work of superintendent of public welfare, designate which one shall be named superintendent of public welfare, and shall designate in permanent record the exact duties of each officer.

Sec. 3. The salary for the officer elected under either section one or section two of this act shall be fixed by the joint meeting of said board of commissioners and board of education of Mitchell County, which salary shall be sufficient to secure the services of a well qualified person. If elected under section one of this act, one-half the salary of the officer elected shall be paid from the funds of each board. If elected under section two of this act, one-half the total cost to the county shall be borne by each board. A reasonable expense fund shall be set aside in addition to the salary fixed, and shall be a sum sufficient to cover traveling expenses over the county, expenses incurred in attending meetings of superintendents of public welfare, and whatever office expense may be necessary.

Sec. 4. A joint session of the two boards may be held at any time upon the call of the chairman of either board for the purpose of discussing the work relating to the office; and any person elected under the provisions of this act may be dismissed by a joint action for proven unfitness or failure in the performance of his duty, and his successor elected. Any person or persons designated to do welfare work under the provisions of this act shall make such reports of his work to the board of education and to the board of commissioners as said boards may require.

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

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

Ratified this the 3d day of March, A.D. 1923.

CHAPTER 475

AN ACT INCREASING THE NUMBER AND THE APPOINTMENT OF COUNTY SCHOOL BOARD OF CLEVELAND COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the county school board of education of Cleveland County from and after the first Monday in April, one thousand nine hundred and twenty-three, shall consist of five members.
Sec. 2. That O. M. Mull, W. L. Plonk, A. P. Spake, Stonewall Members named. Mauney, and L. H. Patterson are hereby appointed and do hereby constitute said school board, as provided for in section one of this act: Provided, that W. L. Plonk shall be chairman of the board. Chairman.

Sec. 3. That the members of said school board shall serve for Term of office. a period of two years from and after the first Monday in April, one thousand nine hundred and twenty-three, and until their successors are appointed as provided for by law.

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

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

Ratified this the 3d day of March, A.D. 1923.

CHAPTER 476
AN ACT TO AMEND THE SQUIRREL LAW OF BEAUFORT COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section two thousand one hundred and fourteen Section. of the Consolidated Statutes be amended by striking out the words:

“Beaufort—April first to October first,” and inserting in lieu thereof the following:

“Beaufort—April first to September first.”

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 rati-

Ratified this the 3d day of March, A.D. 1923.

CHAPTER 477
AN ACT TO REGULATE THE SALARY OF SUPERINTENDENT OF PUBLIC INSTRUCTION OF CURRITUCK COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the salary of the superintendent of public instruction of Currituck County shall not exceed two thousand dollars ($2,000) per annum.

Sec. 2. That this act shall be in full force from and after July When act effective. first, one thousand nine hundred and twenty-three.

Ratified this the 3d day of March, A.D. 1923.
CHAPTER 478

AN ACT TO AMEND SECTION 1681 OF THE CONSOLIDATED STATUTES, TRANSFERRING THE PROCEEDS OF THE DOG TAX IN PASQUOTANK COUNTY FROM THE SCHOOL FUND TO THE COUNTY AGRICULTURAL FUND.

The General Assembly of North Carolina do enact:

Section 1. That section sixteen hundred eighty-one of the Consolidated Statutes be amended by adding at the end thereof the following: "Provided, that in Pasquotank County the money arising under the provisions of this act, instead of being applied to the School Fund, shall be applied to the County Agriculture Fund, to be expended by the county board of agriculture in improving the livestock in said county in which said tax is collected."

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

Ratified this the 3d day of March, A.D. 1923.

CHAPTER 479

AN ACT TO REGULATE FEES OF THE COUNTY SURVEYOR OF HENDERSON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the compensation of the county surveyor of the county of Henderson shall be seven dollars and fifty cents ($7.50) per day for each day or part thereof he is employed in the duties of his office.

Sec. 2. That all laws and parts of laws in conflict with the provisions of this act in so far as they relate to the county of Henderson are hereby repealed.

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

Ratified this the 3d day of March, A.D. 1923.

CHAPTER 480

AN ACT FOR THE PROTECTION AND PROPAGATION OF GAME BIRDS AND FISH IN YANCEY COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That for the purpose of carrying out the provisions of this act, the board of county commissioners of Yancey County shall constitute the game commission of Yancey County, and it shall be their duty to discharge impartially all the duties imposed upon them by this act.
Sec. 2. That it shall be the duty of said board of commissioners, at their regular meeting the third Monday in April, nineteen hundred and twenty-three, and annually thereafter, to appoint a game warden for Yancey County, whose duty it shall be to issue hunters' license, receive the payment for the same, arrest all violators of this act, and the status of such game warden shall be the same as other peace officers in so far as the enforcement of this act is concerned.

Sec. 3. That the chief game warden, or the deputy game warden, for each conviction under the game laws secured by such warden, shall receive the sum of five dollars ($5), to be charged in the bill of cost, in addition to the fees allowed by law for serving process and other acts as constable in connection with any indictment or prosecution for violation of any game laws of Yancey County.

Sec. 6. That every nonresident hunter hunting in Yancey County shall pay to said game warden an annual license fee of twenty-five dollars ($25): Provided, this shall not apply to persons owning real estate in Yancey County, or to members of their immediate families, or to the bona fide guests of any landowner in Yancey County, either resident or nonresident, hunting or fishing on his or their premises.

Sec. 7. That the county commissioners shall pay over to the chief game warden and his deputies the license fees which he may have collected, together with the fees of five dollars, as provided in section three of this act, which shall constitute their total compensation, except as hereafter provided.

Sec. 8. That the county commissioners shall advertise such game laws, and may allow out of the general funds of said county a sum not to exceed one hundred dollars per annum for the expense of advertising, and providing means for enforcing the same.

Sec. 9. That it shall be unlawful for any person to hunt, trap, or fish upon the lands of another without first having obtained written permission of the owner of such lands, or the duly authorized representative thereof.

Sec. 10. That said game warden may appoint as many deputy game wardens as he may deem necessary to assist him in the fulfillment of his duties under this act.

Sec. 11. That on or before the first Monday in September of each year the county commissioners shall furnish the game warden with suitable blank license forms with space provided for the name of applicant, age, and place of residence, and shall have printed on the back thereof the open season for each kind of game, game bird, and fish, and the bag limit for each kind, which shall be valid for one year only, and shall be dated September first.

Sec. 12. That every warden or deputy warden shall, before entering upon the duties of his office, take and subscribe before the clerk of the court to an oath to perform the duties of his office.
And give bond.
Oath and bond recorded.

Fec.

Open season.

Deer.
Bag limit.

Quail, pheasant, wild turkey, woodcock and doves.
Bag limits.

Squirrels.
Proviso; squirrels destroying crops.

Opossum, raccoon, bear and fox.
Proviso; animals depredating.

Trout.
Creeel limit.
Size limit.

Method of fishing.

Streams stocked by Government.

Punishment for violation of act.

Fishing with explosives.

Misdemeanor.
Punishment.

Game birds protected by Federal law.

and execute a bond in the sum of fifty dollars ($50), to be approved by the clerk, for the well and faithful performance of his duties. Such oath and bond shall be recorded by the clerk of Yancey County. The clerk shall not charge exceeding fifty cents for administering and recording said oath and bond.

Sec. 13. That no game, game bird, or fish may be taken in Yancey County, except such seasons and in such manner as follows: The open season for game, game birds, and fish shall be as follows: For deer, from November first to December first, inclusive, and no person shall kill more than two deer in any one season, both of which shall be bucks.

Quail or partridges, pheasant, wild turkey, woodcock, and doves. November tenth to January tenth, and no person shall kill more than fifteen quail or partridge in any one day nor more than seventy-five in any one season, nor more than four pheasants or woodcock in any one season, nor more than two wild turkeys: Provided, no wild turkeys shall be killed prior to November tenth, one thousand nine hundred twenty-six. Squirrels, from September fifteenth to December thirty-first, inclusive: Provided, squirrels may be killed out of season when destroying growing crops. Opossum, raccoon, bear, and fox, October first to February first: Provided, any of these animals may be killed out of season if committing depredations on growing crops, farm animals, or poultry. Speckled or brook trout, between April first and August first, and no person shall catch more than twenty-five in any one day, nor more than two hundred in any one season, and any trout under six inches in length shall immediately be put back into the stream, and it shall be unlawful to take any fish at any time in any streams in Yancey County in any way except by hook and line, and it shall be unlawful to catch fish in any way at any time in any stream in Yancey County which has been stocked with any fish by the county, State, Federal Government, or any citizens since May first, one thousand nine hundred and twenty-two, or shall be restocked in the future, prior to April first, one thousand nine hundred and twenty-six.

Sec. 14. That any person violating any of the provisions of this act as heretofore set out shall, upon conviction, be fined not less than five dollars nor more than fifty dollars, or imprisoned not exceeding thirty days for each and every offense.

Sec. 15. That it shall be unlawful for any person to kill any fish in any stream in Yancey County by use of dynamite or any other explosive, and that any person violating this provision shall be guilty of a misdemeanor and be fined not less than one hundred dollars or imprisoned not less than sixty days, or both, in the discretion of the court.

Sec. 16. That any game bird protected by Federal statute shall be taken only at such time and in such manner as prescribed by Federal statute.
Sec. 17. That the commissioners are hereby authorized to cooperate with the Federal and State authorities in any and every way that to them may seem wise in the enforcement of this act and looking to the propagation and protection of game and fish in Yancey County.

Sec. 18. That all laws in conflict with this act are hereby repealed.

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

Ratified this the 3d day of March, A.D. 1923.

CHAPTER 481

AN ACT MAKING IT A MISDEMEANOR TO PASTURE HOGS ON GRAVEYARDS IN TYRRELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person in Tyrrell County to pasture hogs or any other stock on a graveyard.

SECTION 2. Any person violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not exceeding twenty-five dollars, in the discretion of the court.

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

Ratified this the 3d day of March, A.D. 1923.

CHAPTER 482

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF ROBESON COUNTY TO LOAN THE ROAD BOND SINKING FUND TO THE COUNTY.

Whereas the board of county commissioners of Robeson County have issued and sold road and bridge bonds of the county, which are direct county obligations, to the amount of eight hundred and five thousand dollars; and

Whereas there is some uncertainty as to whose duty it is to loan out the sinking fund levied and collected to pay the interest on said bonds, and to redeem the bonds as they severally fall due; and

Whereas it is necessary that said funds be kept loaned on good interest-bearing securities: Now, therefore.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Robeson County be and they are hereby authorized, empowered, and directed County commissioners to invest sinking fund.
to loan the road bond interest sinking fund on good, safe interest-bearing securities: Provided, the security shall be approved in writing by the clerk of the Superior Court of Robeson County before any loan is made. The said board is further ordered and directed to pay the semiannual interest on said bonds, and to pay the principal of said bonds as they severally fall due.

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

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

Ratified this the 3d day of March, A.D. 1923.

CHAPTER 483

AN ACT RELATING TO THE REGULATION, CONSTRUCTION, AND MAINTENANCE OF ROADS IN GRAHAM COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the highway commission for Cheoah Township are hereby authorized and empowered to sectionize the public roads in Cheoah Township in Graham County, and may contract the construction, maintenance, and repairs of any or all of the public roads or bridges in said township to the lowest and best bidder, and upon such terms and specifications as in the sound judgment of said highway commission will be to the best advantage and welfare of the public and roads in said township, and is authorized to pay for same out of the road funds for said township.

Sec. 2. That the board of county commissioners are hereby authorized and empowered to sectionize the public roads in Stecoah and Yellow Creek townships, and may contract the construction, maintenance, or repair of any or all of said roads to the lowest and best bidder, upon such terms and specifications as in the sound discretion of said board of county commissioners as will be to the best advantage and welfare of the public and roads and highways in said townships, and the said board of county commissioners are hereby authorized to pay for same out of the road funds belonging to the section or township where the contract is performed.

Sec. 3. That no contract, as provided in sections one and two of this act, shall be awarded until the contractor has filed with the said road authorities a suitable and sufficient bond for the full and proper discharge of his duties of contract according to the written specifications.

Sec. 4. That before any section or sections of roads are let by contract, the said highway road commission or board of county commissioners, as the case may be, shall cause a notice of the proposed letting of any contract or contracts for construction,
maintenance, or repair of any road to be published, at least thirty
days before the letting of contract or opening of bids, at the court-
house door in Robbinsville, and at three public places in the town-
ship where the contracts are to be performed, setting forth the
day and hour for opening and considering sealed bids, the section
or road to be contracted, the nature of work to be contracted,
whether construction, maintenance, or repair of roads or bridges,
the time when the contract is to be performed, and the number or
name and location of the road section or bridges to be let.

Sec. 5. That the board of county commissioners or Cheoah
Township highway commissioners, as the case may be, shall, upon
application of any prospective bidder, furnish written specifica-
tions and regulations governing the letting, performance, and
terms of the contract, and terms, manner, and method of payment
thereof.

Sec. 6. That all bids for construction, maintenance, and repairs,
as above provided, shall be made in writing according to the rules
and regulations and specifications of the proper road authorities as
above provided, and shall be sealed and delivered to the proper
board of road or county commissioners on or before the hour and
day set and provided in the notice for opening of said bids.

Sec. 7. That the board of county commissioners or the Cheoah
Township Highway Commission may make such terms, agree-
ments, and provisions with the contractors for the use of the free
labor allowed by law to be performed in the road section, and for
payment for the performance of the contract, and the furnishing
and use of said labor, tools, machinery, or material, and the
manner and method of construction, location, repair of roads, and
distribution and use of road funds as in the sound judgment of the
said board or boards is reasonable, fair, and for the best interest
of the general public and roads in said township, and the board of
county commissioners are authorized and empowered to promote
and apportion the general road tax fund to the various townships
and sections as is proper and fair to each and all of the townships.

Sec. 8. That the payments on any and all contracts let as
provided in this act shall be made at periods and in terms as the
work on the contract progresses according to the written specifi-
cations, and no payment shall be made until the work on road
under contract has been inspected by the road supervisor of the
township or a member of the road commission and their written
report of the condition of road and performance of the contract is
filed with the board.

Sec. 9. That the board of county commissioners and the board
of highway commissioners for Cheoah Township in their respective
jurisdiction shall have and exercise control, location, construction,
and maintenance over all public highways, roads, and bridges not
under the control and supervision of the State Highway Commis-

36—Public-Local
Appointment and regulation of supervisors or overseers.

Removal for cause.

Terms of Supervisors.

Election of road supervisors.

Qualification.

Term.

Repealing clause.

sion, and shall have full power to appoint, qualify road supervisors or overseers for any road section or township, prescribe and regulate their duties and compensation, direct, control, and supervise them in the performance of their duties as such, and may remove, suspend, or discharge any road supervisor or overseer for misfeasance, malfeasance, or nonfeasance of their duties of office or position.

Sec. 10. That the term of office of each and every road supervisor in Graham County shall terminate on the first Monday in December, one thousand nine hundred and twenty-four, unless removed theretofore as provided in section nine of this act.

Sec. 11. That at the general election to be held in Graham County in the year one thousand nine hundred and twenty-four, and biennially thereafter, there shall be elected by and of the qualified voters of each township in Graham County a road supervisor for each township, who shall qualify for office on the first Monday in December following their election, and shall hold office for a term of two years, unless sooner removed as provided in this act.

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

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

Ratified this the 3d day of March, A.D. 1923.

CHAPTER 484

AN ACT TO REGULATE THE COMPENSATION OF THE MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS, BOARD OF EDUCATION, AND THE ROAD BOARD OF ROBESON COUNTY, AND ANY OTHER BOARDS THAT MAY BE CREATED.

The General Assembly of North Carolina do enact:

Section 1. That the board of county commissioners, the board of education, and the road board, and any other boards that may be created in Robeson County, shall for their services be paid the sum of seven dollars ($7) per diem, and mileage at the rate of five cents per mile each way.

Sec. 2. That the rate of seven dollars ($7) per diem and mileage as stated in section one of this act shall apply to all regular monthly meetings, and not to exceed six (6) meetings of one (1) day each other than the regular monthly meeting.

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 July first, one thousand nine hundred and twenty-three.

Ratified this the 3d day of March, A.D. 1923.
CHAPTER 485

AN ACT TO FIX THE SALARY OF THE SUPERINTENDENT OF ROBESON COUNTY, AND TO PROVIDE FOR THE SUPERVISION OF CERTAIN BRIDGES OF ROBESON COUNTY, AND REQUIRE SAID SUPERINTENDENT OF ROADS TO DEVOTE HIS ENTIRE TIME TO HIS DUTIES.

The General Assembly of North Carolina do enact:

Section 1. That the salary of the superintendent of roads of Robeson County shall not exceed the sum of two thousand dollars per annum, payable monthly.

Section 2. That in addition to his duties as superintendent of roads of Robeson County now imposed upon him by law, the said superintendent shall also be required to supervise and assume the care, maintenance, and upkeep of the bridges of Robeson County now built or that may hereafter be built, and these duties shall be performed personally by him.

Section 3. That the superintendent of roads of Robeson County shall be required to devote his entire and exclusive time to the performance of his duties as such superintendent, and shall engage in no other business, trade, or occupation during his term of office; and, if such superintendent shall engage in any other business, trade, or occupation during his term of office, the said office of superintendent of roads of Robeson County shall immediately be declared vacant by the road commission of Robeson County; and his salary shall immediately cease, and a new superintendent of roads shall be forthwith elected by the road commission of Robeson County.

Section 3. That this act shall be in effect from and after the first Monday in April, nineteen hundred and twenty-three.

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

Ratified this the 3d day of March, A.D. 1923.

CHAPTER 486

AN ACT TO AMEND CHAPTER 469, PUBLIC-LOCAL LAWS 1919, RELATING TO THE PUBLIC ROADS OF CATAWBA COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section five of chapter four hundred sixty-nine, Public-Local Laws one thousand nine hundred and nineteen, be amended by adding at the end of said section the following: "The assets of townships vested in highway commission."
county shall vest in and be managed, administered, and expended by the said highway commission as fully as if the same was a part of the county road funds and property, and the said highway commission shall assume the indebtedness of each township of the county incurred for road purposes, including money advanced by the county commissioners from the general funds of the county, and shall pay the same out of any road funds coming into the treasury or the road funds of the 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. Ratified this the 3d day of March, A.D. 1923.

CHAPTER 487

AN ACT RELATING TO THE GAME LAW OF HYDE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That it shall be unlawful for any person to kill or otherwise destroy in Hyde County any quail or partridge between the first day of March and the first day of November.

Sec. 2. That it shall be unlawful for any person to kill or otherwise destroy any deer in Hyde County between the first day of January and the first day of August.

Sec. 3. That it shall be unlawful for any person not a resident of North Carolina to hunt any wild bird or animal in Hyde County without first securing from the clerk of the Superior Court or sheriff of said county a hunting license, on the payment to said clerk or sheriff the sum of ten dollars and fifty cents, and it shall be unlawful for any person who is a resident of North Carolina and not a resident of Hyde County to kill any wild bird, other game, or animal in said county without first securing from the clerk of the Superior Court or sheriff of said county a hunting license on the payment to said clerk or sheriff the sum of five dollars and fifty cents: Provided, that for hunting or shooting from batteries or floats on the borders of Hyde County said non-resident of the State of North Carolina shall pay the additional sum of five dollars for said hunting license. The funds derived from said hunting licenses shall be paid by the clerk of the Superior Court or sheriff into the public school fund of Hyde County, except fifty cents, which he shall retain for his fees.

Sec. 4. That it shall be unlawful for any person to hunt any wild birds or other game or animals in Hyde County with an automatic or repeating shotgun.

Sec. 5. That any person violating any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined in the discretion of the court.
Sec. 6. That all laws and clauses of laws in conflict with the Repealing clause, provisions of this act are hereby repealed.

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

Ratified this the 3d day of March, A.D. 1923.

CHAPTER 488

AN ACT FOR THE BETTER PROTECTION OF GAME IN CURRITUCK COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That any person or persons using a stationary or float blind in the waters of Currituck County for the accommodation of sportsmen shall pay a license tax to said county of five dollars on each and every blind so used. Said license to be issued by the clerk of the Superior Court of said county. The said clerk's fee shall be fifty cents for each and every set of license issued under this act.

Sec. 2. Any person or persons using stationary or float blinds shall label his blind with his name, number of license, and the words "Used for sportsmen."

Sec. 3. That the license issued under this act shall be valid for one hunting season only.

Sec. 4. That any person violating the provisions of this act, on conviction, shall pay a fine of ten dollars for each and every offense.

Sec. 5. That all moneys collected under this act shall be applied to the highways of Currituck County.

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

Ratified this the 3d day of March, A.D. 1923.

CHAPTER 489

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF ANSON COUNTY TO DISCONTINUE THE MAINTENANCE OF THE CHAIN-GANG OF SAID COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the board of county commissioners of Anson County be and they are hereby authorized in their discretion to discontinue the maintenance of the chain-gang in said county, created by sections eight, nine, ten, and eleven, chapter five hundred and seventy-one of the Public Laws of one thousand nine hundred and seven.
Sec. 2. When the maintenance of said chain-gang shall have been discontinued, as herein authorized, the board of commissioners of said county shall have the authority to transfer all prisoners at work upon said chain-gang, and heretofore sentenced to a term of labor upon the same by any court in the State having authority to sentence prisoners to a term of labor upon said chain-gang, to any other chain-gang in any county or road district in the State to which the courts of this State are authorized to sentence prisoners to terms of labor thereon. The board of commissioners are authorized, in such event, to arrange with the county commissioners or other governing authorities of such chain-gangs for the reception of such prisoners, and when such a transfer shall have been made the board of commissioners of Anson County shall issue a commitment to the superintendent or other person in charge of said chain-gang to which such prisoner or prisoners may have been transferred, and such commitment shall be personally directed to such superintendent or other authorities over the chain-gang to which said prisoners are transferred, which commitment shall recite the terms of labor to which each prisoner has been sentenced to the chain-gang of Anson County, and the time upon which each sentence began and the termination thereof; said commitment shall be signed by the chairman of the board of commissioners of Anson County and attested by the secretary to said board, with official seal thereto attached. When said prisoners have been so transferred, the superintendent, or other authorities in charge of said chain-gang to which such prisoners have been transferred, shall receive the same, and such prisoners, upon being so received, shall continue to work upon the chain-gang to which they have been transferred until the expiration of their terms of labor:

Provided, however, that nothing herein shall be construed to deprive such prisoners of the right to have their term of sentence commuted, as now provided by law, for good behavior. Upon the transfer of such prisoners to any chain-gang, as herein authorized, the judgment of the court imposing their respective terms of labor upon the chain-gang of Anson County shall have the same force and effect as if the original judgment of said court had sentenced such prisoner or prisoners to a term of labor upon the chain-gang to which they are transferred.

Sec. 3. Upon the discontinuance of said chain-gang, the judges of the Superior Court of Anson County, and all justices of the peace and mayors of towns in said county, may sentence all prisoners convicted of crimes in their respective courts and in their respective jurisdictions, to any chain-gang in the State of North Carolina now authorized and empowered to receive prisoners convicted of crimes in the State of North Carolina.

Sec. 4. The board of commissioners of Anson County are authorized to receive from the governing authorities or county
commissioners in charge of the chain-gang to which such prisoners are transferred such sums of money as may be agreed upon to be paid to the commissioners of Anson County to discharge in whole or in part the costs in the criminal action in the proceeding in which the prisoner shall have been tried and convicted or entered a plea of guilty.

Sec. 5. Nothing herein contained shall be construed to repeal the tax levy authorized by section one of chapter five hundred and seventy-one of the Public Laws of one thousand nine hundred and seven, or acts amendatory thereto, and all taxes levied and collected under the authority of said act or acts, upon the discontinuance of said chain-gang, shall be used and appropriated to the construction and maintenance of the public roads of Anson County, as now provided by law.

Sec. 6. Nothing herein shall be construed to abridge the authority now vested in the judges of the Superior Court of Anson County to sentence persons convicted of crimes in the Superior Court of said county to the State's Prison, as now provided by law.

Sec. 7. All laws and clauses of laws in conflict with this act, to the extent of such conflict, are hereby repealed.

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

Ratified this the 3d day of March, A.D. 1923.

CHAPTER 490

AN ACT TO PROTECT FISH AND GAME IN HAYWOOD COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That for the purpose of carrying out the provisions of this act, the board of county commissioners of Haywood County shall on the first Monday in April, one thousand nine hundred and twenty-three, and annually thereafter, appoint a chief game warden for Haywood County, whose duty it shall be to diligently enforce the game and fish laws of Haywood County as herein set forth, and all other game or fish laws applicable to said county, either general or special; and it shall further be the duty of the chief game warden to appoint as many deputy game wardens throughout the county as he may deem necessary.

Sec. 2. Every warden or deputy warden so appointed shall, before entering upon the duties of his office, take and subscribe before the clerk of the Superior Court of Haywood County an oath to perform the duties of his office, together with those subscribed for police officers, and execute a bond in the sum of fifty Bond.
Oath and bond recorded.
Fee for recording.

Duty of warden and deputies.
Power and authority as of sheriff.

Tax fees on convictions.

Hunters or fishermen to obtain license.
Form and duration.

Duplicate.
Copy filed with register of deeds.
Fee for license.

Proviso: exemptions.

Pay of warden and deputies.

Surplus to school fund.
Proviso: advertisement of game laws.
Allowance for advertising and enforcing law.

Hunting without permission.

Open season.
Deer.
Bag limit.

Feathered game.

Dollars for the faithful performance of his duties. Said oath and bond shall be recorded by the said clerk of Haywood County, and who shall not charge more than fifty cents for administering and recording said oath. It shall be the duty of all wardens and deputy wardens to arrest all violators of this act, and they shall have the same powers and authority as the sheriff and deputy sheriffs of Haywood County in so far as the enforcement of this act is concerned.

Sec. 3. That the chief game warden, or his deputies, for each conviction under the game laws secured by such warden, shall receive the sum of five dollars, to be charged in the bill of costs in addition to the fees allowed by law for serving process and other acts as constable in connection with any indictment or prosecution for violation of any game laws in Haywood County.

Sec. 4. That any person desiring to hunt or fish in Haywood County who is not a resident of said county shall first obtain a license from the clerk of the Superior Court of said county, which license shall be on a regular printed form, and shall be good for one year from date of issue. And such license shall be issued in duplicate and a copy thereof filed with the register of deeds; and the fee for such license shall be the sum of fifteen dollars, which sum shall be paid to the clerk of the Superior Court and by him to the county treasurer: Provided, that this act shall not apply to persons owning real estate in said county, or to members of their immediate families, or to the bona fide guests of any landowner in said county, either resident or nonresident, hunting or fishing on his or their own premises.

Sec. 5. That the county commissioners shall pay over to the chief game warden and his deputies the license fees collected as provided in this act, or so much thereof as shall be a just compensation for their services, which fees, with the five dollars for each conviction as provided in section three of this act, shall constitute their compensation except as hereafter provided, and any surplus remaining thereafter shall revert to the school fund: Provided, that the county commissioners shall duly advertise such game laws and may allow out of the general fund of said county a sum not to exceed one hundred dollars per annum for the expense of advertising such laws and providing means for enforcing the same.

Sec. 6. That it shall be unlawful for any person or persons to hunt, trap, or fish upon the lands of another without first having obtained the permission of the owner of such lands or his authorized representatives.

Sec. 7. That the open season for hunting and fishing in Haywood County shall be as follows: (1) For deer, from November first to December thirty-first, inclusive, and no person shall kill more than two deer, both of which shall be bucks, in any one season. (2) For quail, partridge, pheasant, wild turkey, wood-
cock, and doves, from November fifteenth to January fifteenth, both dates inclusive, and no person shall kill more than fifteen quail or partridge or doves in any one day, or more than seventy-five in any one season, nor more than four pheasants or woodcock in any one season, nor more than two wild turkey in one season: Pro-vided, that no wild turkey shall be killed or taken before Novem-ber fifteenth, one thousand nine hundred and twenty-six. (3) For squirrels, from September fifteenth to December thirty-first, inclusive: Provided, that squirrels may be killed out of season when destroying growing crops. (4) Speckled or brook trout may be taken only between April fifteenth and July fifteenth, inclusive, and no one person may catch more than twenty-five in any one day, nor more than two hundred in any one season, and any trout under six inches in length shall be immediately put back into the stream, and trout may be taken with hook and line only, and in no other manner whatsoever.

Sec. 8. That it shall be unlawful for any person to set any steel trap, dead fall, snare, net, pen, fish basket, or gill net, or any device whatsoever for catching wild animals, birds, or fish: Pro-vided, that rabbit gums or boxes shall not be so considered; and Provided further, that a landowner may set such traps on his own premises in the protection of his own growing crops or poultry.

Sec. 9. That any person violating the preceding sections of this act shall be guilty of a misdemeanor, and shall, upon conviction be fined not less than five dollars nor more than fifty dollars for each and every offense.

Sec. 10. It shall be unlawful for any person, firm, or corpora-tion to sell, offer for sale, or to have in possession for the purpose of sale, either directly or indirectly, any deer or part thereof, any partridge or quail, pheasant, wild turkey, or doves, or any brook or speckled trout, or any California or Rainbow trout, and it shall further be unlawful for any such person, firm, or corporation to ship, convey, transport, or cause to be shipped, transported, or conveyed in any manner whatsoever out of Haywood County for the purpose of sale any such game or fish, and any person so doing shall be guilty of a misdemeanor, and shall upon conviction be fined not less than twenty-five dollars nor more than one hundred dollars for each and every offense.

Sec. 11. That it shall be unlawful for any person or persons to take or catch any trout, bass, or other game fish with nets or seines, or to shoot the same on their beds when spawning. That it shall further be unlawful to kill any such fish with dynamite or other explosives; and any person violating the provisions of this section shall be deemed guilty of a misdemeanor, and shall upon conviction be fined not less than fifty dollars nor more than one hundred dollars, or imprisoned not less than thirty days nor more than six months, in the discretion of the court.
Sec. 12. That all laws and clauses of laws in conflict with this act are hereby repealed.

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

Ratified this the 3d day of March, A.D. 1923.

CHAPTER 491

AN ACT TO AMEND HOUSE BILL 801, SENATE BILL 555, BY STRIKING OUT THE WORD "TWENTY-FIVE" IN SECTION 2, AND INSERTING IN LIEU THEREOF THE WORD "TWENTY-FOUR."

The General Assembly of North Carolina do enact:

Section 1. That section two in House Bill number eight hundred and one and Senate Bill number five hundred and fifty-five be and is hereby amended by striking out the word "twenty-five" and inserting in lieu thereof the word "twenty-four."

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

Ratified this the 3d day of March, A.D. 1923.

CHAPTER 492

AN ACT TO EMPOWER THE BOARD OF DRAINAGE COMMISSIONERS TO ISSUE AND SELL BONDS FOR MAINTENANCE OR IMPROVEMENTS OF THEIR DISTRICT.

The General Assembly of North Carolina do enact:

Section 1. That the board of drainage commissioners for any drainage district heretofore or that may hereafter be formed shall have the right to issue and sell bonds for the maintenance or improvements of their district, if in the opinion of said board of drainage commissioners that it would be an unreasonable burden on any of the landowners of said district to levy an assessment as heretofore provided in section twenty-nine, chapter four hundred and forty-two, Public Laws of nineteen hundred and nine, and amendments thereto, sufficient to do the necessary maintenance or improvement: Provided, that the board of drainage commissioners shall first petition to the clerk of the Superior Court of the county in which their drainage district was formed, setting forth the facts that the canals in their district are not sufficient to afford proper drainage, and that in the opinion of the board the said canals need to be recleaned, widened, deepened, or lengthened, or that additional canals should be cut in certain places, and that
the said work will cost more than an average of one dollar ($1) per acre for all of the lands in the district, and to raise such an amount by levying one assessment would be an unreasonable burden on a part of the landowners of their district, and they ask the court to allow them to issue and sell bonds for a sufficient amount to do the work which is needed to be done.

SEC. 2. Immediately after the presentment of such a petition the clerk shall appoint a board of viewers (of the same qualifica-
tions as is required when a drainage district is first formed) to view the said district over and report to him (not later than twenty days from date appointed) whether or not any or all of the work asked for in the petition should be done, and whether or not the cost of the work which should be done would be an unreasonable burden on any of the landowners if collected by one assessment, or would it be better to allow a bond issue to cover the work.

SEC. 3. If the board of viewers do not favor the bond issue, it will be the duty of the clerk to not allow same, but the petition may be presented again any time after six months. If the board of viewers report that a bond issue is preferable, the clerk shall order the board of viewers to make a profile, the same as is required when a district is first formed, and if it is the opinion of the board of drainage commissioners that on account of subdivisions a new map of the district should accompany the profile, then the clerk shall order the board of viewers to make a new map of the district showing the present landowners, and to reclassify all land which has been subdivided since the original map was made which has not heretofore been reclassified. Said map and profile shall show the total acres in each class for each tract, whether it has been subdivided or not, to be the same as was shown on the original map before the lands were subdivided. It shall also be the duty of the board of viewers to change any line between two (2) or more landowners, which can be proven to their satisfaction was not correctly shown on the original map, but the total acres of each class for the two (2) or more tracts combined must be the same as was shown by the original classification. Said map and profile shall be filed with the clerk, together with an estimated cost of the work to be done; they shall be filed with the clerk in the same time and same manner as is required when a district is first formed.

SEC. 4. Any one owning land which has been reclassified by the board of viewers that is dissatisfied with their classification shall have the same redress as has heretofore been provided, where divisions of classification has been made by a petition to the clerk or otherwise.

SEC. 5. If in the opinion of the board of drainage commissioners it would help the sale of the maintenance or improvement bonds,
or they would deem it necessary under the provisions of section fourteen, chapter one hundred fifty-two, Public Laws of nineteen hundred and seventeen, they may, with the approval of the clerk of Superior Court, add to the amount estimated by the board of viewers a sufficient amount to pay off all outstanding obligations of the district, leaving this their only bond issue.

Sec. 6. The compensation of the board of viewers and their assistants, together with all other expenses in connection with this bond issue, shall be paid in the same manner. The duties and powers of the clerk, and the duties and the powers of the board of drainage commissioners, the bonds shall be advertised and sold, divided into such annual installments, bear such a rate of interest, the landowners shall be given the same notices and same rights to pay cash, the contract shall be let and supervised, and contractor paid the same as if this was the original bond issue.

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

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

Ratified this the 3d day of March, A.D. 1923.

CHAPTER 493

AN ACT TO PROVIDE FOR AN ELECTION BY DIRECT VOTE OF SCHOOL COMMITTEEEMEN IN ANY LOCAL-TAX DISTRICT IN MARTIN COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Section 1. That any local-tax school district in Martin County, North Carolina, may elect school committeemen or boards of trustees by a direct vote of the qualified voters in the said school district, under the following rules and regulations: Upon petition of one-fourth of the qualified voters in said district presented to the board of education of said county, said board shall call and hold an election in said district as provided for holding elections in cities and towns, and said board of education may in its discretion order an increase in said district board from three to five, provided the desire for this increase is set out in the said petition.

Sec. 2. This election shall be held under rules and regulations as provided for holding all other elections in cities and towns, except that no registration shall be required, and each resident or elector in the district who voted in the preceding State election shall be deemed an elector and entitled to cast a vote.

Sec. 3. The election herein referred to shall be held on the Tuesday after the first Monday in May, and each school committeeman so elected shall hold office for a period of two years, or until his or her successor is elected and qualified.
Sec. 4. That the result of this election shall be reported to the county board of education, whereupon the county board of education shall declare the result and duly enter the names of the school committeemen so elected upon the records of the county board of education, and every committeeman so elected shall be deemed to have all powers and rights vested in school committeemen under the Public Laws of North Carolina.

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

Ratified this the 3d day of March, A.D. 1923.

CHAPTER 494

AN ACT TO AMEND SECTION 1 OF CHAPTER 737 OF THE ACTS OF THE GENERAL ASSEMBLY OF 1913, RELATING TO THE COMPENSATION OF THE OFFICIAL COURT STENOGRAPHER OF FORSYTH COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section one, chapter seven hundred and thirty-seven of the Public-Local Laws of one thousand nine hundred and thirteen, be and the same is hereby amended by striking out in line five thereof the words "seventy-five," after the word "than" Salary, and before the word "dollars," and insert in lieu thereof the following: "one hundred and twenty-five."

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.

Ratified this the 3d day of March, A.D. 1923.

CHAPTER 495

AN ACT TO AMEND SECTION 16 OF CHAPTER 520 OF THE ACT OF THE GENERAL ASSEMBLY OF 1915, RELATING TO THE COMPENSATION OF THE OFFICIAL COURT STENOGRAPHER OF FORSYTH COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section sixteen, chapter five hundred and twenty of the Public-Local Laws of one thousand nine hundred and fifteen, be and the same is hereby amended by striking out in line seven thereof the word "exceeding" after the word "not" and before the words "seventy-five," and in lieu thereof insert the following: "less than."
Repealing clause.

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.

Ratified this the 3d day of March, A.D. 1923.

CHAPTER 496

AN ACT TO PLACE THE SHERIFF, THE CLERK OF THE SUPERIOR COURT, AND THE REGISTER OF DEEDS OF TYRRELL COUNTY ON SALARIES.

The General Assembly of North Carolina do enact:

Section 1. That the sheriff of Tyrrell County shall receive for his services fifteen hundred dollars annually, payable monthly by the county commissioners of said county, and in addition thereto the usual process fees, and for his services the said sheriff shall receive no other compensation whatsoever.

Sec. 2. That the clerk of the Superior Court of Tyrrell County shall receive one thousand dollars per annum for his services, payable monthly by the county commissioners of said county, and for his services as said clerk shall receive no other compensation whatsoever.

Sec. 3. That the register of deeds of Tyrrell County shall receive for his services one thousand dollars per annum, payable monthly by the county commissioners of said county, and for his services as said register of deeds shall receive no other compensation.

Sec. 4. All fees received by the sheriff, clerk of the Superior Court, the register of deeds of Tyrrell County, except process fees received by said sheriff, shall be faithfully collected by said officers and turned over to the board of county commissioners of said county, and shall go to increase the county funds.

Sec. 5. That at the general election to be held in November, one thousand nine hundred and twenty-four, the county board of elections of Tyrrell County shall submit to the qualified voters of Tyrrell County the question as to whether the officers referred to in this act shall receive compensation by salaries as herein provided.

Sec. 6. That for this purpose the county board of elections of Tyrrell County shall print, or cause to be printed, at the expense of the county, and distributed to the registrars of the several voting precincts with the official ballots of the candidates for county offices, ballots containing the words "For salaries," and other ballots containing the words "Against salaries." The said county
1923—Chapter 496—497

board of elections shall also provide a separate box for each voting precinct labeled "For fees or salaries," into which those persons desiring to vote for salaries shall cast a printed ballot with the words "For salaries" thereon, and those with a contrary opinion may cast a printed ballot with the words "Against salaries" thereon.

Sec. 7. That the said election shall be held and the votes returned, compared, counted, and canvassed, and the result announced under the same rules and regulations as are in force at the same general election for returning, comparing, counting, and canvassing the votes for the representatives in the General Assembly; and if a majority of votes be cast "For salaries," then this act shall be in full force and effect from and after the expiration of the present term of the incumbent of each of the above offices.

Sec. 8. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

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

Ratified this the 3d day of March, A.D. 1923.

CHAPTER 497

AN ACT TO ECONOMIZE AND EQUALIZE SCHOOL ADVANTAGES IN CARTERET COUNTY, AND BY SUBMITTING THE SAME TO VOTE OF THE PEOPLE IN SAID COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That upon the written request of one-fifth of the qualified voters of Carteret County outside of the graded school districts of Morehead City and Beaufort, the board of county commissioners of said county shall call an election for the purpose of submitting to the qualified voters of said county the question of whether or not there shall be levied and collected annually, in addition to all other taxes authorized, a special tax of not to exceed fifty cents on the one hundred dollars worth of property, observing the constitutional ratio and the constitutional limitation on poll tax, in order to increase the school term of said county, to equalize school advantages in the county, to provide adequate buildings and equipment, and to pay principal and interest on debts assumed from districts as hereinafter provided.

Sec. 2. The rules governing the election shall be as near as may be the "Rules governing elections for local taxes," and those in favor of the ratification of this act shall vote a ticket on which shall be written or printed "In favor of economizing and equalizing school advantages in Carteret County," and those opposed to the ratification of the act shall vote a ticket upon which shall be
written "Against economizing and equalizing school advantages in Carteret County." The territory included in this act shall be all of that part of Carteret County not included in the special chartered districts of Morehead City and Beaufort Graded Schools. It shall be left to the discretion of the board of trustees of these two graded school districts on petition of one-fifth of the qualified voters therein as to whether or not either or both shall vote on the question of becoming a part of the territory mentioned above. In case either or both of these districts should want to vote in a separate election on the question of whether or not the said district should become a part of said territory, either at the same time the election is held in the rest of the county or at any later date, either of said districts is authorized to petition the county commissioners, through its board of trustees, to call an election for that purpose in either or both of said graded school districts under the "Rules governing special tax elections," and if a majority of the qualified voters cast their ballots in favor of it, then the said graded school district so voting shall become a part of the territory, and such election, if carried, shall serve to repeal the charter of such district and put the school therein under the county school system.

Sec. 3. If a majority of the qualified voters at said election shall vote in favor of the additional school tax, the board of county commissioners shall annually thereafter levy throughout the territory included under said election, at the same time and in the same manner other taxes are levied, so much of the said tax as may be recommended by the board of education, and the same shall be levied and collected annually on all real and personal property in the territory mentioned in article two, and the same shall be paid over to the treasurer of the county school fund and used by the board of education for the purpose as mentioned in section one of this act.

Sec. 4. If a majority of the qualified voters favor the special county tax, then it shall operate to repeal all local school taxes heretofore voted in all local tax, special school taxing districts, and all special chartered districts included in said territory as provided in section two of this act; and all indebtedness, bonded and otherwise, of such districts shall be assumed by the county board of education; and the indebtedness, including the interest and sinking fund on said bonds, shall be paid out of the revenue derived from the additional school tax levied under this act, and in order that the board of education may be able to provide adequate buildings, school sites, and necessary equipment for the county school system, they are hereby empowered to borrow money and give their note or notes, which may in their discretion be issued in serial form with coupons attached, running not longer than twenty-five years, with no subsequent installments more than
three times greater than any prior installment, and the principal and interest on such loans shall be paid out of the levy herein authorized.

Sec. 5. That if this act is approved by a majority of the qualified voters, then it shall become the duty of the county board of education in so far as is practical, and as rapidly as possible, to equalize school advantages in every section of the said territory, and to this end the county board of education is authorized to provide at public expense, as a charge against the fund derived from the provisions of this act, to transport those children who live beyond a reasonable walking distance of a public school. It shall also be the duty of the county board of education, as early as possible and as far as practical, to provide all those who have completed the grammar school with good high school facilities, either by having a high school in walking distance or by transporting the pupils to a high school.

Sec. 6. That this act shall not operate to reduce the funds which are now provided or may hereafter be provided by the Legislature for operating the schools for a period of six months, but shall be an additional amount to be used for the purpose of increasing the school term, to equalize school advantages in the territory embraced, to provide adequate buildings and equipment, and to pay interest and principal on the debt and bonds assumed from the districts as hereinbefore provided.

Sec. 7. It shall be the duty of the school committee of each district to meet each year at the call of the chairman at least one month before the usual time for the preparation of the annual budget by the county board of education, to consider the needs of the school or schools in each respective district during the succeeding year, and it shall report its findings and recommendations to the county board of education, and the salaries of all teachers, principals, and superintendents in the county shall be governed by a salary schedule adopted by the county board of education in accordance with law authorizing county boards of education to adopt a salary schedule for teachers.

Sec. 8. This act shall not interfere in any way with the organization of schools of the county as provided in the general law; but if this act is approved by the qualified voters, the county board of education, within its discretion, shall have the authority of appointing five instead of three committeeemen for any school district: Provided further, that this act shall not apply to Louisville School District.

Sec. 9. That an election may be held under this act until ratified by a majority of the qualified voters as often as a petition signed by one-fifth of the qualified voters in said territory may request. The expenses of holding an election or elections under this act shall be paid out of the general school fund of Carteret County.
Sec. 10. That all laws and clauses of laws inconsistent with this act are hereby repealed, and this act shall be in force from the date of its ratification.

Ratified this the 3d day of March, A.D. 1923.

CHAPTER 498

AN ACT TO FIX SALARIES FOR THE PUBLIC OFFICERS OF BRUNSWICK COUNTY.

The General Assembly of North Carolina do enact:

Section 1. The sheriff of Brunswick County may appoint one or more deputies in each township in the county and may allow such deputies the fees made and collected by them in serving subpoenas, notices, and process of all kinds, and all fees and commissions made and collected by them from executions: Provided, nothing herein shall excuse the sheriff from serving executions and accounting for all fees and commissions thereon.

Section 2. All other fees, commissions, profits, and emoluments now belonging or appertaining to, or hereinafter by any law belonging to or appertaining to, the sheriff by virtue of his office shall be faithfully collected by him and turned over to the treasurer or financial agent of Brunswick County, and shall go to increase the county fund.

Section 3. That the said sheriff shall receive a salary of two thousand five hundred dollars per annum, and shall continue to receive the amount now allowed by law for the capture of illicit whiskey stills, and he may appoint one deputy at a salary to be fixed by the board of county commissioners.

Section 4. The clerk of the Superior Court of Brunswick County shall receive a salary of one thousand eight hundred dollars per annum in lieu of all other compensation whatsoever.

Section 5. The register of deeds of Brunswick County shall receive a salary of two thousand dollars per annum, and shall be allowed one clerk or assistant at a salary to be fixed by the board of county commissioners.

Section 6. The board of county commissioners may at their discretion increase the salary of any officer hereinbefore mentioned: Provided, said increase shall not exceed five hundred dollars per annum.

Section 7. The officers hereinbefore mentioned shall faithfully perform all duties of their several offices imposed upon them by law, and shall receive no other compensation or allowance whatsoever from any extra additional service rendered to the county or State or other governmental agencies, and they shall be liable to all the pains and penalties now or hereafter provided by law for failure to perform the duties of their several offices.
Sec. 8. The officers herein mentioned and provided for by this act shall collect all fees, commissions, emoluments of every kind belonging to their respective offices, and shall pay over the same to the treasurer or financial agent of Brunswick County, who shall hold the same as a part of the general county fund and subject to such orders as may be made by the board of county commissioners of said county.

Sec. 9. The salaries herein provided for shall be paid by the treasurer or financial agent of Brunswick County upon warrant or order from the board of county commissioners of Brunswick County to the said officers and deputies or assistants in monthly installments.

Sec. 10. The officers hereinafter required to turn over to the treasurer or financial agent of Brunswick County moneys coming into their hands shall make settlement with said treasurer or financial agent on the first day of every month, and the county commissioners may at any time require said officers, or any of them, to exhibit to them all books and accounts showing all moneys turned over to the treasurer or financial agent under the provisions of this act.

Sec. 11. Any officer, clerk, deputy, or assistant herein mentioned or provided for who shall willfully fail or refuse to collect the full fees, commissions, or emoluments of any kind belonging to his office shall be guilty of a misdemeanor.

Sec. 12. That at the expiration of the sheriff's term of office he shall turn over to his successor in office all the uncollected taxes, and his successor shall collect the same, and it shall be the duty of the county commissioners of Brunswick County to settle with the outgoing sheriff at the expiration of his term.

Sec. 13. It shall be the duty of the board of county commissioners of Brunswick County to furnish the clerk of the Superior Court of said county a book of sufficient size that he shall enter the hours and date of probates, with the character of the instrument, the names of the grantor and grantee, and the amount of the fees for such probate; and shall also furnish to the register of deeds of Brunswick County a book of sufficient size that he shall enter the hour and date of filing, the character of the instrument, the names of the grantor and grantee, and the amount of recording fees for all instruments in law required to be registered. The board of county commissioners of Brunswick County shall furnish the officers provided for in this act all necessary stationery and stamps required in the discharge of their respective duties.

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

Sec. 15. That this act shall be in force and effect from and after December the first, one thousand nine hundred and twenty-four.

Ratified this the 3d day of March, A.D. 1923.
CHAPTER 499

AN ACT TO RESTORE THE OFFICE OF COUNTY TREASURER IN JOHNSTON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the office of county treasurer for Johnston County is hereby created, restored, and reestablished, the said office to be subject to all the provisions under chapter twenty-six of the Consolidated Statutes.

Sec. 2. That the salary of the said treasurer shall be fixed by the county commissioners of Johnston County, same to be paid out of the general fund of the county.

Sec. 3. That the county commissioners of Johnston County are hereby directed to elect a treasurer to hold and occupy and discharge the duties of the office hereby created until the next general election, and the said officer shall take his oath and qualify and enter upon the duties of his office first of May, one thousand nine hundred and twenty-three, and hold the same until the first Monday in December, one thousand nine hundred and twenty-five. That his successors in office shall be elected under the election laws of this State.

Sec. 4. That the word "Johnston" in the first line of section four of chapter two hundred and sixty-two, Public-Local Laws of one thousand nine hundred and fifteen, be and the same is hereby stricken out.

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

Sec. 6. This act shall be in force from and after its ratification. Ratified this the 3d day of March, A.D. 1923.

CHAPTER 500

AN ACT TO EQUALIZE SCHOOL ADVANTAGES IN JOHNSTON COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of equalizing school advantages in Johnston County all of said county, except the special chartered school districts in which the towns of Smithfield, Selma, and Clayton are situated, is hereby declared to be a special school taxing district.

Sec. 2. That upon the written petition of the county board of education of Johnston County setting out definitely the boundaries of said special school taxing district, the board of county commissioners of said county shall call an election and, after thirty days
notice, which shall be given by publication at least three times in
some newspaper published or circulating in the said special school
taxing district, submit to the qualified voters of the special school
taxing district, created in section one of this act, the question of
whether there shall be levied and collected annually a special tax
not exceeding thirty cents on the hundred dollars valuation of
property to supplement the six months public school term, equalize
educational advantages within the said special school taxing dis-
trict, and provide a sufficient tax to pay the interest and create a
sinking fund or funds to retire the bonds assumed by the said
special school taxing district, as hereinafter provided. The board
of county commissioners shall order a new registration, appoint
registrars, judges of election, designating the voting precincts, and
the election shall be conducted as nearly as may be according to
the laws governing general elections. Those who favor the levy
and collection of this equalizing tax shall vote a ballot on which
shall be written or printed the words "For reducing all local
school taxes and adopting a county-wide equalizing tax:" and all
those who are opposed, a ballot on which shall be written or
printed the words "Against reducing all local school taxes and
adopting a county-wide equalizing tax." The registrars and
judges of election shall certify the results to the board of county
commissioners, who shall canvass and judicially determine the
results of said election when the returns have been filed with them
by the officers holding the election, and shall record such deter-
mination on their records: Provided, the county board of educa-
tion may wish for good and sufficient reason to withdraw the
petition before the close of the registration books, in which case
said election shall not be held.

Sec. 3. That if a majority of the qualified voters of said elec-
tion shall favor the reducing of all local school taxes and adopt a
county-wide equalizing tax, the board of county commissioners
shall annually thereafter levy this equalizing tax at the rate
requested by the county board of education of Johnston County
not inconsistent with maximum rate fixed in section two of this
act, and that said tax shall be levied and collected annually on
all real and personal property and all polls in said special school
taxing district, observing the constitutional ratio of the constitu-
tional limitation on poll tax.

Sec. 4. That if a majority of the qualified electors in said special
school taxing district created in section one of this act favor the
reducing of all local school taxes and adopting a county-wide
equalizing tax, then said tax shall be levied and collected uni-
formly throughout said special school taxing district in the same
manner that other taxes of Johnston County are levied and
collected, and shall be paid over to the treasurer of the school
fund, and shall be used by the county board of education for the
Proviso: no commissions allowed.

Reduction of local school taxes.

Basis of reduction.

Proviso: debts assumed by special school taxing district.

Payment.

Proviso: taxes continued until debt paid.

Equalization of advantages.

Transportation furnished.

High school facilities.

Special tax by individual school.

Operation of State funds not interfered with. Additional tax. Purpose.

benefit of the schools in the territory embraced in the petition requesting the election under this act: Provided, that there shall not be charged against this fund any commission by the sheriff for collecting or by the treasurer for disbursing same.

Sec. 5. That if a majority of the qualified electors favor the reducing of all local school taxes and adopting a county-wide equalizing tax, then it shall operate to reduce all local school taxes heretofore voted by any local tax district or special chartered district situated in the territory embraced in the petition requesting the election under this act by the amount levied by the board of education under authority of this act except as hereinafter specified: Provided, that all indebtedness, pending or otherwise, of the special tax districts and special chartered districts in said special school taxing district shall be assumed by the county board of education and the indebtedness and the interest and sinking fund on bonds shall be paid out of the revenue derived from the tax levied under this act: Provided further, that in all special tax districts and special chartered districts embraced in the said special school taxing district which are now, or may be at the time of the election, indebted to the county board of education, for advances beyond the authorized appropriation for maintenance, shall not reduce the special taxes now being levied therein until all such indebtedness to the county board of education is liquidated.

Sec. 6. That if this act is approved by a majority of the qualified voters, then it shall become the duty of the county board of education to as rapidly as possible equalize school advantages in every section of the said special school taxing district, and to this end the county board of education is authorized to provide at public expense, as a charge against the fund derived from the provisions of this act, to transport those children who live beyond a reasonable walking distance of a public school. It shall also be the duty of the county board of education as early as possible to provide all those who have completed the grammar school with good high school facilities either by having a high school in walking distance or by transporting the pupils to a high school.

Sec. 7. That when this act shall have been ratified by a majority of the qualified voters at any time thereafter any school district in said special school taxing district may secure a school of nine months term by voting a sufficient special tax to provide a term of this length in the same manner as special taxes are voted at that time.

Sec. 8. That this act shall not operate to reduce the funds which are now provided or may hereafter be provided by the Legislature for operating the schools for a period of six months, but shall be an additional amount to be used for the purpose of securing better buildings and equipment and to lengthen the term beyond six
months and to provide salaries of teachers above the State salary schedule if the county board of education shall desire to do so: Provided, said increase in salaries shall be uniform and consistent with training, experience, and ability.

Sec. 9. That the expenses of holding the election under this act shall be paid out of the general school fund of Johnston County.

Sec. 10. That if a majority of the qualified voters of the said special school tax district shall ratify this act nothing herein shall prevent the provisions of "An Act to Promote the Building and Repairing of Schoolhouses in the County of Johnston," ratified by the General Assembly of North Carolina on the nineteenth day of December, one thousand nine hundred and twenty-one, from still remaining in force and being applicable to any school district in the said special school tax district.

Sec. 11. That no clause or section in "An Act to Amend the Consolidated Statutes and to Codify the Laws Relating to Public Schools," enacted by the General Assembly of one thousand nine hundred and twenty-three, shall repeal or amend any section of this act.

Sec. 12. This act shall be in force from and after its ratification. Ratified this the 3d day of March, A.D. 1923.

CHAPTER 501

AN ACT TO AUTHORIZE THE MOORE COUNTY HIGHWAY COMMISSION TO REGULATE TRAFFIC ON THE PUBLIC ROADS AND HIGHWAYS OF MOORE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the Moore County Highway Commission is hereby vested with power to regulate the use of and police traffic on the public roads and highways of Moore County, and to prevent their abuse by individuals, corporations, or public-service corporations, by heavy vehicles, trucks, tractors, trailers, or other heavy or destructive vehicles or machinery; that said highway commission is hereby authorized and empowered to adopt and establish orders, rules and regulations for carrying into effect and enforcing the power conferred on said commission by this section of this act.

Sec. 2. That any person, corporation or public-service corporation violating any order, rule or regulation established by the Moore County Highway Commission under and by virtue of the power vested in said commission by section one of this act shall be guilty of a misdemeanor.

Sec. 3. If it shall appear necessary to the Moore County Highway Commission, its officers, or appropriate employees, to close
any road or highway coming under its jurisdiction so as to permit of proper completion thereof, or proper repairs thereon, or to prevent unnecessary destruction thereof or injury thereto, said commission, its officers or employees, may close, or cause to be closed, the whole or any portion of such road or highway deemed necessary to be excluded from public travel. While any such road or highway, or portion thereof, is so closed, or while any such road or highway, or portion thereof, is in process of construction or maintenance or repair, said commission, its officers or appropriate employees, or its contractor, under authority of said commission, may erect, or cause to be erected, suitable barriers or obstructions thereof, may post, or cause to be posted, conspicuous notices to the effect that the roads or highway, or portion thereof, is closed, or may place, or cause to be placed, warning signs, lights or lanterns to indicate that such road or highway, or portion thereof, is closed. When such road or highway, or portion thereof, is closed to the public, any person who willfully breaks down, removes, injures or destroys any such barriers or obstructions, removes or destroys any such notices, or extinguishes, removes, injures or destroys any such warning signs, lights or lanterns, so erected, posted or placed, shall be guilty of a misdemeanor; that any person who shall knowingly drive on or over any public road or highway, or portion thereof, excluded from public travel, shall be guilty of a misdemeanor.

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

Ratified this 3d day of March, A.D. 1923.

CHAPTER 502

AN ACT TO CREATE THE OFFICE OF PURCHASING AGENT AND TAX SUPERVISOR FOR FORSYTH COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter three hundred and seven of the Public-Local Laws of one thousand nine hundred and thirteen, chapter one hundred and eighty-seven, Public-Local Laws special session of one thousand nine hundred and thirteen, chapter two hundred and thirty-seven, Public-Local Laws session one thousand nine hundred and fifteen, chapter three, Public-Local Laws session one thousand nine hundred and seventeen, chapter five hundred and ninety-four, Public-Local Laws session one thousand nine hundred and nineteen, be and the same are hereby repealed.

Sec. 2. That the office of purchasing agent and tax supervisor for Forsyth County is hereby instituted and created; and the salary for said office shall be twenty-four hundred dollars per annum, payable in monthly installments of two hundred dollars
1923—Chapter 502

585

each. The said official herein provided for shall furnish bond in some bonding company in the sum of five thousand dollars, payable to the county of Forsyth, 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 kind which may be recoverable against him for any negligence, default, malfeasance, or misconduct in office, premiums of said bonds to be paid by said county.

Sec. 3. It shall be the duty of the purchasing agent and tax supervisor of Forsyth 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 sheriff or tax collector of said county, and to perform all duties now or hereafter required by law in regard to making out the tax list of Forsyth County. He shall make out and prepare for publication all annual statements required by law of the different officers of the county: to investigate and inquire into all delinquent property, including polls, to be placed on the tax list: to keep a record of all real estate transferred, with prices paid for same, and to instruct tax-listers and assessors under the supervision and direction of the board of county commissioners of Forsyth County.

Sec. 4. That it shall be the duty of the purchasing agent and tax supervisor, under the direction of the board of county commissioners, to act as accountant for the county in settling with the county officers, to supervise, to scrutinize and examine at least once in every calendar month all books, accounts, receipts, and vouchers, and other records of all the county officers. Said purchasing agent and tax supervisor shall also examine the books and accounts of county commissioners, the highway commission, the county board of education, keeper of the reformatory, and keeper of the common jail, and every other institution and department to which the county contributes funds.

Sec. 5. That all persons or parties holding claims against the county, the highway commission, board of education, or any other institution in the county to which the tax money of the citizens is appropriated or paid, shall file their claims with the purchasing agent and tax supervisor at least ten days before the payment shall be made, and payment shall not be ordered until said claim is marked, “Allowed by the board of county commissioners”: Provided, that the board of county commissioners may in their discretion delegate to the purchasing agent and tax supervisor said authority, and said purchasing agent and tax supervisor is hereby authorized to administer oaths, on the verification of all claims, if he shall deem it necessary.

Sec. 6. That said purchasing agent and tax supervisor, under the direction of the board of county commissioners, shall open a set of books, which shall be kept in an accurate and intelligent manner, with an account for each county officer, the highway

Bond.

Premium on bond.

To make copy of tax list.

Deliver original to sheriff.

Duties in making out tax list.

Preparation of annual statements.

Investigate delinquent property and polls.

Records of real estate transfers.

Instruct tax-listers and assessors.

Accountant.

Examination of books of county officers monthly.

Examination of other books and accounts.

Claims to be filed.

Allowance by county commissioners.

Delegation of power.

To administer oaths.

Books of account with county officers and county boards and institutions.
commission, board of education, the county home, the county reformatory and common jail. The accounts with county officers shall show the monthly receipts of fees, fines, commissions and forfeitures, and the disbursements of the respective officers. The accounts of the highway commission, board of education, county home, and county reformatory and common jail shall show receipts and disbursements. Said purchasing agent and tax supervisor shall also at least twice each year examine the dockets of the justices of the peace. The books of the purchasing agent and tax supervisor shall always be open to public inspection.

SEC. 7. That it shall be the duty of the purchasing agent and tax supervisor, under the direction and supervision of the board of county commissioners, to act as general purchasing agent for any or all of the county departments or institutions under rules and regulations to be prescribed by the board of county commissioners.

SEC. 8. That it shall be the duty of the board of county commissioners to procure an audit of the various officers, institutions and departments of the county, as often as once a year, and oftener if in their discretion it appears advisable, and to pay for same out of any available funds at their command.

SEC. 9. That the county commissioners shall provide an office for the purchasing agent and tax supervisor, and shall furnish said office with such furniture, stationery and books as shall be necessary to conduct said office in accordance with the provisions of this act.

SEC. 10. That the board of county commissioners shall in their discretion provide and pay for such clerical assistance and legal advice and counsel as the purchasing agent and tax supervisor may need and require to aid him in carrying out the provisions of this act: Provided, all contracts for legal services shall first be submitted to and approved by the board of county commissioners.

SEC. 11. That R. C. Vaughan be and he is hereby elected purchasing agent and tax supervisor for the county of Forsyth for a term of two years from and after the ratification of this act and until his successor is elected and qualified: Provided, that the board of county commissioners may at any time remove from office said purchasing agent and tax supervisor for cause upon charges preferred; and Provided further, that at the expiration of the term of office herein fixed or in case of death, resignation or removal for cause upon charges preferred as above provided, it shall be the duty of the board of county commissioners to elect the successor to the said purchasing agent and tax supervisor.

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

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

Ratified this the 3d day of March, A.D. 1923.
CHAPTER 503

AN ACT TO AMEND SECTIONS 2114 AND 2116 OF THE CONSOLIDATED STATUTES, RELATIVE TO HUNTING SQUIRREL AND QUAIL IN WASHINGTON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section two thousand one hundred and fourteen of the Consolidated Statutes be amended by striking out after the word "Washington" the words "March one to December one," and inserting in lieu thereof the words "March one to October one."

Sec. 2. That section two thousand one hundred and sixteen of the Consolidated Statutes be amended by striking out after the word "Washington" the words "March one to October one," and inserting in lieu thereof the words "March one to November one."

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

Ratified this the 3d day of March, A.D. 1923.

CHAPTER 504

AN ACT FIXING THE COMPENSATION OF THE JUDGE OF THE JUVENILE COURT OF SURRY COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the clerk of the Superior Court of Surry County, acting as juvenile judge, shall receive a sum of not more than three hundred dollars per annum for all his services as juvenile judge, to be fixed by the board of county commissioners.

Sec. 2. That this act shall be in full force and effect from and after December first, one thousand nine hundred and twenty-three.

Ratified this the 3d day of March, A.D. 1923.

CHAPTER 505

AN ACT TO AMEND SECTION 4422 OF THE CONSOLIDATED STATUTES OF NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Section 1. That section four thousand four hundred and twenty-two of the Consolidated Statutes of North Carolina be amended by striking out the word "Forsyth" in line six thereof.

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

Ratified this the 3d day of March, A.D. 1923.
CHAPTER 506

AN ACT TO AMEND CHAPTER 487, PUBLIC-LOCAL LAWS 1921, RELATING TO CUMBERLAND COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That chapter four hundred and eighty-seven, Public-Local Laws of the General Assembly of North Carolina of one thousand nine hundred and twenty-one, be and the same is hereby amended by adding to section two thereof the following: Provided, that this act shall not apply to the city of Fayetteville.

Sec. 2. That this enactment amending said chapter four hundred and eighty-seven, Public-Local Laws of one thousand nine hundred and twenty-one, shall be in force from and after its ratification.

Ratified this the 3d day of March, A.D. 1923.

CHAPTER 507

AN ACT TO REGULATE TIME FOR JUSTICES OF THE PEACE IN COLUMBUS COUNTY TO FILE REPORT.

The General Assembly of North Carolina do enact:

Section 1. That all justices of the peace in Columbus County shall be required to file their report with the clerk of the court on January the first and July the first.

Sec. 2. That the justices of the peace failing to comply with the provisions of this act shall be fined according to the discretion of the court.

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

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

Ratified this the 3d day of March, A.D. 1923.

CHAPTER 508

AN ACT TO AMEND CHAPTER 385 OF THE PUBLIC-LOCAL LAWS OF 1921, RELATING TO PENSIONS FOR SCHOOL TEACHERS IN NEW HANOVER COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That chapter three hundred and eighty-five of the Public-Local Laws of one thousand nine hundred and twenty-one be and the same is hereby amended by inserting after the word
"retirement" and before the word "said" in the eleventh line of section three thereof the following: "Except in cases where any teacher, principal or superintendent has served for a period of twenty years prior to the fifth day of March, one thousand nine hundred and twenty-one, then and in such cases said teacher, principal and superintendent shall be paid one-half of the average annual salary for two years prior to said retirement."

Sec. 1 1/2. Every superintendent, principal and teacher retired under the provisions of the act of March fifth, one thousand nine hundred and twenty-one, and who has served for the period of twenty years prior to the fifth day of March, one thousand nine hundred and twenty-one, is entitled to all the benefits and increases provided in this act.

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

Ratified this the 3d day of March, A.D. 1923.

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CHAPTER 509

AN ACT TO AMEND CHAPTER 646. PUBLIC LAWS 1909, RELATIVE TO COURT STENOGRAPHER FOR GUILFORD COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That chapter six hundred and forty-six, Public Laws one thousand nine hundred and nine, be and the same is hereby amended by inserting between the word "day" and the word "for" in line four of section seven the words "or per month," and by adding at the end of section seven the words, "And there shall be taxed in each criminal and in each civil case docketed a fee of one dollar, which fee is to be applied to the payment of the per diem or salary of said stenographer by the board of county commissioners."

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

Ratified this 5th day of March, A.D. 1923.

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CHAPTER 510

AN ACT TO AUGMENT THE SALARY OF THE CLERK OF THE SUPERIOR COURT OF MITCHELL COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the county commissioners of Mitchell County are hereby authorized and directed to pay to the clerk of the Superior Court of Mitchell County the sum of five dollars per day
for each day in which said court is in session, for clerk hire in recording the minutes of said court, in addition to his regular fees.

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

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

Ratified this 5th day of March, A.D. 1923.

CHAPTER 511

AN ACT PROVIDING FOR A DOG TAX COLLECTOR FOR EACH TOWNSHIP IN VANCE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the county commissioners of Vance County be and they are hereby authorized and directed to appoint a dog tax collector for each township in Vance County.

Sec. 2. That said dog tax collector shall receive for his services twenty-five per cent of all amounts he shall collect as taxes on listed dogs, and fifty per cent of all amounts he shall collect as taxes on dogs not listed.

Sec. 3. That for failure to list a dog for taxes, there shall be required of and collected from the owner of said dog, in addition to the regular tax on said dog, as penalty, an amount equal to the regular tax.

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

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

Ratified this the 5th day of March, A.D. 1923.

CHAPTER 512

AN ACT TO AMEND HOUSE BILL 321, SENATE BILL 410, OF THE 1923 SESSION OF THE GENERAL ASSEMBLY, RELATING TO THE BETTER GOVERNMENT OF HERTFORD COUNTY, AND TO AMEND CHAPTER 347 OF THE PRIVATE LAWS OF 1921, RELATING TO THE PUBLIC ROADS OF SAID COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section six of chapter three hundred and forty-seven of the Private Laws of one thousand nine hundred and twenty-one be and the same is amended by inserting after the word "engineer," in line two thereof, the following words, "if any such engineer is appointed, and if not, may themselves."
Sec. 2. That section eight of said House Bill number three hundred and twenty-one, Senate Bill number four hundred and ten, relating to the better government of Hertford County, ratified in the session one thousand nine hundred and twenty-three of the General Assembly, be and the same is hereby amended by adding at the end of section eight thereof the following words, to wit: "Provided further, that such publication must be made in some newspaper having a bona fide list of at least five hundred subscribers."

Sec. 3. That all laws inconsistent herewith are hereby repealed. Repealing clause.

Sec. 4. That this act shall be in force from and after June first, one thousand nine hundred and twenty-three.

Ratified this the 5th day of March, A.D. 1923.

CHAPTER 513

AN ACT TO REPEAL CHAPTER 22 OF THE PUBLIC-LOCAL LAWS OF 1921, SESSION OF THE GENERAL ASSEMBLY OF NORTH CAROLINA, RELATIVE TO THE TERMS OF SUPERIOR COURT OF THE COUNTY OF RANDOLPH.

The General Assembly of North Carolina do enact:

Section 1. That chapter twenty-two of Public-Local Laws of one thousand nine hundred and twenty-one of the General Assembly of North Carolina be and the same is hereby repealed.

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

Ratified this the 5th day of March, A.D. 1923.

CHAPTER 514

AN ACT TO DIVIDE MARTIN COUNTY INTO FIVE DISTRICTS, FROM EACH OF WHICH SHALL BE ELECTED A MEMBER OF THE BOARD OF COUNTY COMMISSIONERS AND A MEMBER OF THE COUNTY BOARD OF EDUCATION.

The General Assembly of North Carolina do enact:

That for the purpose of having the county commissioners and board of education of Martin County a body representative of the whole county, the nomination of county commissioners and the county board of education for said Martin County shall be governed as follows:

Section 1. For effectuating the purpose of this act the county of Martin shall be divided into five districts, each of said districts to comprise two townships, as follows: Jamesville and Williams No. 1 district.
No. 2 district. townships shall constitute number one; Bear Grass and Griffins
townships shall constitute number two; Williamson and Poplar
Point townships shall constitute number three; Robersonville and
Cross Roads townships shall constitute number four; Hamilton
and Goose Nest townships shall constitute number five.

Sec. 2. That in the general primary or primaries held here-
after every two years preceding the general election, one can-
didate for the board of county commissioners and one candidate for
the county board of education, from each of the five districts
created by section one of this act, shall be nominated by the
qualified voters of the district participating in the said general
primary or primaries of each of the recognized political parties,
and should there be more than one candidate for such nomination
from any of the said recognized political parties from any of the
aforesaid five districts, that candidate from said district receiving
the highest number of votes in his district shall be declared the
nominee of his party from such district for election in the general
election as now by law provided; and that should any party fail
to nominate a candidate from each of the aforesaid districts as
above provided, then the executive committee of such party shall
name the nominee from said district, and such nominee shall be
voted on in the general election as the nominee of such party.

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.
Ratified this the 5th day of March, A.D. 1923.

CHAPTER 515

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COM-
MISSIONERS OF HAYWOOD COUNTY TO MAINTAIN A
COUNTY CONVICT FORCE.

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of building and maintaining
the public roads and bridges of Haywood County the board of
county commissioners is hereby authorized to maintain a county
convict force or chain-gang for the working of such prisoners as
may be sentenced to work on said roads from the county of Hay-
wood or from any other county.

Sec. 2. It shall be the duty of the board of commissioners to
equip such camps with such cages, buildings and camp equipment
as they may deem necessary for the comfort and health of such
prisoners, and they shall further keep such guards and other
employees as may be necessary, and they are fully authorized to
prescribe and enforce such rules and regulations as they may
deeem necessary for the government and discipline of such camps.
Sec. 3. That all male persons in Haywood County who may be convicted of crime by any court having jurisdiction or who may be under a jail sentence for any cause or who would otherwise be sentenced to the State's prison for a term of less than ten years, shall be assigned to work on the public roads of said county: Provided, said course shall be within the discretion of the trial judges after having been so requested by the board of county commissioners: Provided further, that in case of physical disability or contagious disease, certified to by the county physician, persons convicted in the Superior, criminal or inferior courts in the county may be sentenced to the penitentiary, the county jail or the county home.

Sec. 4. That it shall be lawful, upon application of the chairman of the board of county commissioners of Haywood County, for the judges of the Superior and criminal courts, or for justices of the peace, or for the officials of municipal courts or of other inferior courts, in any other counties that do not otherwise provide for the working of their own convicts, to sentence such prisoners to the roads of Haywood County, upon such terms and conditions as may be mutually agreed upon between the board of commissioners of Haywood County and the boards of such other counties: Provided, that nothing in this act shall be construed to be mandatory upon Haywood County to receive such prisoners when in the opinion of the board of commissioners the same is not to the best interest of the county or when such prisoner is physically unfit for labor or actively tubercular: Provided further, that undesirable prisoners may be returned to the jail of the county from which they came at the expense of Haywood County.

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

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

Ratified this the 5th day of March, A.D. 1923.

CHAPTER 516

AN ACT TO REGULATE THE OPERATION OF COTTON WAREHOUSES IN UNION COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That every person, firm or corporation owning, operating or conducting a warehouse, or warehouses, in which cotton bought by such person, firm or corporation is kept, or in which cotton is stored, shall keep a record showing the name of the person, firm or corporation from whom said cotton is bought or by whom same is stored, with the date of purchase or deposit for storage, and the amount paid for said cotton by said warehouseman in case of purchase.

38—Public-Local
SEC. 2. That said record shall be open to the inspection of the public, and the warehouseman shall permit inspection of same by any citizen, on demand, on any business day between the hours of ten a.m. and five p.m.

SEC. 3. That any person, firm or corporation violating any of the provisions of this act shall be guilty of a misdemeanor.

SEC. 4. This act shall only apply to Union County.

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

Ratified this the 5th day of March, A.D. 1923.

CHAPTER 517

AN ACT TO PROMOTE THE FISH INDUSTRY OF HENDERSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person to catch or take from any of the streams, lakes or ponds in Henderson County any fish of any kind whatever in any other way or manner than with hook and line or casting rod: Provided, that it shall not be unlawful to seine in French Broad River in said county. It shall, however, be unlawful to catch or take fish from said river with trap or basket in said county: Provided further, that individuals, firms or corporations owning or having leased ponds containing or stocked with fish, or which may hereafter be stocked with fish, shall have the right to take fish from said ponds in any manner they may see fit, and to catch or take from said ponds fish of any size whatever.

SEC. 2. That it shall be unlawful for any person to catch or take from any stream or streams in Henderson County more than fifteen trout in any one day.

SEC. 3. That it shall be unlawful for any person who catches or hooks any trout less than six inches in length to fail or neglect to carefully remove such trout from the hook with as little hurt or injury as possible, and place same back in the stream from which it was taken.

SEC. 4. That it shall be unlawful for any person or persons to use dynamite, lime, or any other such material or substance to kill fish, or render same helpless so that they may be caught or killed, in any stream in Henderson County.

SEC. 5. That a license tax of two dollars for each day, or ten dollars per month, shall be paid by all nonresidents of Henderson County who shall desire to fish in any of the streams of said county; said license tax to be paid to the tax collector of said county, together with a fee of fifty cents for the issuance of said
license. The said tax collector shall pay over all license moneys so collected by him to the county treasurer, to be paid out on order of the county commissioners in part payment of the salary of a game and fish warden for said county: Provided, that any nonresident who is the bona fide owner of lands in said county, upon which he desires to fish, shall not be required to obtain a license to fish thereon: Provided further, that any individual, firm or corporation owning or leasing any ponds or lakes in Henderson County containing or stocked with fish shall have the right to give a written permit to any person or persons, whether resident or nonresident, to fish in such ponds or lakes, and that in such cases no license tax shall be paid by such persons.

Sec. 6. That the board of county commissioners of Henderson County shall, whenever they deem it advisable to do so, employ a game and fish warden for said county, whose duty it shall be to see that the game and fish laws are strictly enforced. The said warden shall be paid a salary of not exceeding fifty dollars per month for his services, and all license taxes paid in to the county tax collector by nonresidents of said county, seeking the right to either hunt or fish in said county, shall be applied by the county commissioners toward the payment of said warden's said salary. The said board of county commissioners shall have the right at all times to employ said warden for as long a term as they may deem proper, each year, that is to say, said county commissioners shall have the right to employ and discharge said warden at any time they may see fit and proper to do so.

Sec. 7. That any person or persons violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be punished by fine or imprisonment in the discretion of the court.

Sec. 8. That this act shall apply only to Henderson County.

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

Ratified this the 5th day of March, A.D. 1923.

CHAPTER 518

AN ACT TO MAKE CHAPTER 606, PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION 1917, AND AMENDMENTS THERETO, APPLICABLE TO NEW HANOVER COUNTY, ENTITLED "AN ACT TO PROVIDE THE AUSTRALIAN BALLOT."

The General Assembly of North Carolina do enact:

Section 1. That chapter six hundred and six, Public-Local Laws of North Carolina, session one thousand nine hundred and seventeen, ratified the fifth day of March, Anno Domini one thou-
sand nine hundred and seventeen, and the amendment thereto, 
being chapter five hundred and sixty-seven, entitled An act amend-
ing chapter six hundred and six, Public-Local Laws, passed by 
the General Assembly of North Carolina at its session of one 
thousand nine hundred and seventeen, ratified on the fifth day of 
March, one thousand nine hundred and seventeen, entitled "An 
Act to Provide the Australian Ballot," be and the same is hereby 
made applicable to New Hanover County, and that all elections 
held in said county after the ratification of this act shall be held 
under the provisions of the laws herein specified.

Sec. 2. That all laws and clauses of laws in conflict with this 
act are hereby repealed, in so far and no further as the county 
herein mentioned is concerned.

Sec. 3. That this act shall be in force from and after its rati-
fication.

Ratified this the 5th day of March, A.D. 1923.

CHAPTER 519

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS 
OF DURHAM COUNTY TO SELL THE PRESENT SITE 
OF THE COUNTY HOME AND THE COUNTY FARM, AND 
TO AUTHORIZE SAID BOARD OF COMMISSIONERS TO 
PURCHASE A NEW SITE, AND TO ERECT THEREON A 
COUNTY HOME.

The General Assembly of North Carolina do enact:

SEC. 1. That the board of commissioners of Durham County 
be and it hereby is authorized and empowered to sell at public 
sale, after advertising once per week for four weeks in some 
newspaper published in Durham County, all or a part of the present 
site of the county home and county farm; that said board of 
commissioners is authorized and empowered to make sale of said 
property, for cash or upon such terms as it in its judgment deems 
wise and for the best interests of said county; that if in the 
judgment of a majority of the members of said board the best 
interests of the county so require, it may employ a selling agent 
to make sale of said property and may pay to said selling agent 
for services so rendered in subdividing and making sale of said 
property such amount as it may deem wise and for the best 
interest of said Durham County, but said amount not to exceed 
two and five-tenths per cent (2.5%) of the proceeds from said 
sale.

Sec. 2. That said board of commissioners of Durham County 
be and it hereby is authorized and empowered to purchase a site 
for and to erect thereon a county home at such place in Durham
County as it shall deem a proper and suitable place for said county home; that said board may select, decide upon and purchase said site at any regular meeting of the board or any special meeting called for that purpose, upon a vote of a majority of the members of said board, as to the property to be purchased and the price to be paid therefor; that said board may select and purchase said site after giving due notice thereof, and that it may select and purchase said site at any place in Durham County which it shall deem wise and a proper and suitable place; that when such site is selected and purchased, and a proper and suitable county home for the aged and infirm is erected thereon, all the inmates in the present county home shall be removed thereto; but nothing herein contained shall prevent securing options on a site without notice.

Sec. 3. That all laws and parts of laws in conflict herewith, whether such laws be public or private, are hereby repealed.

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

Ratified this 5th day of March, A.D. 1923.

CHAPTER 520

AN ACT TO REGULATE THE TRAFFIC ON THE STREETS AND PUBLIC HIGHWAYS OUTSIDE OF THE LIMITS OF ANY CORPORATE CITY OR TOWN IN FORSYTH COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the sheriff, deputy sheriff and constable of Forsyth County shall have full power and authority in relation to the management of traffic of vehicles, including street cars, and all street cars and other vehicles shall instantly stop when ordered to do so by any sheriff, deputy sheriff or constable. And the driver of any vehicle, including street cars, must at all times comply with any direction or command by the voice or hand of any sheriff, deputy sheriff or constable of Forsyth County, North Carolina, as to stopping, starting, approaching or departing from any place, the method of taking on and discharging passengers and the loading and unloading of freight. Any person or persons violating the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be fined not more than fifty dollars or imprisoned not more than thirty days.

Sec. 2. The provisions of this act shall not apply to any incorporated municipality in Forsyth County.

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

Ratified this the 5th day of March, A.D. 1923.
CHAPTER 521

AN ACT TO REPEAL "AN ACT TO PROMOTE THE TEACHING OF AGRICULTURE AND DOMESTIC SCIENCE IN THE PUBLIC HIGH SCHOOLS OF DURHAM COUNTY," AND TO PERMIT THE OPERATION OF FARM-LIFE SCHOOLS OF DURHAM COUNTY UNDER THE GENERAL STATE-WIDE LAW.

The General Assembly of North Carolina do enact:

Section 1. That chapter two hundred and twenty-nine of the Public-Local Laws of one thousand nine hundred and thirteen, ratified March first, one thousand nine hundred and thirteen, and being entitled "An Act to Promote the Teaching of Agriculture and Domestic Science in the Public High Schools of Durham County," be and the same is hereby repealed.

Sec. 2. That all schools situated in Durham County known as farm-life schools, or which have been organized and do not now function under said act, may continue and may exercise the powers and be subject to the provisions contained in chapter ninety-five of the Consolidated Statutes of North Carolina, being the chapter on education, and to the appropriate sections thereof, and as the same shall be from time to time amended.

Sec. 3. That Lowes Grove Farm-Life School of Durham County, now operating under said act, shall be reorganized under the county farm-life school law, namely, article twenty-four of chapter ninety-five of the Consolidated Statutes of North Carolina, and as the same shall be from time to time amended.

Sec. 4. That the board of trustees of Lowes Grove Farm-Life School of Durham County shall be appointed by the county board of education of Durham County on the first Monday in July following the enactment of this law, and thereafter shall be named as provided in section five thousand five hundred and sixty-eight of the Consolidated Statutes of North Carolina, and as the same shall be from time to time amended.

Sec. 5. That immediately after the appointment of the board of trustees of Lowes Grove Farm-Life School as herein provided for, the said board shall meet and organize by electing a chairman and secretary, and shall further appoint an executive committee composed of the chairman, the secretary and one other member of said board.

Sec. 6. That this act, so far as it relates to the board of trustees of Lowes Grove Farm-Life School, shall be in force from and after its ratification, and so far as it affects the operation of said Lowes Grove Farm-Life School, shall be in force from and after the first day of July, one thousand nine hundred and twenty-three, until which date the said Lowes Grove Farm-Life School
shall continue to operate under the law as provided for in chapter two hundred and twenty-nine of the Public-Local Laws of one thousand nine hundred and thirteen.

Sec. 7. That all laws and clauses of laws in conflict with this Repealing clause. act are hereby repealed.

Sec. 8. That this act shall be in full force and effect from and When act effective. after the first day of July, one thousand nine hundred and twenty-three.

Ratified this the 5th day of March, A.D. 1923.

CHAPTER 522

AN ACT AUTHORIZING THE COMMISSIONERS OF McDOWELL COUNTY AND OTHER GOVERNING BODIES TO PROHIBIT THE EXHIBITION OF TRAVELING SHOWS.

The General Assembly of North Carolina do enact:

Section 1. That the county commissioners of McDowell County Power given. and the governing bodies of any incorporated towns in said county are hereby authorized and empowered, in their discretion, to prohibit the exhibition in said county of traveling shows.

Sec. 2. That this act shall be in force from and after its rati- \[\text{fication.}  

Ratified this the 5th day of March, A.D. 1923.

CHAPTER 523

AN ACT TO AMEND SECTION 3906 OF THE CONSOLIDATED STATUTES, FIXING FEES OF THE REGISTER OF DEEDS FOR CUMBERLAND COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the register of deeds of Cumberland County Fees increased. shall be entitled to receive fees in excess of those allowed by section three thousand nine hundred and six of the Consolidated Statutes as follows: The register of deeds shall be allowed, while and when acting as clerk to the board of commissioners, such per diem as shall equal the per diem allowed to the members of the board of commissioners; for recording and issuing orders of the county commissioners, the sum of fifteen cents each; for indexing names for vital statistics, the sum of five cents per name, to be paid by the county.

Sec. 2. That fees for recording papers shall be as follows: Fees for recording papers. Registering chattel mortgage, statutory form, thirty cents; register-
ing any deed or other writing authorized to be registered by him, with certificate of probate or acknowledgment and private examination of married woman, containing not more than three copy sheets, one dollar; and for every additional copy sheet, fifteen cents.

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

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

Ratified this the 5th day of March, A.D. 1923.

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CHAPTER 524

AN ACT TO AMEND CHAPTER 576, PUBLIC-LOCAL LAWS OF 1919, AND RELATING TO FEES OF CLERK SUPERIOR COURT FOR CUMBERLAND COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one, chapter five hundred and seventy-six of the Public-Local Laws of one thousand nine hundred and nineteen, be amended by inserting in line two thereof, after the words “Guilford County,” the words “Cumberland County.”

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

Ratified this the 5th day of March, A.D. 1923.

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CHAPTER 525

AN ACT TO REQUIRE THE COUNTY COMMISSIONERS OF ROBESON COUNTY TO GIVE NOTICE OF THE APPOINTMENT OF THE AUDITOR OF SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That on November first, one thousand nine hundred and twenty-four, and biennially thereafter, the county commissioners of Robeson County shall give notice of the appointment of the auditor of Robeson County as herewith set forth in section two of this act.

Sec. 2. The county commissioners shall cause the notice of the appointment of auditor for Robeson County, to be made by the Governor, to be published once a week for four consecutive weeks in a newspaper published in Robeson County.
CHAPTER 525

AN ACT TO AMEND CHAPTER 221, PUBLIC-LOCAL LAWS OF 1919, AND PROVIDING FOR THE PAYMENT OF FULL FEES TO WITNESSES AND COURT OFFICERS IN INSOLVENT CASES IN CUMBERLAND COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section two, chapter two hundred and twenty-one of the Public-Local Laws of one thousand nine hundred and nineteen, be amended by inserting in line three thereof after the words “Jackson County” the words “and Cumberland County.”

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

Ratified this the 5th day of March, A.D. 1923.

CHAPTER 526

AN ACT TO PROTECT GAME IN ALAMANCE, CRAVEN, JONES, AND LENOIR COUNTIES.

The General Assembly of North Carolina do enact:

Section 1. It shall be unlawful for any person to shoot wild birds or animals or game of any kind or description in Alamance, Craven, Jones and Lenoir counties between the fifteenth day of February and the fifteenth day of November in any year: Provided, this shall not apply to bear and foxes.

Sec. 2. It shall be unlawful for any person to sell or offer for sale in Alamance, Craven, Jones and Lenoir counties any quail or other wild birds.

Sec. 3. Any person violating the provisions of this act shall be guilty of a misdemeanor.

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

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

Ratified this the 5th day of March, A.D. 1923.
CHAPTER 528
AN ACT TO PROTECT FISH IN SWAIN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That it shall be unlawful for any person to fish, catch or destroy fish in Swain County in any manner whatsoever in the water or waters of Deep Creek for a period of one year; Noland Creek and Forney Creek for a period of two years; Sawmill Creek for a period of three years from and after the ratification of this act.

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 not more than fifty dollars or be imprisoned not more than thirty days.

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

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

Ratified this the 5th day of March, A.D. 1923.

CHAPTER 529
AN ACT TO ALLOW THE SHERIFF OF ROCKINGHAM COUNTY EXTRA COMPENSATION FOR THE EMPLOYMENT OF DEPUTIES.

The General Assembly of North Carolina do enact:

Section 1. That the sheriff of Rockingham County is hereby allowed the sum of one thousand dollars ($1,000) per annum for the employment of deputies outside of the township of which said sheriff is a resident, the said amount to be paid in equal monthly payments.

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

Ratified this the 5th day of March, A.D. 1923.

CHAPTER 530
AN ACT TO PROVIDE FOR RURAL POLICEMEN IN HARNETT COUNTY.

The General Assembly of North Carolina do enact:

Section 1. The board of commissioners of Harnett County shall have power and they are hereby authorized to appoint one or
more rural policemen for said county. Any policeman so appointed shall be an able-bodied man of good moral character. The powers and duties of any such rural policeman not herein specifically enumerated shall be fixed by the board of commissioners of Harnett County.

Sec. 2. It shall be the duty of rural policemen appointed under this act, under the general control and direction of the board of commissioners of Harnett County and the sheriff of said county, especially in rural districts, to patrol and police the county; to protect and prevent violations of the criminal law of any and every kind; to make arrests upon his own initiative, as well as upon information and complaint; to report his acts and all known or suspected violations of the criminal law to the sheriff of the county; to obtain warrants for arrest for and prosecute all persons who have violated any of the criminal laws; and he shall at all times obey and carry out the instructions of the board of commissioners of Harnett County and the sheriff of the county when the same are not inconsistent with law and with this act.

Sec. 3. The said policemen shall have authority for any freshly committed crime, whether a witness to the commission thereof or having knowledge thereof upon prompt information or complaint, to arrest without warrant; and when an arrest is made without warrant, the person so arrested shall be forthwith carried before a trial officer of the county and a warrant of arrest procured, to the end that the person charged may be dealt with according to law.

Sec. 4. Rural policemen appointed under this act shall have power and authority such as deputy sheriffs now have to execute anywhere within Harnett County civil processes delivered to them by the sheriff or directed to the sheriff or other lawful officer of Harnett County, and shall be required to serve all criminal processes issued by any lawful authority and placed in his hands for service.

Sec. 5. Rural policemen appointed under this act shall receive as compensation for services the fees set out in the fee bill applicable for the sheriff of Harnett County.

Sec. 6. Each of said policemen appointed under this act shall, before entering upon the discharge of his duties, and before being commissioned by the county commissioners, enter into a bond in the sum of five hundred dollars, with sufficient surety, to be approved by the said county commissioners, conditioned for the faithful performance of his duties and for the payment to the county or to any person or corporation all such damages as may be sustained by reason of his malfeasance in office or his abusing the authority and discretion vested in him by his said appointment; and said policemen shall take the usual oath for the performance of the duties of his office.
Liability of county commissioners and county discharged.

Repealing clause.

Sec. 7. The board of commissioners of Harnett County shall not be liable individually or in their corporate capacity for any tort or wrong committed by any rural policeman appointed under this act while in the discharge of his duties.

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

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

Ratified this the 5th day of March, A.D. 1923.

CHAPTER 531

AN ACT TO REGULATE THE SYSTEM OF PUBLIC ROAD WORK IN COLUMBUS COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That in the townships where the public roads are worked by so termed "free labor" with a small additional tax, that if a majority of the qualified voters of such township shall present to the county commissioners asking that the free labor system be abolished, the same shall be ordered by the board of county commissioners and they shall fix such a tax rate on the township as they deem adequate to take care of the upkeep or maintenance of the public roads of such township.

Sec. 2. That in the townships where the public roads are worked altogether by taxation, that if a petition, signed by a majority of the qualified male voters of such township, be presented to the county commissioners, asking that the tax system be abolished and that free labor be substituted instead, the county commissioners shall order the same to take effect, shall reduce the tax rate for public roads in that township, and shall only collect a road tax from such township as will be the just proportion of that particular township to the general road fund.

Sec. 3. That all bridges being the property of the county shall be built and maintained out of the county road fund: providing that this act shall apply to wooden bridges and culverts, or such bridges as are generally built and maintained out of the county road fund.

Sec. 4. That where a change in any township is made as mentioned in sections "one" and "two," the system of working the public roads of such township making the change shall revert to the present system under like conditions.

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

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

Ratified this the 5th day of March, A.D. 1923.
CHAPTER 532

AN ACT REGULATING THE PAY OF JURORS IN HOKE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That all jurors summoned for jury duty in the county of Hoke, except those summoned on special venires, shall receive as pay for their services two dollars per day, and mileage at the rate of five cents a mile as allowed by general statute.

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

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

Ratified this the 5th day of March, A.D. 1923.

CHAPTER 533

AN ACT TO AMEND SECTION 1992 OF THE CONSOLIDATED STATUTES.

The General Assembly of North Carolina do enact:

Section 1. The General Assembly of North Carolina do enact that section one thousand nine hundred and ninety-two of the Consolidated Statutes of North Carolina be amended by striking out the words “Tuesday and Friday,” in line five of said section, and inserting in lieu thereof the words “Friday and Saturday.”

Sec. 2. That this act shall not in any way repeal the act passed at this session of the General Assembly prohibiting the use of nets and seines in the waters of Pender County, excepting Topsail Township.

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

Ratified this the 5th day of March, A.D. 1923.

CHAPTER 534

AN ACT RELATING TO FISHING IN SAMPSON, CUMBERLAND AND HARNETT COUNTIES.

The General Assembly of North Carolina do enact:

Section 1. It shall be lawful to fish, with hook and line only, in any of the streams of Cumberland and Harnett counties and in that portion of Black River in Sampson County above Maxwell’s Bridge at any time, except that between April first and June first.
of each year it shall be unlawful for any person to take or kill in
any manner any bass, chub, trout, jack or pike from any of said
waters.

Sec. 2. Section one thousand nine hundred and ninety-four of
the Consolidated Statutes of North Carolina, in so far as it con-
flicts with this act, and all other laws and clauses of law in
conflict herewith are hereby repealed.

Sec. 3. This act shall be in force from and after its ratification.
Ratified this the 5th day of March, A.D. 1923.

CHAPTER 535

AN ACT TO FIX SALARIES OF CERTAIN COUNTY
OFFICIALS OF DUPLIN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That there shall be paid to each member of the
board of education of Duplin County, out of the funds provided
by law for the payment of said board, the sum of seven and fifty
one-hundredths dollars ($7.50) per day, and such mileage as they
now receive, for each day they shall attend the meetings of said
board, or be engaged in transacting business for said board.

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 rati-
fication.
Ratified this the 5th day of March, A.D. 1923.

CHAPTER 536

AN ACT TO AMEND SECTION 2, CHAPTER 492 OF THE
PUBLIC-LOCAL LAWS OF 1921, RELATING TO THE PRO-
TECTION OF GAME IN WARREN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section two of chapter four hundred and ninety-
two of the Public-Local Laws of one thousand nine hundred and
twenty-one be and the same is hereby amended by striking out
the words “first day of December” in line four of said section and
inserting in lieu thereof the words “the fifteenth day of Novem-
ber,” and further amend by striking out the words “first day of
March” and inserting in lieu thereof the words “fifteenth day of
February.”
Sec. 2. That said chapter four hundred and ninety-two be amended further by adding after section three two other sections to be known as "sections 3a and 3b, as follows:

"Sec. 3a. That it shall be unlawful for any person to hunt, take, kill or capture in Warren County any wild birds or other game when snow is on the ground four inches deep or deeper. Automatic or repeating gun.

"Sec. 3b. That it shall be unlawful for any person to shoot quail or partridge with an automatic or repeating shotgun." Section amended.

Sec. 3. That section four of said chapter four hundred and ninety-two be amended by striking out all of said section four and inserting in lieu thereof the following:

"Sec. 4. That any person violating any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not exceeding fifty dollars or imprisoned not more than thirty days." Misdemeanor. Punishment.

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

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

Ratified this the 5th day of March, A.D. 1923.

CHAPTER 537

AN ACT TO AMEND CHAPTER 480, PUBLIC-LOCAL LAWS 1921, ENTITLED "AN ACT TO ESTABLISH AN AUDITOR FOR PENDER COUNTY."

The General Assembly of North Carolina do enact:

Section 1. That chapter four hundred and eighty of the Public-Local Laws one thousand nine hundred and twenty-one be and the same is hereby amended to read as follows:

"Section 1. That there is hereby created and established the office of auditor of Pender County. The said auditor shall be a citizen of Pender County and an expert accountant, and the term of office of said auditor shall be for two years and until his successor is elected and qualified as provided by this act.

"Sec. 2. That said auditor shall give his entire time and attention to the discharge of the duties imposed upon him by this act and by law, and he shall not, during his term of office, engage in any other business or occupation; and his office shall be kept open daily as the offices of other public officers of said county. The board of commissioners of Pender County shall furnish to said officer suitable room in the county courthouse, together with necessary furniture, fixtures, and supplies, stationery, postage, etc., the same to be paid for out of the general county fund.

Vacancy.  

"Sec. 3. If for any cause there shall be a vacancy in said office, the resident judge of the Superior Court of the judicial district of North Carolina in which Pender County is situate shall appoint some fit and suitable citizen, who shall be an expert accountant, to fill such vacancy, and the person so chosen shall fill out the unexpired term and shall also serve until his successor shall be elected and qualified as herein provided.

Power of judge to remove auditor for cause.

"Sec. 4. The resident judge of the Superior Court of the judicial district of North Carolina in which Pender County is situate shall at all times have power to suspend or remove said auditor from office for incompetence, misfeasance or malfeasance in office, or other sufficient reason. Any and all charges of incompetence, misfeasance or malfeasance in office or other sufficient charge to cause suspension or removal of said auditor shall be first made in writing, and signed by the person preferring such charges, and shall be forwarded to the resident judge of the judicial district of North Carolina, and upon receipt of such charges it shall be the duty of said judge to cause a copy thereof to be served upon the auditor, and to notify said auditor and the person preferring such charges of the time and place where he will sit for the purpose of hearing such charges, which time shall not be more than twenty days after the service of notice upon the auditor of the filing of such charges. The hearing may be held at any place in the discretion of the said judge, whether in or out of the said judicial district, and the said auditor shall have power to send for persons and papers, to administer oaths, and to do all and every thing necessary for the discharge of his duties under this act. At the time and place appointed for the hearing, the person preferring such charges and the said auditor shall have the right to be present in person and by counsel; and thereupon it shall be the duty of the judge to hear the evidence offered upon both sides, and, after hearing such evidence, the said judge shall within ten days thereafter render his decision and judgment thereon, which said judgment shall find the facts, and shall be signed by said judge, and shall be transmitted to and filed with the clerk of the Superior Court of Pender County and spread upon the minutes of the said Superior Court; and the decision and judgment of said judge shall be final, and no appeal shall lie therefrom. Upon the hearing the judge shall render such judgment as he in his discretion may consider that the public interests require, and he shall have power, in his sound discretion, to either suspend or remove said auditor, and in case of such suspension or removal to appoint the successor to the person so suspended or removed, and the person so appointed shall serve for the term of such suspension, or, in case of removal, for the unexpired term and until his successor shall be elected and qualified, and the order of the court as to such suspension or removal, and appointment of the successor of such auditor, shall
be filed with the clerk of the Superior Court of Pender County and spread upon the minutes of said court: Provided, however, that the said judge of the said judicial district shall have power, upon his own motion, and without charges being formally preferred against such auditor, if he deem the public interest require it, and after a hearing as herein provided, proceed to suspend or remove such auditor and appoint his successor as herein provided.

"Sec. 5. Before entering upon the discharge of his duties, the said auditor shall execute a good and sufficient bond, payable to the State of North Carolina, in the penal sum of two thousand dollars ($2,000), conditioned upon the faithful performance and discharge of his duties as required by law. Said bond shall be subject to approval by the board of commissioners of Pender County, and when approved shall be filed with the register of deeds of said county, as other official bonds.

"Sec. 6. Before entering upon the discharge of his duties the said auditor, in addition to his oath to support the Constitution and laws of the United States and the State of North Carolina, shall take before the clerk of the Superior Court of Pender County the following oath of office, which said oath shall be signed by such auditor, attested by the clerk, and recorded in the book of official oaths, to wit: 'I, ______________________, do solemnly swear (or affirm) that I will honestly, diligently, and faithfully perform the duties of the office of auditor of Pender County, to the best of my knowledge, skill, and ability, without fear, favor, reward, or hope of reward: so help me, God.'

"Sec. 7. It shall be unlawful for said auditor to be jointly, singly, or in any other way, either directly or indirectly, interested in any other public office of said county, except as provided by law, or to be the agent or employee of any public officer of said county, or to be interested in any contract or undertaking wherein the said county, or any department of the government thereof, is interested; and if the said auditor shall violate the provisions of this section he shall be guilty of a misdemeanor, and upon conviction shall forfeit his office and be fined or imprisoned in the discretion of the court, and shall also forfeit and pay the sum and penalty of two hundred dollars ($200), to be recovered by any person suing for same in any court of competent jurisdiction.

"Sec. 8. The auditor of Pender County shall receive for his salary the sum of one thousand eight hundred dollars ($1,800) per annum, twelve hundred and fifty dollars ($1,250) of which salary and allowance herein made shall be paid to said auditor in equal monthly installments, upon warrants drawn by the board of commissioners of said county and countersigned by the clerk of said board, and said warrants, when paid, shall be charged to the general county fund of Pender County and shall be paid out of
such general fund, and the balance thereon shall be charged to the school fund of said county and paid by the board of education of said county.

"Sec. 9. It shall be the duty of said auditor to inquire into and investigate and file a detailed and itemized account of the condition of all county finances, the accounts of all public officers, including the board of education, or their successors, and to make a true report thereof, and record the same in a book to be kept for that purpose and to be known and designated as the 'Record of the Auditor of Pender County.' He shall, within ten days after the first Monday in December in each and every year, publish a statement of the financial condition of the county of Pender, showing by itemized statement the permanent and floating debt of the county, when contracted, for what contracted, and when due, and shall also publish a statement of the receipts and disbursements of all the public funds of the county, showing the total amount received and disbursed for each particular purpose, which said report shall be published at the courthouse door, and also in some newspaper of general circulation published in the county, once a week for at least two weeks immediately following the filing of said report, and the expense of such publication shall be paid by the board of commissioners of said county out of the general fund.

"Sec. 10. It shall be the duty of said auditor to act as accountant for the county of Pender in making settlement with the sheriff; to supervise, scrutinize, and examine all books, accounts, receipts, and vouchers, and all other public records of the county, to the end that it may be seen whether the various public offices are being kept in the condition provided by law; and if it shall appear to said auditor that any provision of law is being violated, it shall be his duty to report such violation to the solicitor of the district, to the county solicitor, and to the county attorney, whose duty it shall be to bring such civil or criminal action as may be necessary to secure the proper administration of such public office.

"Sec. 11. It shall be the duty of said auditor to audit and approve for final settlement the accounts of all public officers, and to cancel all vouchers included in such settlement by a proper cancellation stamp to be adopted by said auditor for that purpose. All vouchers so canceled shall be listed, sealed, and deposited in a vault in the office of the register of deeds and in a metal case to be provided in such vault, the key whereof shall remain in the keeping of the auditor.

"Sec. 12. It shall be the duty of said auditor to investigate the condition in the office of all public officers of said county and report to the board of commissioners of said county, county solicitor, and to the solicitor of the district any misappropriation of any public funds, violations of law, or malfeasance in office by any public officer.
"Sec. 13. The said auditor shall have the right from time to
time to prescribe the manner of keeping all the public accounts
of the county and the power to prescribe for each of the public
officers of said county the form of books to be kept by them in
the receipt and disbursement of all funds which may come into
their hands by virtue of their office. It shall be the duty of the
board of commissioners of said county to furnish to each of the
various public officers of said county the necessary books prescribed
for such office of said auditor.

"Sec. 14. If any clerk of the Superior Court, sheriff, register
of deeds, or any other public officer who may hold any county or
public money shall fail to account for same as provided by law,
the auditor shall give such person ten days notice in writing of
the time and place at which he will attend to make settlement,
and every officer receiving notice and failing to make settlement
as required by this act shall forfeit and pay the sum of two hun-
dred dollars ($200), to be sued for by said auditor for the use of
the public school fund of said county, and shall also be guilty of a
misdemeanor and fined or imprisoned, in the discretion of the
court: Provided, however, that the court may, in its discretion
and for good cause shown, release any such officer from said
forfeiture.

"Sec. 15. The said auditor shall have power and authority to
send for persons and papers and to administer oaths; and any
person failing to obey any summons or to produce promptly any
papers or books relating to or supposed to relate to any matters
appertaining to the duties of the said auditor or to the public
affairs of Pender County, or who shall refuse to appear and give
evidence of all such matters and things as he shall know of, and
concerning any matters the investigation whereof is herein made
the duty of said auditor, shall be guilty of a misdemeanor, and
upon conviction shall be fined or imprisoned in the discretion of
the court, and shall also be liable to forfeit and pay the sum and
penalty of two hundred dollars ($200), to be recovered in any
court of competent jurisdiction in the name of said auditor for the
benefit of the public school fund of said county.

"Sec. 16. The said auditor shall have power, if necessary, to
employ counsel to advise him upon matters of law, and it shall
be the duty of the board of commissioners of said county to pay
for the services of such counsel out of the general funds of said
county upon the request of the auditor: Provided, however, that
the amount of the attorney's fee in any one year shall not exceed
the sum of one hundred dollars ($100), unless the employment of
such attorney shall have first been submitted to the board of
commissioners of said county and the employment authorized by
said board.

"Sec. 17. All claims or accounts against the county of Pender
which are chargeable against the public funds of said county shall,
Claims filed with auditor.

Investigation by auditor.

Endorsement.

Disapproval of claim.

Examination by county commissioners.

Claims approved or disapproved before payment.

Proviso: payment of disapproved claims.

Purchasing agents.

Requisition made and approved.

Purchases.

Bids and accounts submitted and endorsed.

Statement attached to disapproved claims.

Claims passed on before payment.

Proviso: payment of disapproved claims.

Attendance on meetings of commissioners.

Before being paid by the board of commissioners of said county, be verified by the oath of the claimant before the auditor of said county, who is hereby authorized and empowered to administer oaths for that purpose, and shall be first filed with the auditor, and it shall be the duty of said auditor to investigate the said claim or account and ascertain whether the same be correct, and, if found correct, to endorse the same as examined by him and found correct. If said auditor shall find any such claim so filed with him to be improper or incorrect, he shall attach thereto a statement in writing, giving the result of his investigation, and his reason why such claim or any part thereof should not be paid, and before paying any such claim which has been disapproved by the auditor, it shall be the duty of the board of commissioners of said county to carefully examine into the matter and inquire whether the reasons of the auditor are sufficient to justify the rejection of said claim; and it shall be unlawful for any claim or account against the county of Pender, or the public moneys thereof, to be paid by the board of commissioners of said county until the same has been submitted to and approved or disapproved by the said auditor: Provided, however, that notwithstanding the disapproval of any such auditor, the board of commissioners shall have power to pay any claim disapproved by him if said board be satisfied, after careful investigation thereof, that said claim is just and proper and should be paid.

"Sec. 18. The said auditor shall act as purchasing agent for the county of Pender and for the various departments of the county government, and upon requisition made by him and duly approved by the proper and legal authority of said county, he shall purchase all such supplies and other things as may be required for the proper and orderly conduct of the county government or any subdivision or department thereof; and upon such purchase all bids or accounts therefor shall be submitted to the auditor, and he shall endorse the same with his approval or disapproval, and if he disapprove any such claim, he shall attach thereto a statement of his reasons therefor, and no claim for any supplies or other things purchased for the public use shall be paid until the same has been submitted to and passed upon by said auditor: Provided, however, that notwithstanding the disapproval of the auditor, the board of commissioners of said county may, in its discretion, pay any such claim if they be satisfied that the claim is a just and proper claim and should be paid.

"Sec. 19. It shall be the duty of said auditor to meet with the board of commissioners of Pender County in their meeting held on the first Monday in each month, and at such other times as the board of commissioners may require, for the purpose of giving said board of commissioners any information which they may require, and assisting them in the discharge of their duties under the law; and for the purpose of giving them information as to the
merits of claims against the county, supplies purchased or to be purchased for the use of the county, information relative to claims for rebates of taxes, or any such other information as said board of commissioners may require; and said board of commissioners of said county, when in need of any information upon any subject, shall have the right to call upon the auditor therefor, or to require him to make an investigation and report to said board upon any matter coming before said board in the discharge of their official duties, and in general the said board of commissioners shall have power to require the auditor of said county to perform such other and further service, not specifically set forth in this act, as said board of commissioners may deem necessary for the public interest.

"Sec. 20. It shall be the duty of said auditor of Pender County to supervise the listing of taxes and the assessment of same by the various list-takers and assessors of the county, and the said auditor shall recommend to the board of commissioners of said county, at least twenty days before the time prescribed by law for the appointment of list-takers and assessors, the names of suitable and competent persons in the various townships of the county to be appointed by said board of commissioners as list-takers: Provided, however, that the board of commissioners may, in their discretion, disregard such recommendation and elect other persons instead.

"Sec. 21. It shall be the duty of said auditor to examine the tax lists so made out by the various list-takers and assessors after they are completed, and to see that the same are neatly, accurately, and properly made out, and to approve or disapprove the same before the said list-takers and assessors shall be paid for such work by the board of commissioners of said county.

"Sec. 22. It shall be the duty of said auditor to diligently inquire into and investigate the listing of all property in said county, and to cause all property subject to taxation to be properly listed, and to that end it shall be the duty of said auditor to investigate and report to the board of commissioners of said county the names of all persons failing to list their property for taxation, together with a statement of the property so unlisted; and it shall also be the duty of said auditor to investigate and report to the board of commissioners the names of all persons subject to poll tax, who have failed to give in their poll, and thereupon it shall be the duty of said board of commissioners to cause such property and polls to be placed upon the tax books as provided by the general laws of the State.

"Sec. 23. It shall be the duty of the said auditor to diligently inquire into and investigate the listing of all property in said county subject to tax, to the end that all such property shall be listed in accordance with law, and to that end it shall be the duty of said auditor to investigate and report to the board of
commissioners of said county the names of all persons whose property is not listed at a fair valuation and as provided by law, together with a statement of the property not so listed, and such valuations, and thereupon it shall be the duty of said board of commissioners, after giving notice to the property owner as required by law, to cause all such property to be fully valued and placed upon the tax books as provided by the general law of the State. The said auditor shall have power, in the discharge of his duties under this section, to send for persons and papers, and to administer oaths, and any person failing to obey any summons, or to produce promptly any papers or books relating to or supposed to relate to the value of any property under consideration by the auditor, or who shall refuse to appear and give evidence of all such matters and things as he shall know of and concerning any matters the investigation whereof is herein made the duty of the auditor, shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned, in the discretion of the court, and also shall pay a penalty of two hundred dollars ($200), to be recovered in any court of competent jurisdiction in the name of the auditor for the benefit of the public school fund of said county.

"Sec. 24. Beginning with the first Monday in April, one thousand nine hundred and twenty-three, and weekly thereafter, it shall be the duty of the said auditor to examine the records of the office of the register of deeds of Pender County and make a list of all deeds or other transfers of real property which have been filed for registration in such office during the week preceding such examination, and it shall be his duty to carefully make out a list of all such deeds or other transfers of real property, or any interest or estate in real property, taking the name of the grantor and grantee, or grantors and grantees, the township within which such property is located and the consideration expressed in the instrument transferring same, and upon taking such information it shall be his duty to make a memorandum on the duplicate tax lists in his office, opposite the name of the person transferring such property, and shall also make a like memorandum opposite the name of the person to whom transferred, the date of the transfer and the consideration; and the said information shall be available to the tax-listers and assessors of the following year so as to assist them in the discharge of their duties and to avoid double listing.

"Sec. 25. It shall be the duty of said auditor to make out two copies of the tax list of each township as revised and settled by the tax-lister according to a form to be furnished to them by the State Auditor, and such other forms as the auditor of Pender County may think proper. Such form shall show in different columns the sum due by each taxpayer to the State and to the
county, and also in separate columns the amount of the school
cell tax levied by the General Assembly and the board of com-
misriers, and also the amount of any special road or other
special taxes levied for the county of Pender as is now or here-
after may be provided by law; one of said copies shall remain in
the office of the auditor and the other shall be delivered to the
sheriff on or before the first Monday in October in each year, and
be shall receipt for same.

"Sec. 26. It shall be the duty of said auditor to perform and
discharge all the duties heretofore imposed upon the register of
deeds of Pender County by virtue of the provisions of the act
commonly known as the "Machinery Act," or which may here-
after be imposed upon said register of deeds under similar sec-
tions of any machinery act, and the said auditor shall be subject
to all the pains and penalties in said sections for neglect of duty
as is provided by said sections to be imposed upon the register of
deeds; and the register of deeds of Pender County is hereby
relieved of the duties imposed upon him under said sections of
said Machinery Act, or similar sections of any subsequent machin-
ery act, all said duties being hereby imposed upon the auditor of
Pender County.

"Sec. 27. It shall be the duty of the said auditor to exercise
a general supervision over the tax books of said county with a
view to prevent the double listing of property and similar errors,
and, in connection with the board of commissioners of said county,
correct omissions or mistakes which appear therein. All applica-
tions for rebate in taxes paid, due to erroneous listing, shall be
made to said auditor, and it shall be his duty to investigate all
such applications for rebates, and at every monthly meeting of
the board of commissioners of said county it shall be his duty to
present to said board of commissioners a statement showing all
applications for rebates, together with the facts in connection with
each application, and to indicate whether each particular applica-
tion for rebate should be allowed or disallowed, and thereupon it
shall be the duty of the board of commissioners to take such
action upon each application for rebates as may be just and
proper.

"Sec. 28. It shall be the duty of the mayor of each incorporated
town in the county of Pender to report to the auditor of said
county, on or before the first Monday in June, one thousand nine
hundred and twenty-three, and each and every year thereafter,
the names of all persons in their respective towns who may be
subject to the payment of what are known as schedule "B" and
"C" taxes; and it shall be the duty of said auditor to inquire
what other persons in said county, residing outside the towns,
may be liable for the payment of such taxes, and it shall be the
duty of the auditor to report to the sheriff of said county the
names of all persons subject to such taxes; *Provided, however,* that this section shall not relieve said sheriff of any duties connected with said taxes as are now or may hereafter be imposed upon him by law. It shall also be the duty of said auditor, on or before the first Monday in May in each year, to mail to the mayor in each incorporated town in Pender County a notice setting forth a copy of this section of this act, and to call the attention of such mayors to their duties under this section, and also to their duties under the next succeeding section of this act, and if any mayor shall fail or neglect to discharge the duties and make the report required by this and the next succeeding section, he shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned in the discretion of the court.

"Sec. 29. It shall be the duty of the mayors of the several towns within the county of Pender, and all justices of the peace within the said county, and the clerk of the recorder's court of Pender County, to report to the said auditor, on the first Monday in each and every month, beginning with the first Monday in June, one thousand nine hundred and twenty-three, a statement of all fines and penalties imposed by them, together with the disposition made of the same, giving the name of the person fined and the amount thereof; and it shall be the duty of said auditor to cause all such fines to be paid to the treasurer of said county by said mayors and justices of the peace and the clerk of the recorder's court, and to exercise a general supervision as may be necessary to the end that all fines are properly accounted for by the collecting officers and turned over to the county treasurer. It shall also be the duty of said auditor, on or before the first Monday in May, one thousand nine hundred and twenty-three, and yearly thereafter, to transmit by mail to all mayors and justices of the peace and clerk of the recorder's court of Pender County a notice calling their attention to the provisions of this section, which said notice shall contain a copy of this section, and if any mayor or justice of the peace or clerk of the recorder's court shall fail to make reports required by this section to the auditor, or fail to turn over and account for any fine or penalty as provided by law, the person offending shall be guilty of a misdemeanor, and upon conviction shall be fined not more than fifty dollars ($50) or imprisoned not more than thirty days, and shall also forfeit and pay the sum and penalty of fifty dollars ($50), to be recovered in any court of competent jurisdiction in an action brought in the name of the auditor of said county, for the benefit of the public school fund of said county; and it shall be the duty of said auditor to prosecute all violations of this and the next preceding sections of this act.

"Sec. 30. Any person who shall be elected and appointed as auditor of Pender County who shall willfully fail or neglect to perform any duty required of him, or by this act, except as herein
otherwise provided, shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned, or both, in the discretion of the court.

"Sec. 31. That at the next general election held in Pender County for the election of county officers, and each two years thereafter, there shall be elected a county auditor, who shall be inducted into office on the first Monday in December, one thousand nine hundred and twenty-four, who shall hold office for two years or until his successor is elected and qualified; and that George F. Lucas be and is hereby appointed auditor of Pender County, who shall serve until the first Monday in December, one thousand nine hundred and twenty-four, or until his successor is elected and qualified."

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

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

Ratified this the 5th day of March, A.D. 1923.

CHAPTER 538

AN ACT TO AMEND CHAPTER 152 OF THE PUBLIC LAWS OF 1917, WITH RESPECT TO THE ELECTION OF DRAINAGE COMMISSIONERS IN ROBESON COUNTY.

Whereas, under the provisions of section five of chapter one hundred and fifty-two of the Public Laws of one thousand nine hundred and seventeen, drainage commissioners are required to be elected every three years; and

Whereas the Back Swamp and Jacob Swamp Drainage District in Robeson County was established in one thousand nine hundred and eleven, and that no election has ever been held in said drainage district, and the original drainage commissioners, to wit, G. B. Sellars, W. W. Pate, and D. B. McNeill, are still serving; and

Whereas various and sundry official acts have been performed by said drainage commissioners since chapter one hundred and fifty-two of the Public Laws of one thousand nine hundred and seventeen were enacted, which said official acts are liable to be questioned: Now, therefore,

The General Assembly of North Carolina do enact:

Section 1. That all of the official acts of G. B. Sellars, A. W. Pate, and D. B. McNeill, drainage commissioners of the Back Swamp and Jacob Swamp Drainage District in Robeson County, are hereby validated, in the same manner as if they had been duly and regularly elected as in said chapter one hundred and fifty-two of the Public Laws of one thousand nine hundred and seventeen provided.
Election called on request.

Sec. 2. That upon the written request of any person owning lands in the Back Swamp and Jacob Swamp Drainage [District] in Robeson County, an election shall be forthwith called and held for the purpose of electing drainage commissioners in the said district as provided by chapter one hundred and fifty-two of the Public Laws of one thousand nine hundred and seventeen, and the other acts amendatory thereof.

Sec. 3. That the said board of drainage commissioners shall continue to hold office and perform the duties enjoined upon them by law until their successors are elected and qualified.

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

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

Ratified this the 5th day of March, A.D. 1923.

CHAPTER 539

AN ACT TO PROTECT GAME IN ONSLOW COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the provisions of article one, parts one and three, and articles two, three, four and five of chapter thirty-eight, Consolidated Statutes, is hereby declared to be the law, for the purposes named, in Onslow County, except in so far as the same is inconsistent with the provisions of this act.

Sec. 2. Any nonresident of the county of Onslow who desires to hunt or shoot birds or other animals in Onslow County shall make application to the clerk of Onslow County Superior Court, who shall issue to such person a license upon the payment of the sum of ten dollars and the clerk’s fees, amounting to fifty cents. Such license shall expire upon the expiration of the hunting season next after the date of the same as fixed for said county, and shall not be transferable to any person or persons other than the original holder and applicant. The license shall be of such form as the board of county commissioners shall prescribe, and shall entitle the owner to hunt in the manner prescribed by law for hunting in said county. The clerk’s fees herein provided for shall be the property of the clerk, in addition to all compensation otherwise provided by law to be paid to said clerk, and the said fees shall compensate for the performance of all duties arising under this act.

Sec. 3. The funds received by the clerk of the Superior Court or by other person from the sale of hunters’ licenses shall be paid into the county treasury, and shall be set apart as a fund for the enforcement of the game and fish laws of said county.
SEC. 4. It shall be unlawful to hunt with guns or dogs or kill any deer in Onslow County from the first day of December till the first day of October next ensuing, and it shall be unlawful to hunt and kill any quail, partridge or wild turkey in said county from the fifteenth day of February till the fifteenth day of November next ensuing, and it shall be unlawful to hunt or kill squirrel in said county from the fifteenth day of October until the fifteenth day of February next ensuing.

SEC. 5. If any person shall at any time hunt, capture or kill any nongame bird or shall during the closed season, or time in each year in which the hunting or killing is prohibited, chase with dogs, hunt, kill or wound or in any manner take or capture any game bird or any deer, opossum or squirrel, he shall be guilty of a misdemeanor and fined not more than fifty dollars or imprisoned not exceeding thirty days; and for each second or subsequent conviction of any person for a violation of this section, the defendant or defendants shall be fined not less than twenty-five dollars each, nor more than fifty dollars, or imprisoned not less than ten or more than thirty days. This section shall not apply to the English or European house sparrow, owls, hawks, crows, black birds, jackdaws, turkey buzzards, vultures and rice birds.

SEC. 6. It shall be lawful to keep any wild bird in a cage as a domestic pet, or for the purposes of breeding, raising and domestici-ating.

SEC. 7. It shall be unlawful for any person to catch in nets in the waters of Onslow County any perch or chub.

SEC. 8. The fund derived from the sale of hunters' licenses under this act shall be used for the enforcement of the provisions of this act; and it shall be the duty of the board of county commissioners of said Onslow County to use the said fund for said purpose and to employ and empower agents therefor, if in the discretion of the said board such agents are necessary to the proper enforcement of this act; and any agent or agents so employed shall have authority to swear out warrants against persons violating the provisions of this act, and to make arrest under such or other process, issued for the arrest of persons charged with violating the provisions of this act, as now provided by law for sheriffs and other police officers.

SEC. 9. Any person violating the provisions of this act (for which violation no penalty has been hereinbefore prescribed) shall be guilty of a misdemeanor and shall be fined not less than ten dollars nor more than fifty dollars, or shall be imprisoned not more than thirty days.

SEC. 10. All laws and clauses of laws in conflict with the pro-
visions of this act are hereby repealed.

SEC. 11. This act shall be in force from and after March the first, one thousand nine hundred and twenty-three.

Ratified this the 5th day of March, A.D. 1923.
AN ACT TO PROTECT GAME AND REGULATE HUNTING IN PENDER COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person to kill or destroy in any manner any squirrel or wild turkey in Pender County from the fifteenth day of January to the fifteenth day of November, inclusive, of any year.

Sec. 2. That it shall be unlawful for any person to hunt, kill or destroy in any manner any male deer in Pender County from the first day of December to the fifteenth day of November, both dates inclusive, of any year.

Sec. 3. That it shall be unlawful at any time to kill female deer in Pender County.

Sec. 4. That it shall be unlawful for any person to kill in any one day in Pender County more than six squirrels, fifteen quail or partridges, or one wild turkey during the open season herein provided for.

Sec. 5. That the county commissioners of Pender County are hereby authorized and empowered to employ a game warden for Pender County, who shall be paid a monthly salary not to exceed the amount of fines and license taxes paid in the county or school fund as hereinafter provided.

Sec. 6. That it shall be the duty of the game warden to select as many assistant game wardens as he may deem necessary and to fix their compensation, to be approved by the board of county commissioners; Provided, that the compensation of the game warden and such assistants as he may employ shall not exceed the amount of fines and license taxes as hereinafter provided.

Sec. 7. That it shall be the duty of the game warden to prosecute all violations of the game laws of said county, and collect and pay to the county commissioners all license taxes as is hereinafter provided.

Sec. 8. That all nonresidents of Pender County shall pay an annual license tax of ten dollars before being allowed to hunt in said county; Provided, that all nonresident owners of real estate in the aforesaid county shall not be required to pay the license tax herein provided for the privilege of hunting on their own land.

Sec. 9. That it shall be unlawful for any person to shoot, kill, hunt or trap any game mentioned in sections one, two, three, or four of this act during the closed season, as therein designated. Any person violating the provisions of this act shall be guilty of a misdemeanor, and shall for each offense be fined not more than fifty dollars nor less than twenty dollars, or be imprisoned not more than thirty days nor less than ten days.
Sec. 10. That when nonresidents shall apply and pay to the clerk of the Superior Court of Pender County the sum of ten dollars, said clerk shall issue a license to said nonresident hunter, and said clerk shall pay such moneys to the treasurer of said county by order of the board of commissioners of Pender County:

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

Sec. 12. That this act shall be in force from and after the first day of September, one thousand nine hundred and twenty-three.

Ratified this the 5th day of March, A.D. 1923.

CHAPTER 541
AN ACT TO AID IN THE ENFORCEMENT OF THE PROHIBITION LAW IN CASWELL COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the board of education and the board of commissioners of Caswell County may in their discretion allow the sheriff of said county to retain not exceeding twenty-five per cent of the money derived from the sale of automobiles, horses, mules, wagons or other vehicles or conveyances that are used in the transportation, manufacture or sale of whiskey in Caswell County.

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

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

Ratified this the 5th day of March, A.D. 1923.

CHAPTER 542
AN ACT TO ENLARGE THE POWERS OF THE BOARD OF COMMISSIONERS OF COLUMBUS COUNTY WITH RESPECT TO RECORDER ELECTED UNDER CHAPTER 277, PUBLIC LAWS 1919.

The General Assembly of North Carolina do enact:

Section 1. That section thirty-five, chapter two hundred and seventy-seven, Public Laws one thousand nine hundred and nineteen, shall not apply to Columbus County, but as to Columbus County the said section shall read as follows:

“That the board of commissioners of Columbus County, having established a county recorder’s court, under the provisions of chapter two hundred and seventy-seven, Public Laws one thousand nine hundred and nineteen, are hereby authorized to dis-
continue the same at any time hereafter, whenever in the judgment of the said board public interest shall require it, and any municipality in said county shall have the same power; and the board of commissioners of Columbus County, as well as the governing board of any municipality therein, which may be entitled to act under chapter two hundred and seventy-seven, Public Laws one thousand nine hundred and nineteen, may reestablish the said recorder's court at any time thereafter in their discretion, with like powers to discontinue the same at any time within their discretion.

Sec. 2. That all laws in conflict with this act, in so far as they apply to Columbus County, are hereby repealed.

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

Ratified this the 5th day of March, A.D. 1923.

CHAPTER 543

AN ACT TO FIX SALARIES OF THE SHERIFF, REGISTER OF DEEDS AND CLERK OF THE SUPERIOR COURT OF UNION COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the sheriff of Union County shall receive in lieu of all other compensation a salary of three thousand dollars per year, payable monthly by the board of county commissioners from the general fund of the county, and in addition thereto shall receive the sum of three hundred dollars in lieu of traveling expenses. He may also appoint two office deputies, who shall receive a salary of one hundred and thirty-seven dollars and fifty cents per month each, and in addition thereto may appoint one deputy in each township in the county other than Monroe Township, which deputies shall receive the fees now allowed by law for serving processes in their respective townships.

Sec. 2. That the clerk of the Superior Court of Union County shall receive in lieu of all other compensation a salary of twenty-four hundred dollars per year, payable monthly by the board of county commissioners from the general funds of the county, and may appoint a deputy clerk at a salary of twelve hundred dollars per year, payable monthly as above provided for the payment of the clerk.

Sec. 3. That the register of deeds of Union County shall receive in lieu of all other compensation a salary of twenty-four hundred dollars a year, payable monthly by the board of county commissioners from the general funds of the county, and may employ a clerk at a salary of a thousand dollars per year, payable monthly
as above provided for the payment of the register of deeds, and in addition thereto the county commissioners may make a reasonable allowance for extra clerical assistance needed in making up tax books.

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

Sec. 5. That this act shall be in force and effect from and after the first day of April, one thousand nine hundred and twenty-three.

Ratified this the 5th day of March, A.D. 1923.

CHAPTER 544

AN ACT TO AMEND SECTION 1, CHAPTER 105 OF THE PUBLIC-LOCAL LAWS, EXTRA SESSION OF 1921.

The General Assembly of North Carolina do enact:

Section 1. That section one, chapter one hundred and five of the Public-Local Laws of North Carolina, Extra Session of one thousand nine hundred and twenty-one, be amended by inserting in line ten after the word “upon” and before the word “corporations” the word “foreign.”

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

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

Ratified this the 5th day of March, A.D. 1923.

CHAPTER 545

AN ACT TO AMEND SECTION 3908 OF THE CONSOLIDATED STATUTES, AND CHAPTER 578, PUBLIC-LOCAL LAWS 1921, RELATING TO THE SHERIFF’S FEES IN SAMPSON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section two of chapter five hundred and seventy-eight of the Public-Local Laws of one thousand nine hundred and twenty-one, being an act to amend section three thousand nine hundred and eight of the Consolidated Statutes, be amended Sampson inserted. by inserting after the word “Franklin” and before the word “and” in the sixth line of said section two the word “Sampson.”

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

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

Ratified this the 5th day of March, A.D. 1923.
CHAPTER 546

AN ACT TO AMEND SECTION 3908 OF THE CONSOLIDATED STATUTES OF NORTH CAROLINA, RELATIVE TO CERTAIN FEES COLLECTED BY THE SHERIFF OF WAKE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section three thousand nine hundred and eight be amended by striking out the word "thirty" in line fifty-seven and inserting in lieu thereof the word "fifty."

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

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

Ratified this the 5th day of March, A.D. 1923.

CHAPTER 547

AN ACT TO APPOINT ROBERT RUSSELL, JR., AS CONSTABLE FOR MOUNT HERMON TOWNSHIP.

The General Assembly of North Carolina do enact:

Section 1. That Robert Russell, Jr., be and he is hereby appointed as constable for Mount Hermon Township, Pasquotank County, for a term of two years, from the first day of December, nineteen hundred and twenty-two: Provided, that he shall qualify for said office on or before the first day of March, nineteen hundred and twenty-three.

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

Ratified this the 5th day of March, A.D. 1923.

CHAPTER 548

AN ACT TO PROTECT FISH IN PUNGO RIVER, AND ALL CREEKS TRIBUTARY THERETO.

The General Assembly of North Carolina do enact:

Section 1. That it shall be unlawful for any person or persons to fish in said river and its tributaries with haul or drag nets during a period extending between November one and April one in each year.
Sec. 2. It shall be unlawful to set gill nets in said waters at any time during the year in such a manner as to obstruct more than one-half of the channel of said river or tributaries.

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

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

Ratified this the 5th day of March, A.D. 1923.

CHAPTER 549

AN ACT TO PROTECT GAME IN CHATHAM COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the board of county commissioners for Chatham County are hereby constituted game protection commissioners for the county of Chatham, for the better protection and preservation of game in said county.

Sec. 2. That said game commissioners shall prescribe the form of license for nonresident hunters, and shall furnish the clerk of the Superior Court of Chatham County all licenses and other blanks required under the game laws, and shall also furnish to the clerk of the Superior Court of said county a bound book for the purpose of keeping a record of all hunters' licenses that may be issued.

Sec. 3. Any nonresident of the State of North Carolina who desires to hunt, shoot, or trap birds or other game in any part of the said county of Chatham shall make application to the clerk of the Superior Court of said county, who shall issue license to such person upon the payment of a tax of ten dollars for the hunting season, and the clerk's fees amounting to fifty cents. The said license shall expire on the termination of the hunting season as fixed for said county, and said license shall not be transferable.

Sec. 4. Any nonresident of the county of Chatham, but who is a resident of the State of North Carolina, who desires to hunt, shoot or trap birds or other game in any part of said county of Chatham shall make application to the clerk of the Superior Court of said county, who shall issue license to such person upon the payment of a tax of five dollars for the hunting season, and the clerk's fees amounting to fifty cents. The license shall expire on the termination of the hunting season as fixed for said county, and shall not be transferable. This section shall not apply to residents of North Carolina who are bona fide landowners in Chatham County.

Sec. 5. That the funds received from the clerk of the Superior Court shall by him be paid to the treasurer of said county for the
board of commissioners of Warren County are hereby authorized and empowered, in their discretion, to employ a game warden for the county of Warren, and fix his compensation and prescribe his duties and fix his bond; said game warden to perform all the duties delegated to the sheriff and list-takers under said act and to fix the date of listing and collecting said license tax, by and with the approval of the said county commissioners.

Sec. 2. That all laws and clauses of laws in conflict with this amendment, to the extent of such conflict, are hereby repealed.

Sec. 3. That this act shall apply only to the county of Warren.

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

Ratified this the 5th day of March, A.D. 1923.

CHAPTER 552

AN ACT TO PREVENT THE ATTENDANCE OF CHILDREN UNDER SIXTEEN YEARS OF AGE IN PLACES OF AMUSEMENT AFTER EIGHT O'CLOCK IN THE EVENING UNLESS ATTENDED BY A PERSON OF LEGAL AGE.

The General Assembly of North Carolina do enact:

Section 1. That it shall be unlawful for any person, firm or corporation operating, owning or managing any moving picture theater, dance hall or similar place of amusement, operated for commercial purposes, to admit to any performance, dance or entertainment, after the hour of eight o'clock p.m., any child under the age of sixteen years, unless such child be accompanied by a person of legal age.

Sec. 2. That it shall be unlawful for any parent, guardian or other person in loco parentis to any child or children under sixteen years of age to knowingly permit to attend, or to furnish money or other things of value to such child or children for the purpose of securing admission to any moving picture theater, dance hall or similar place of amusement, operated for commercial purposes, after eight o'clock p.m., with written permission, giving the name and age of the child and signed by the parent or the one who stands in loco parentis of said child, unless such child be accompanied by a person of legal age.

Sec. 3. That any one violating any of the provisions of this act shall be guilty of a misdemeanor and be punished by a fine not to exceed ten dollars for each and every offense.

Sec. 4. That this act shall apply to New Hanover County only.

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

Ratified this the 5th day of March, A.D. 1923.
CHAPTER 553

AN ACT TO APPOINT AND FIX COMPENSATION OF ROAD COMMISSIONERS OF POLK COUNTY AND REPEAL CHAPTER 247, PUBLIC-LOCAL LAWS OF 1921.

The General Assembly of North Carolina do enact:

Section 1. That G. E. Thompson is hereby appointed a member of the Polk County road commissioners for the term of four years, and W. H. Stearns and J. M. Miller for a term of two years.

Sec. 2. The members of said board shall receive for their services four dollars per day for the time actually and necessarily employed in the discharge of their duties, and five cents per mile for necessary travel.

Sec. 3. That chapter two hundred and forty-seven of the Public Local Laws of one thousand nine hundred and twenty-one is hereby repealed.

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

Sec. 5. That this act shall be in force and effect from and after the thirty-first day of March, one thousand nine hundred and twenty-three.

Ratified this the 5th day of March, A.D. 1923.

CHAPTER 554

AN ACT TO AMEND SECTION 5016 AND SECTION 5017 OF THE CONSOLIDATED STATUTES, ABOLISHING THE OFFICE OF COUNTY SUPERINTENDENT OF PUBLIC WELFARE FOR WARREN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section five thousand and sixteen of the Consolidated Statutes, as amended by chapter one hundred and twenty-eight of the Public Laws one thousand nine hundred and twenty-one, be and the same is hereby amended by adding at the end thereof the following: "Provided, that this section shall not apply to Warren County."

Sec. 2. That section five thousand and seventeen of the Consolidated Statutes be and the same is hereby amended by inserting at the end of said section the following: "Provided, that this section shall not apply to Warren County."

Sec. 3. That the county superintendent of public instruction of Warren County shall be the chief school attendance officer of said county to enforce the compulsory school attendance law,
Punishment.

liable for exceeding evidence.

Tramp defined.

Obstruction of drains misdemeanor.

Punishment.

Obstruction on roads.

Traffic regulations.

Misdemeanor.

Punishment.

Repealing clause.

misdemeanor, and shall be fined not less than five dollars nor more than fifty dollars for each and every offense, or imprisoned not exceeding thirty days: Provided, that in addition to the above penalty any person violating this act shall also become liable to the county for any damage he may have caused.

Sec. 2. It shall further be unlawful for any person to fill up, obstruct or divert any water ditch, drain or culvert, and any one so doing shall be guilty of a misdemeanor and punished as in section one. It shall further be unlawful for any person to pile or pack any lumber, wood or other obstruction over or on said water ditches of any public highway or to leave any wagon, truck, engine or machine, or any other obstruction within ten feet of the center of said highway at night without a light.

Sec. 3. That the board of county commissioners are hereby fully authorized and empowered and directed to make from time to time and publish the same such other traffic rules and regulations as they may deem necessary for the protection of the roads and bridges of the county or the traveling public, and any one violating such rule or ordinance shall be guilty of a misdemeanor and punished as in section one.

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

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

Ratified this the 5th day of March, A.D. 1923.

CHAPTER 557

AN ACT AMENDING SECTION 4461 OF THE CONSOLIDATED STATUTES OF NORTH CAROLINA, DEFINING AND PUNISHING TRAMPS, IN SO FAR AS THE SAME AFFECTS GUILFORD COUNTY.

The General Assembly of North Carolina do enact:

Section amended.

SECTION 1. That section four thousand four hundred and sixty-one of the Consolidated Statutes of North Carolina be amended to read as follows:

"Sec. 4461. Tramp defined and punishment provided. If any person shall go about from place to place begging or subsisting on charity, he shall be denominated a tramp, and shall be punished by a fine not exceeding fifty dollars, or by imprisonment not exceeding thirty days. Any act of begging or vagrancy by any person shall be evidence that the person committing the same is a tramp."

Application.

Sec. 2. That said section as hereby amended shall apply only to Guilford County.
Sec. 3. That all laws and clauses of laws in conflict with this Repealing clause, act are hereby repealed.

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

Ratified this the 5th day of March, A.D. 1923.

CHAPTER 558

AN ACT TO PROTECT THE GAME AND FUR-BEARING ANIMALS IN ROBESON COUNTY, AND THE CREATION OF A GAME COMMISSION FOR ROBESON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That a game commission of three members are hereby created; that the said commission shall consist of the clerk of the Superior Court, the register of deeds, and the chairman of the board of county commissioners of Robeson County. The members of the said commission shall hold the office of game commissioner until their successors are elected or appointed. The game commissioners shall have charge of the enforcement of this and all game laws relative to game in said county.

Sec. 2. That all blanks, license and other printed matter necessary in carrying out the provisions of this act shall be printed and on the same terms as other expenses of said county. The clerk of the Superior Court of Robeson County shall be secretary to the game commission of said county, and it shall be the duty of the clerk of the Superior Court, who is to act as secretary to the game commission, to keep a complete record of all business transacted by the game commission, also the said clerk of the Superior Court shall have power to issue license to hunt.

Sec. 3. The game commission of Robeson County shall meet the first Monday in November and the first Monday in January of each year. And if between the above dates a meeting of the game commission of Robeson County is desired, the clerk of the Superior Court of said county is hereby authorized and empowered to call a meeting at any time of the Robeson County Game Commission.

Sec. 4. The game commission of said county shall have published in pamphlet form for free general distribution the laws relative to game birds and wild animals in Robeson County, also a copy of this act shall be posted at the courthouse door.

Sec. 5. That the rural policemen of Robeson County are hereby appointed deputy game wardens, and shall see that this act is enforced. The said rural policemen shall also have the power to issue license only to residents of Robeson County, and in no respect shall said rural policemen issue license to a nonresident; the
Selling or offering game for sale or buying game forbidden.

Proviso: hunters may kill game and have prepared and served.

Cost of hunting license.

Proviso: tenants ranked as landowner.

Setting steel traps without notice.

Details of notice.

Hunting hours.

Guns.

Fire hunting.

Proviso: exceptions.

Transportation of game.

Sale of fur-bearing animals and skins.

Validity of act.

Sec. 16. That it shall be unlawful to sell or offer for sale any birds protected by this act, or for any hotel, café, restaurant or other public eating place to buy, sell or serve same, or for any person, firm or corporation to sell, buy, offer to sell or buy any game birds: Provided, that any person holding a hunter's license may kill game and have same prepared and served at any café or hotel for his own use.

Sec. 17. The cost of said hunting license shall be fifty cents for the applicant to hunt upon his own land; one dollar if said applicant is a resident of Robeson County; five dollars if said applicant is a resident of North Carolina, but not a resident of Robeson County; and ten dollars if said applicant is not a resident of North Carolina: Provided further, that all bona fide tenants that have in good faith leased land for a period of not less than one year, and the said lease duly registered in the register of deeds' office of Robeson County, shall be placed upon the same basis as landowner as to the fee charged for a hunter's license.

Sec. 18. That it shall be unlawful for any person to set steel traps for catching any game unless said person posts a notice thereof in three public places in the community where said traps are set, which notice shall give the location of the said traps, naming the swamp or woods in which said traps are set, and giving the approximate distance from the roads, streams or other permanent landmarks.

Sec. 19. That it shall be unlawful for any person to hunt, shoot, kill or capture any wild bird, animal or game on any day from sunset or half an hour before sunrise, or to hunt with a gun larger than ten gauge, or to hunt with fire or artificial light: Provided, this section shall not apply to the hunting of raccoons, foxes, squirrels and opossums and the trapping of fur-bearing animals.

Sec. 20. That any nonresident of Robeson County who procures license and kills or captures any wild birds or animals may carry not exceeding two days lawfully bagged game from Robeson County on his person when leaving Robeson County.

Sec. 21. That this act shall not in any way prevent any one who is duly licensed as required under this act to sell or offer for sale any fur-bearing animal, to wit, fox, squirrel, opossum, rabbit, raccoon, or any skins of any fur-bearing animals that have been legally taken.

Sec. 22. That if any sentence, clause, paragraph, or part of this act shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the sentence, clause, paragraph or part thereof directly involved in the controversy in which such judgment shall have been rendered.
Sec. 23. That all laws, or parts of laws, general, special or local, in conflict with the provisions of this act, are hereby repealed.

Sec. 23a. That this act shall not take effect until and unless the same has been approved at an election to be held in the county of Robeson at the regular election for members of the General Assembly, at which election those favoring the adoption of this act shall vote a ticket on which shall be written or printed the words, "For Robeson County Game Commission," and those opposed to the adoption of this act shall vote a ticket on which shall be written or printed the words, "Against the Robeson County Game Commission." And if a majority of the qualified voters shall vote to approve and adopt this act, then the same shall take effect from and after the first day of December, nineteen hundred and twenty-four; otherwise, the said act shall not take effect, but shall be null and void.

Sec. 24. That if at the election above provided for, which shall be held under the rules and regulations of members of the General Assembly, this act is approved by the majority of the qualified voters, then the chairman of the board of elections shall certify the same to the chairman of the board of commissioners of Robeson County, and he shall cause the advertisement of said fact to be made in all newspapers published in Robeson County, by publishing the result of said election, and the substance of said act, at least once a week for four successive weeks.

Sec. 25. Subject to the election hereinbefore provided for, and for the purpose of submitting this act to a vote, the same shall be in force from and after its ratification.

Ratified this the 5th day of March, A.D. 1923.

CHAPTER 559

AN ACT TO VALIDATE CERTAIN SCHOOL BONDS IN VANCE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That twenty thousand dollars of six per cent serial school bonds of Townsville Township School District, Vance County, North Carolina, authorized by an election held August seventeenth, nineteen hundred and twenty-one, and carried by a vote of the majority of the registered voters, and forty-five thousand dollars of six per cent school bonds of Kittrell School District in said county authorized by an election held February sixteenth, nineteen hundred and twenty-three, and carried by a vote of the majority of the registered voters, be and the same are hereby validated in all respects, notwithstanding any irregularity in certification of absentee voters or other irregularities or omissions in connection with the proceedings for the said elections and bond issues, and
levying of a special tax on all property in such township for said purpose. Upon receipt of the aforesaid petition, it shall be the duty of the board of county commissioners of Brunswick County to cause an election to be held in such township, at the usual polling places therein, under the same rules and regulations now prescribed by law for election of members of the General Assembly, at which election the voters in such township favoring a special tax shall vote a ballot, either written or printed, or partly written and printed, “For Special Tax,” and those opposed thereto shall vote a ballot, either written or printed, or partly written and printed, “Against Special Tax.” Said board of commissioners shall cause twenty days notice of said election to be posted in three public places in said township, and said notice shall also be published at least twice in some newspaper published in said county, if one be published, prior to said election, which said notice shall set forth the date of election, names of registrars and judges of election, and the nature of ballot to be used, and therein stating the purpose of said election. The registrar and judges of election shall immediately after the election herein provided for certify the results of same to the board of county commissioners, who shall open said returns and declare the results thereof at the next regular meeting after said election shall be held. Any election held hereunder shall be held prior to the first day of June, one thousand nine hundred and twenty-three.

**Sec. 3.** That if a majority of the voters in any township holding an election hereunder shall vote for said special tax, it shall be the duty of the board of county commissioners to levy a special tax on all property, real and personal, in said township, of not less than five cents nor more than ten cents on the one hundred dollars valuation, which said special tax shall be levied, collected, accounted for and paid over as now provided for the levy and collection of other taxes, and the tax so collected shall be used for working and maintaining the roads in such township voting for special tax. A separate account of same shall be kept, and no part thereof used for any other purpose, and shall be paid out by the board of county commissioners upon the order of the road commission as created by chapter number seventy-three, Public-Local Laws of one thousand nine hundred and twenty-one, herein referred to.

**Sec. 4.** That if at said election a majority of the voters in any township petitioning for an election hereunder shall vote against said special tax, then all of chapter number seventy-three, Public-Local Laws of one thousand nine hundred and twenty-one, shall be and remain in full force and effect, and it shall be the duty of said road commission to act as provided in said chapter.

**Sec. 5.** That the provisions of this act shall affect only the method of working and maintaining roads as provided in chapter
number seventy-three, Public-Local Laws of one thousand nine hundred and twenty-one, and in no other manner.

Sec. 6. That the expense of holding any election hereunder shall be paid by the board of commissioners out of the general funds of said county. Expense of election.

Sec. 7. That all laws and clauses of laws in conflict with this act are hereby repealed. Repealing clause.

Sec. 8. That this act shall be in force and effect from and after its ratification. Ratified this the 5th day of March, A.D. 1923.

CHAPTER 563
AN ACT EMPOWERING THE BOARD OF COUNTY COMMISSIONERS OF FORSYTH COUNTY TO REMODEL THE PRESENT COUNTY HOME OR TO BUILD AN ADDITIONAL BUILDING OR BUILDINGS TO PROVIDE FOR THE BETTER CARING FOR THE POOR OF FORSYTH COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the county commissioners of Forsyth County, Power given. North Carolina, are hereby authorized and empowered to remodel or to construct such building or buildings on the present site of the county home of Forsyth County as they may deem necessary to properly accommodate the poor of Forsyth County. Power given.

Sec. 2. "This act shall be in force from and after its ratification. Ratified this the 5th day of March, A.D. 1923.

CHAPTER 564
AN ACT TO AMEND CHAPTER 247, PUBLIC-LOCAL LAWS, EXTRA SESSION 1921, RELATING TO THE SALARY OF THE TREASURER OF CATAWBA COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section one of chapter two hundred and forty-seven, Public-Local Laws, Extra Session one thousand nine hundred and twenty-one, entitled "An act to amend chapter four hundred and thirty-five, Public-Local Laws one thousand nine hundred and thirteen, relating to the salary of the treasurer of Catawba County," be amended by striking out the words "of four hundred dollars per year," in lines nine and ten, and inserting instead, "to be named by the highway commission of Catawba County." Law amended.

Ratified this the 5th day of March, A.D. 1923.

Amount to be fixed.
Repealing clause.

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

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

Ratified this the 5th day of March, A.D. 1923.

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CHAPTER 565

AN ACT TO AMEND CHAPTER 235, PUBLIC-LOCAL LAWS OF EXTRA SESSION 1921, RELATING TO THE PERMANENT IMPROVEMENT OF THE PUBLIC ROADS OF CATAWBA COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter two hundred and thirty-five, Public-Local Laws Extra Session one thousand nine hundred and twenty-one, entitled "An act to amend chapter seven hundred and thirty, Public-Local Laws of one thousand nine hundred and nineteen, [relating] to the permanent improvement of the public roads of Catawba County," be amended by striking out the words "seven hundred and thirty," in lines one and two, and inserting instead "four hundred and sixty-nine."

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

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

Ratified this the 5th day of March, A.D. 1923.

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CHAPTER 566

AN ACT TO AMEND CHAPTER 469, PUBLIC-LOCAL LAWS OF 1919, RELATIVE TO THE PERMANENT IMPROVEMENT OF THE PUBLIC ROADS OF CATAWBA COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter four hundred and sixty-nine, Public-Local Laws one thousand nine hundred and nineteen, be amended by inserting between sections fourteen and fifteen new sections as follows:

"Sec. 14A. That subject to the approval of the county commissioners, the highway commission is authorized to pay the chairman and clerk of said commission additional compensation, and to pay other members of said commission for services rendered in addition to attendance at regular meetings."
“Sec. 14B. That the highway commission, subject to the approval of the county commissioners, shall have authority to regulate traffic over all improved roads in the county, as to weight of traffic, kinds of traffic, and as may be deemed best for the protection of said roads.

“Sec. 14C. That all landowners shall immediately remove all timber, except fruit, shade and ornamental trees, along the roads of said county, to a distance named by the highway commission, not exceeding fifty feet from each side ditch; and if the landowners fail to remove such timber, then the highway commission is authorized and empowered to remove such timber.

“Sec. 14D. That the owners of all telephone poles or other obstructions must remove same from the roads and side ditches of such roads as have been built and are being constructed, such removal to be at the expense of the owners. If the owners of such poles, or other obstruction, shall fail to remove the same, after notice, the highway commission is hereby given the authority to remove said poles or other obstruction, without incurring liability for damages in removing the same, and the highway commission shall recover from the owners the costs of removing the said poles or other obstruction.

“Sec. 14E. That the road superintendent of Catawba County is authorized and empowered to serve such notices as the highway commission may order, and without any cost for such service.

“Sec. 14F. That subject to the approval of the county commissioners, the county highway commission are authorized and empowered to build hard-surface roads, or sections of roads, out of the moneys, other than the five hundred thousand dollars authorized by this chapter, that may be appropriated for that purpose, on roads other than the State highways.”

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

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

Ratified this the 5th day of March, A.D. 1923.

CHAPTER 567

AN ACT FOR THE RELIEF OF EX-SHERIFF W. D. WOODRUFF, OF WILKES COUNTY, IN THE DISCRETION OF THE COUNTY COMMISSIONERS.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Wilkes County is hereby authorized and empowered to allow ex-Sheriff W. D. Woodruff, his personal representative or bondsmen, a com-
mission of not more than three per cent of all back taxes collected by him, or either of them, after the passage of this act, if the said board of county commissioners, after careful consideration and investigation in regular monthly meetings, find it proper and compatible with the public good to do so.

Sec. 2. That nothing herein contained shall be construed to relieve ex-Sheriff W. D. Woodruff, his personal representative or bondsmen, from the liability imposed by law to pay the State, county and other taxes at the time and place required by law.

Sec. 3. That the authority herein given shall cease and determine on the first day of January, one thousand nine hundred and twenty-four.

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

Ratified this the 5th day of March, A.D. 1923.

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CHAPTER 568

AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF ONslow COUNTY TO ISSUE ROAD BONDS FOR SAID COUNTY IN AN AMOUNT NOT EXCEEDING $300,000, OR TO CALL AN ELECTION FOR VOTING ON THE ISSUANCE OF SAID BONDS.

The General Assembly of North Carolina do enact:

SECTION 1. That the county commissioners of Onslow County be and they are hereby authorized and empowered to issue Onslow County bonds in an amount not exceeding three hundred thousand dollars for public road work in said county. The county commissioners of Onslow County are hereby authorized and empowered, in lieu of issuing said road bonds as hereinbefore provided, to call an election, at which election the qualified voters of Onslow County shall decide whether said bonds, in an amount not exceeding three hundred thousand dollars, shall be issued for road purposes, said election to be held under the same rules and regulations as are now provided for election of members of the General Assembly; and if at said election a majority of the votes cast by said qualified electors of said county are for the issuance of said county bonds for road purposes, then said county commissioners shall issue said bonds in an amount not exceeding three hundred thousand dollars.

Sec. 2. That in case of issue of Onslow County bonds for public road purposes in Onslow County, as provided for in section one of this act, said bonds shall be serial coupon bonds in such denominations and for such length of time as the county commissioners of Onslow County may determine, not to exceed a period of forty
years, and said bonds shall not be sold for less than par value, and shall bear a rate of interest not exceeding six per centum.

SEC. 3. In case of a bond issue for road work in Onslow County, as hereinbefore provided, the county commissioners of said county are hereby authorized and empowered to select five persons, one from each township in said county, to constitute and form the Onslow County Road Commission, one member of said commission to serve for a term of one year, one for two years, one for three years, one for four years, and one for five years, and until their successors are duly elected by said county commissioners, said successors to serve each for a term of five years. And in lieu of said election of the members of said commission by the said county commissioners of Onslow County, if said commissioners so decide, the members of said road commission shall be elected by the qualified electors of Onslow County at a special election called for that purpose by the said county commissioners, to be held under the same rules and regulations as apply to members of the General Assembly, one member of said commission to be selected from each township in said county, and said members to hold office for the terms hereinbefore set forth and until their successors are duly elected by the qualified voters of said county.

SEC. 4. The said road commission of Onslow County shall designate and lay out a county road system for said county and provide for the completion of one part or section of road before another is begun. Said road commission shall have authority to take over all bond issues of the various townships, the proceeds from said bond issues to be placed with the general county road fund, and to supervise the construction of township roads in which there are township bond issues. Said road commission shall have authority to select a road commissioner for Onslow County, to fix the salary of said road commissioner and to pay all engineers, assistants and workers on said public roads of said county. Whenever the road commission of said county, and the owner or owners of the lands, materials and timber required by said road commission to construct, maintain or improve the public roads of said county are unable to agree as to the price thereof, the said road commission of Onslow County is hereby vested with the power to condemn the lands, materials and timber, and in so doing the ways, means, methods and procedure of chapter thirty-three of the Consolidated Statutes of North Carolina, entitled “Eminent Domain,” and acts amendatory thereof, shall be used by it as near as the same is suitable for the purpose of this act; and said road commission of Onslow County, for said condemnation proceedings, is hereby vested with the power contained in chapter seventy of the Consolidated Statutes of North Carolina, entitled “Roads and Highways,” and acts amendatory thereof.

SEC. 5. That the county commissioners of Onslow County be and they are hereby authorized and empowered to levy such tax
on the real and personal property in said county as may be necessary for paying the interest on and for retiring at maturity the bonds hereinbefore provided for.

SEC. 6. That the members of said road commission of Onslow County shall receive each such compensation for his services as may be named by the county commissioners of said county.

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

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

Ratified this the 5th day of March, A.D. 1923.

CHAPTER 569

AN ACT AUTHORIZING THE BOARD OF COMMISSIONERS OF CUMBERLAND COUNTY TO APPOINT RURAL POLICEMEN FOR SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Cumberland County may, if they deem it advisable and for the best interest of the county, appoint such number of rural policemen for said county as in their judgment may be necessary to carry out the provisions of this act, the total number appointed not to exceed four, and all policemen appointed under this act shall be able-bodied men of good moral character, not addicted to the use of intoxicating liquors, and known to be in favor of law enforcement. The said commissioners are hereby empowered to remove any policemen appointed under this act, at any time, for good cause shown, and appoint others in their stead. The said commissioners shall fix the term for which said policemen shall serve, not to exceed two years from the date of appointment, nor to extend beyond the first Monday in December next following a general election.

SEC. 2. The salary of each of said policemen shall be fixed by the county commissioners, but shall not exceed one hundred and twenty-five dollars per month each, and shall be payable monthly by the county treasurer upon warrants of the county commissioners: Provided, however, that said policemen shall provide themselves with policemen's billets and such firearms as may be required by the said commissioners, and with motorcycles, horses, or other means of conveyance for regular use in their work, as the said commissioners may require, and the said policemen shall bear all expenses incident to their services.

SEC. 3. That it shall be the duty of said policemen, under the general control of the board of commissioners and sheriff of the
county, especially in rural districts, to patrol and police the county and to prevent and detect and prosecute the violations of the criminal law of every kind, making arrests upon their own initiative as well as upon complaint or information, and to report all their acts and all known or suspected violations of the criminal law to the sheriff of the county at least once a week, if required by him, and they shall at all times obey and carry out the orders of the sheriff and board of commissioners of said county when not inconsistent with this act.

Sec. 4. The said policemen shall patrol such portions of the county assigned to each by the sheriff and board of commissioners, at least twice a week and oftener if required, remaining on duty at night when occasion or circumstances suggest the propriety thereof, to prevent or detect crime or to make an arrest, and they shall always be on duty for not less than ten hours a day, except when granted occasional indulgences or leaves of absence by the sheriff. They shall frequent railroad depots, stores, and other public places where people congregate or disorder is probable, or vagrants may be loading, or intoxicating liquors may be manufactured or sold; and they shall, as often as practicable, ride by houses that are off the public highways and in lonely parts of the county, especially such as are without male protectors, and shall use every means to prevent or detect, arrest and prosecute for breaches of the peace, drunkenness, using obscene language, boisterous conduct, or discharging of firearms on the public highways or at any public place or gathering, carrying concealed weapons contrary to law, violations of the prohibition law, violations of the laws regulating the operation of automobiles and motor vehicles, violations of the law regulating the sale of seed cotton, gambling, vagrancy, setting out fire, violations of the game and fish laws, cruelty to animals, violations of the child labor laws, lynching, and for violations of any and every law which is detrimental to the peace, good order and morals of the community; and in addition to the foregoing duties and services, said policemen, when called upon, shall execute all criminal and civil process from any of the courts of Cumberland County which would be lawful for the sheriff of said county to serve.

Sec. 5. That said policemen shall have authority, for any suspected or freshly committed crime, whether upon view or on prompt information or complaint, to arrest without warrant; and they shall have the right and authority to summons any person or persons to assist in enforcing the laws and in arresting violators or suspected violators thereof; and any citizen who shall fail to respond or render assistance when so summoned or called upon shall be guilty of a misdemeanor, and upon conviction shall be punished by imprisonment for thirty days or fined fifty dollars. When an arrest is made without warrant, the person so arrested...
shall be forthwith carried before a magistrate or recorder and a warrant of arrest procured and disposed of as the magistrate or recorder shall direct.

**Sec. 6.** That it shall be the duty of each policeman provided for under the provisions of this act to collect the fees for all process work rendered by him in either criminal or civil cases, and the fees so collected shall be the same as now provided by law, and said fees shall be turned over to the treasurer of Cumberland County on the first day of each month, and the said policemen shall render a true and accurate itemized statement to the board of commissioners of said county on the first Monday in each month, showing in detail the amount of fees collected by him for the previous month and the amount turned over to the treasurer of said county.

**Sec. 7.** That each of the said policemen shall, before entering upon the discharge of his duty, and before being commissioned by the county commissioners, enter into bond in the sum of one thousand dollars ($1,000) with sufficient surety, to be approved by the said board of commissioners, conditioned for the faithful performance of his duties and for the payment to the county and any person or corporation all such damages as they or any of them may sustain by reason of his malfeasance in office or abuse of his discretion; and he shall take and subscribe the following oath (or affirmation), to wit: “I solemnly swear (or affirm) that during my term of office as county policeman I will study the act creating the office and prescribing my duties, and will be alert and vigilant to enforce the criminal laws of the State, and to detect and bring to punishment every violation of the same, and will conduct myself at all times with due consideration to all parties and persons, and will not be influenced in any matter on account of personal bias or prejudice: so help me, God.” The form of said bond shall be approved by the board of county commissioners and, with the oath, shall be filed with and kept by the clerk of the Superior Court of Cumberland County.

**Sec. 8.** That the county commissioners may divide the county into any number of districts they may deem advisable, not exceeding four districts, and assign any one of said policemen to duty in any one of said districts: Provided, that it shall be lawful for any of said policemen to discharge the duties prescribed by this act anywhere within the said county at any time during their term of office: Provided, that the county commissioners shall have authority to rotate the said policemen from one district of the county to another every six months or oftener, in the discretion of the commissioners.

**Sec. 9.** If any rural policemen are appointed under this act, the board of commissioners of said county may exercise their discretion as to the payment of fees provided by law for the capture
of illicit liquor stills, and either continue the payment of said fees or discontinue such payments, as they may deem best; and said payments, if discontinued, may likewise be resumed if the commissioners shall find such resumption of payments to be for the best interest of the county. The said commissioners may exercise their discretion in each and every case of capture of an illicit liquor still as to the payment or nonpayment of the fee therefor.

Sec. 10. That all policemen appointed under this act shall be supplied with a copy of this act, printed in small pamphlet form, and any citizen of the county desiring a copy shall also be furnished the same by the county commissioners, who shall have one thousand copies printed at the expense of the county and a supply kept on hand for said purpose, in the event any rural policemen are appointed under this act.

Sec. 11. All laws and clauses of laws in conflict herewith are hereby repealed to the extent of such conflict only.

Sec. 12. This act shall apply to Cumberland County only, and shall be effective from and after its ratification.

Ratified this the 5th day of March, A.D. 1923.

CHAPTER 570

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS FOR THE COUNTY OF CUMBERLAND TO MAKE AN ANNUAL APPROPRIATION IN AID OF THE MAINTENANCE OF A PUBLIC REST ROOM FOR THE USE AND BENEFIT OF THE CITIZENS OF SAID COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the board of commissioners for the county of Cumberland be and they are hereby authorized and empowered in their discretion to make an annual appropriation to the Woman’s Civic Improvement Association of Fayetteville, North Carolina, as chartered by chapter three hundred and seventy-six, Private Laws of one thousand nine hundred and seven, for the purpose of maintaining in the city of Fayetteville, N. C., a public rest room for the use and benefit of the citizens of said county, such appropriation not to exceed the amount appropriated by the board of aldermen of the city of Fayetteville annually for said purpose, and in no event to exceed the sum of three hundred dollars annually.

Sec. 2. The board of commissioners of said county shall have the right and power at any time to discontinue said appropriation.

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

Ratified this the 5th day of March, A.D. 1923.
CHAPTER 571

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF CALDWELL COUNTY TO ISSUE BONDS OF LOVELADY TOWNSHIP IN AN AMOUNT NOT TO EXCEED $60,000 FOR ASSISTING IN THE CONSTRUCTION OF A HARD-SURFACE ROAD.

The General Assembly of North Carolina do enact:

Section 1. That the board of county commissioners of Caldwell County be and it is hereby directed, authorized and empowered to submit to the vote of the qualified voters of Lovelady Township, of said county, when petitioned by one hundred freeholders of said township, the question as to whether the county of Caldwell shall in behalf of Lovelady Township issue bonds in a sum not in excess of sixty thousand dollars, with interest coupons attached, the proceeds of which are to be used for the purpose of assisting the State of North Carolina Highway Commission in constructing a hard-surface road from Horseford Bridge to the western corporate limits of the town of Granite Falls and on the Hickory-Lenoir-Blowing Rock road: Provided, the amount of said bonds shall not exceed that required of Lovelady Township by the State of North Carolina Highway Commission for the construction of said road.

Sec. 2. That any election held under the provisions of this act shall be held and conducted in the same manner as is now provided by law for holding elections for members of the General Assembly: Provided, however, that the said board of commissioners shall appoint the registrars and judges of election for each regular voting precinct in said township and shall order a new registration. The vote shall be counted at the close of the polls and return thereof shall be made by the election officers to the board of county commissioners on the next Thursday following the election, and said board of county commissioners shall tabulate and declare the result of the election, all of which shall be recorded in the minutes of the board of county commissioners, and no other recording or declaration of the result of said election shall be necessary.

Sec. 3. That at the said election the ballots cast by the qualified voters shall have printed or written on them “For Hard-Surface Road.” or “Against Hard-Surface Road,” and all qualified electors who favor the issuance of said bonds shall vote “For Hard-Surface Road,” and all qualified electors opposed to the issuing the bonds shall vote “Against Hard-Surface Road.”

Sec. 4. If a majority of the votes cast at said election shall be “For Hard-Surface Road,” the board of county commissioners of Caldwell County shall elect three residents of Lovelady Township to be known as Lovelady Township Highway Commission. At the first election of said commission one member shall be
elected for one year, one for two years, and one for three years. One member shall be elected from one of the leading political parties, and the other two from the other leading political party.

The board of county commissioners shall have power to fill all vacancies caused by death, resignation or otherwise, for any unexpired term; that as soon as practicable after the election of said commission they shall meet and organize and shall elect a chairman and secretary. And as the terms of office of the members of said commission expire, the board of county commissioners shall elect their successors for a term of three years. The treasurer of Caldwell County shall be ex officio treasurer for the funds derived under the provisions of the act.

Sec. 5. In the event that the requisite majority of the votes cast shall be "For Hard-Surfaced Roads," the board of county commissioners of Caldwell County shall thereafter, from time to time, as they may deem best, issue and sell bonds in the total amount provided for in the first section of this act. Said bonds shall bear a rate of interest to be determined upon before their issue and sale by said board of county commissioners; not exceeding six per cent per annum, and shall have interest coupons attached, payable semiannually during the time said bonds shall run. Said bonds shall mature in annual installments or series, the first of each series of which shall be payable not more than five years after the date of said bonds, and the last of each series of which not more than thirty years after such date. Said bonds and coupons shall be payable in standard currency of the United States at such time or times and at such place or places as the said board of commissioners may determine. Said bonds shall be signed by the chairman of the board of county commissioners and countersigned by the clerk of said board, and shall have impressed upon them the seal of said county. The delivery of bonds signed as aforesaid by officers in office at the time of such signing shall be valid, notwithstanding any changes in officers occurring after such signing. The said bonds shall be styled "Lovelady Township Highway Bonds."

Sec. 6. Upon the preparation of said bonds the said board of county commissioners of Caldwell County shall advertise and sell any or all of said bonds at such times as may be deemed most expedient by said board.

Sec. 7. When any of said bonds are sold the proceeds of sale shall be turned over to the treasurer of the said highway commission, who shall keep said funds separate from all other funds, and shall keep separate account of the same. Said treasurer shall annually and before any fund provided for in this act shall be paid over to him, execute an official bond in such amount as the said highway commission shall fix, payable to the county of Caldwell, which bond shall be conditioned for his faithful safe-keeping of said funds which may at any time come into his hands by
reason of this act, and rendering a true account in respect thereto, and in all things holding and dispensing the same, as is required by law, which bond shall be passed upon and accepted by said Lovelady Township Highway Commission; and all orders upon said treasurer for the payment of money out of said funds shall state on their face to what they are chargeable, and shall be signed by the chairman and secretary of the said Lovelady Township Highway Commission. The premium paid by the treasurer on said bond shall be repaid from the fund hereby created.

Sec. 8. That if at said election a majority of the votes cast shall be "For Hard-Surfaced Road," the said board of county commissioners of Caldwell County shall levy annually thereafter a special tax upon all taxable property in said township for the special purpose of paying the principal and interest of all bonds issued under this act as such principal and interest becomes due, which tax shall be in an amount sufficient for said purpose, and shall be in addition to all other taxes authorized to be levied by said board.

Sec. 9. The said Lovelady Township Highway Commission shall make every six months a detailed report to the board of commissioners of the county of Caldwell, showing the amount of money expended by them, and for what purpose so spent.

Sec. 10. That with respect to the hard-surfacing of the road mentioned in section one, the said Lovelady Township Highway Commission shall have the same power and duties as are now or may hereafter be given to the Caldwell County Road Commission, but their duties shall extend no further than the expenditure of the funds derived under the provisions hereof. Any road constructed hereunder shall be upon a survey made by the State Highway Commission.

Sec. 11. That all expenses incurred by said Lovelady Township Highway Commission in the performance of duties imposed by this act, including the attendance upon the meetings thereof, shall be paid upon their order out of the funds provided for by this act.

Sec. 12. That the chairman and members of said Lovelady Township Highway Commission shall receive such salary, per diem and mileage as shall be fixed by the board of commissioners of Caldwell County.

Sec. 13. At any time or times after it shall have been determined by the board of county commissioners of Caldwell County that at an election held under this act a majority of the votes cast on the question of issuing said bonds were in favor of the issuance thereof, it shall be lawful for the board of county commissioners to issue notes of Caldwell County in anticipation of the issuance of said bonds, and for the purposes for which said bonds may be issued, and to pledge the full faith and credit of said township for the payment of such notes. The principal and interest of such notes may be paid by means of the proceeds of
new notes or by means of the proceeds of said bonds, or by means of taxes, but the maximum amount of bonds authorized by this act shall be reduced by the amount of the principal of any such notes, which shall be paid by means of taxes levied for the purpose. The board of county commissioners shall have power to levy, in addition to all other taxes, a sufficient tax ad valorem on all taxable property in Lovelady Township for the purpose of paying the principal or interest of any such notes.

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

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

Ratified this the 5th day of March, A.D. 1923.

CHAPTER 572


The General Assembly of North Carolina do enact:

Sec. 1. That the words “and shall continue for one year,” which were added to section one of chapter six hundred and fifty-nine of the Public-Local Laws of one thousand nine hundred and seventeen by chapter four hundred and sixty-five of the Public-Local Laws of one thousand nine hundred and nineteen, be stricken out, and the following inserted in lieu thereof: “upon payment to the clerk of fifty cents by the licensee, which license shall expire September first after date of its issue.”

Sec. 2. That after the word “law,” in the third line of section two of chapter six hundred and fifty-nine of the Public-Local Laws of one thousand nine hundred and seventeen, there is added the following: “and also the name of the person known to the purchaser who identifies the seller, if the seller be unknown to the purchaser; and that no seed cotton shall be purchased in said county, if the seller is unknown to the purchaser, until such seller is first identified by some person known to the purchaser.”

Sec. 3. That there be added to said chapter six hundred and fifty-nine of the Public-Local Laws of one thousand nine hundred and seventeen another section, to be known as section three and one-half, as follows: “That this act shall not prevent the purchase of seed cotton by the owner or lessee of the land on which said seed cotton is raised.”

Sec. 4. That section three of said chapter six hundred and fifty-nine of the Public-Local Laws of one thousand nine hundred
and seventeen be stricken out and the following inserted in lieu thereof: “That any person, firm or corporation violating any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not less than fifty dollars nor more than two hundred dollars, or imprisoned not less than thirty days nor more than six months.”

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

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

Ratified this the 5th day of March, A.D. 1923.

CHAPTER 573

AN ACT TO AMEND SECTION 3905, CONSOLIDATED STATUTES, REGULATING THE FEES OF CORONER OF WAKE COUNTY.

Section amended.

The General Assembly of North Carolina do enact:

Section 1. That section three thousand nine hundred and five of the Consolidated Statutes of North Carolina be and the same is hereby amended by striking out the word “five,” in line three thereof, and inserting in line three thereof the word “ten.”

Sec. 2. This act shall apply only to Wake County.

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

Ratified this the 5th day of March, A.D. 1923.

CHAPTER 574

AN ACT TO AMEND CHAPTER 649 OF THE PUBLIC-LOCAL LAWS OF 1917, RELATIVE TO ENFORCING THE GAME LAWS OF GUILFORD COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That chapter six hundred and forty-nine of the Public-Local Laws of North Carolina, nineteen hundred and seventeen, be and the same is hereby amended by striking out all of section four after the word “treasurer” and by striking out the words and figures “two dollars ($2)” in line eight of section seven and inserting in lieu thereof the words and figures “five dollars ($5.00).”

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

Ratified this the 5th day of March, A.D. 1923.
CHAPTER 575
AN ACT TO REGULATE FOX HUNTING IN LEE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. It shall be unlawful to hunt foxes in Lee and Nash counties, North Carolina, from February first to September first: Provided, this act shall not apply to communities where foxes are making depredations on domestic fowls.

Sec. 2. Any person violating the provisions of this act shall upon conviction or submission be fined not more than fifty dollars or imprisoned not more than thirty days.

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.

Ratified this the 5th day of March, A.D. 1923.

CHAPTER 576
AN ACT TO AUTHORIZE THE COMMISSIONERS OF MARTIN COUNTY TO APPOINT ROAD TRUSTEES IN WILLIAMSTON TOWNSHIP.

The General Assembly of North Carolina do enact:

Section 1. That the commissioners of Martin County are hereby authorized and empowered, in their discretion, to appoint road trustees in Williamston Township, who shall have all power and authority as prescribed in the present road laws governing said township. Said trustees, when appointed, shall hold office for a term of two years or until their successors are elected and qualified.

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

Ratified this the 5th day of March, A.D. 1923.

CHAPTER 577
AN ACT TO PRESCRIBE CERTAIN FEES FOR THE REGISTER OF DEEDS IN MARTIN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the minimum fees the register of deeds of Martin County shall receive for registering instruments shall be as follows: For registering a deed, deed of trust, or mortgage,
two dollars; for registering a chattel mortgage or title retaining note, fifty cents; for registering an agricultural lien, one dollar.

Sec. 2. That where the present fee bill provides charges for registering the above instruments in excess of the minimum fees above enumerated, the register of deeds shall be allowed the charges under the present fee bill.

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

Ratified this the 5th day of March, A.D. 1923.

CHAPTER 578

AN ACT TO REGULATE THE FEES OF THE PROSECUTING ATTORNEY FOR THE RECORDER'S COURT OF ROBESON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the Public-Local Laws of one thousand nine hundred and seventeen, chapter three hundred and twenty-two, be and the same are hereby amended by striking out in line four of section two of said chapter the word "three" and inserting in lieu thereof the word "five," and by striking out the word "four," in line nine, and inserting in lieu thereof the word "five": Provided, however, that the fees taxed in favor of the prosecuting attorneys for the recorders' courts of Robeson County shall not be in any event, in whole or in part, any charge or liability against the county of Robeson.

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

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

Ratified this the 5th day of March, A.D. 1923.

CHAPTER 579

AN ACT TO REPEAL CHAPTER 848, PUBLIC LAWS OF NORTH CAROLINA, SESSION 1907, BEING AN ACT ESTABLISHING HAZEL CREEK PUBLIC ROAD DISTRICT IN SWAIN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That chapter eight hundred and forty-eight, Public Laws of North Carolina, session one thousand nine hundred and seven, being "An act to establish Hazel Creek Public Road District in Swain County," be and the same is hereby repealed.

Sec. 2. That all public roads in said road district shall, after the ratification of this act, be under the supervision and control
of the board of county commissioners for Swain County, and subject to the provisions of the general road law for Swain County.

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

Ratified this the 5th day of March, A.D. 1923.

CHAPTER 580

AN ACT TO FIX THE SALARIES OF THE SHERIFF, CLERK
OF THE SUPERIOR COURT, REGISTER OF DEEDS,
COUNTY SUPERINTENDENT, AND TO ABOLISH THE
OFFICE OF COUNTY TREASURER OF ALEXANDER
COUNTY.

The General Assembly of North Carolina do enact:

Section 1. The sheriff of Alexander County shall receive a
salary of twenty-five hundred dollars per annum, in lieu of all
commissions allowed by law for the collection of the taxes of the
county, special, State, or otherwise, collected by virtue of his said
office, said salary to be retroactive and commence as of the first
Monday in December, nineteen hundred and twenty-two. Said
taxes shall be faithfully collected by him and turned over to the
treasurer, bank or banks designated by the county commissioners
of said county, and in addition to the twenty-five hundred dollars,
he shall receive the present fees allowed by law on all processes
served or executed by him or his deputies, and his commissions on
executions collected by him or his deputies now allowed by law.

Sec. 2. The sheriff shall use all the means now provided by
law, or which may hereafter be provided by law, to collect all
taxes turned over to him for collection, and shall on or before the
first Monday in December of the next succeeding year settle with
the county commissioners for the same.

Sec. 3. The jailer shall be appointed by the sheriff and shall
receive the fees now allowed by State and Federal law, and such
others as the board of county commissioners may from time to
time fix and allow for the keep and care of prisoners confined to
the common jail of said county.

Sec. 4. That in lieu of the twenty dollars allowed by law for
the capture and destruction of illicit distilleries, said sheriff or
his deputies shall be allowed actual expenses when a distillery is
destroyed, which shall not in any case exceed the sum of five
dollars.

Sec. 5. The sheriff of Alexander County or his deputies shall be
allowed the amount of their actual expenses for conveying pris-
oners to or from other counties, or to or from the State Prison,
for taking insane persons to or from the State Hospital, and it
Monthly statement of expenses.

shall be the duty of the sheriff to render to the board of county commissioners a monthly statement of the expenses herein provided for, showing the amount of expenses and date and purpose for which spent; and if satisfied that the amount is correct, said commissioners shall pay the same to the sheriff by order upon the treasurer, bank or banks holding the county funds, and the cost of conveying prisoners, where it may be recovered, shall be taxed in the bill of cost by the court when requested by the commissioners.

Sec. 6. The clerk of the Superior Court of Alexander County shall receive a salary of one thousand dollars per annum, the register of deeds shall receive a salary of one thousand dollars per annum, said salaries respectively to be in lieu of all other compensation whatever, and out of said salaries each of the officers shall pay their clerks and deputies.

Sec. 7. The county superintendent of schools shall receive a salary of eighteen hundred dollars per annum, with no allowance for clerk hire.

Sec. 8. That the office of county treasurer of Alexander County is hereby abolished, and in lieu of the duties of such officer, the county commissioners shall at a regular meeting of the board select some bank or banks in Alexander County as financial agent, which said bank or banks shall perform the duties of said county treasurer, with reference to handling the funds deposited with it: Provided, that such bank or banks shall receive no fee or compensation for its services other than the advantage or benefits that may accrue from the deposits so made with it in the regular course of business.

Sec. 9. That such bank or banks acting as financial agent for said county shall execute a bond, to be approved by the said board of county commissioners (not to exceed the bond required by law for the treasurer), for the faithful accounting for any and all funds deposited with it, and conditioned as now provided by law for the faithful accounting by the county treasurer: Provided, that said bank or banks shall be selected for a period of two years, unless some good grounds as to the financial condition of said bank or banks shall in the opinion of said commissioners warrant them to designate some other bank or banks; that such bank or banks so selected shall keep an accurate account of all moneys deposited with it, and shall keep separate accounts of the school funds, and any other funds as required by the said board of county commissioners, which said fund shall be paid out by said bank or banks upon the proper warrant that is now or may hereafter be provided by law in like manner as if the same was on deposit by regular depositing customer on funds subject to check. The said board may appoint one bank treasurer of the general fund and another bank treasurer of the school fund.
Sec. 10. That the officers hereinbefore mentioned, to wit, the
sheriff, clerk of the Superior Court, register of deeds, and county
superintendent of schools, respectively, shall faithfully perform
all the duties of their said offices as now imposed by law or that
may hereafter be imposed by law, and shall receive no other com-
 penseation or allowance whatever for any extra or additional
service rendered to the county or State or other governmental
agency, and each of said officers shall be liable to all the pains
and penalties now or hereafter provided for failure to perform
the duties of their said offices.

Sec. 11. Each of said officers shall be provided with a book in
which shall be entered an itemized statement of all fees, com-
 missions, profits, or other compensation (for which they are
liable to account), the services performed, and the amount charged
and received therefor.

Sec. 12. The finance committee of Alexander County is hereby
charged with the duty of auditing and approving monthly the
reports of the commissioners, and the profits received by the
sheriff, clerk of the Superior Court, and register of deeds, and it
shall be its duty to examine all books, papers, and records of
every kind kept by said officers, and to see that all fees, commis-
sions, and profits earned by any of said officers (for which they
are liable to account) are properly charged and collected by them
and turned over to the authorities handling the funds of the
county.

Sec. 13. That the treasurer, bank or banks handling the
county's funds, books and records shall be examined and audited
monthly by the finance committee of Alexander County.

Sec. 14. That the salaries herein allowed and provided for shall
be paid by the treasurer, bank or banks handling the funds of said
county to each of said officers in monthly installments, beginning
as hereinbefore provided, and the receipt of said officer shall be a
voucher in the hands of said treasurer, bank or banks in making
settlement with the county authorities.

Sec. 15. Any officer mentioned in this act who shall willfully
fail or refuse to collect the full fees, commissions, or emoluments
of any kind belonging to his office, or who shall willfully fail or
refuse to keep the records provided in this act, or shall willfully
fail or refuse to make a full and accurate settlement of all fees,
commissions, profits, and emoluments of his office as herein pro-
vided, shall be guilty of a misdemeanor, and upon conviction be
punished by a fine or imprisonment, in the discretion of the court;
and all such fees, commissions, profits, and emoluments must be
collected in advance and before the service is rendered, except in
suits or proceedings where bonds of cost are required and given,
or where an order allowing a plaintiff or defendant to sue, or
defend, in forma pauperis has been made, and fees of a defendant
in a criminal action or proceeding.
Sec. 16. All fees, commissions, profits, and emoluments of the
sheriff, clerk of the Superior Court, register of deeds, except when
otherwise herein provided, shall be paid into the general funds of
Alexander County.

Sec. 17. That the county commissioners shall furnish, at the
expense of the county, each of said officers with all the necessary
records, books, furniture, files, stamps, and stationery of every
description.

Sec. 18. Upon the expiration of the term of office of any officer
mentioned in this act (except as herein provided) all records,
books, process and papers shall be turned over to his successors
in office, who shall execute a receipt therefor, and said officer so
receiving said records, books, process and papers shall have the
same authority in reference to all of said books, records, process
and papers as his predecessor or predecessors had.

Sec. 19. The board of commissioners of Alexander County are
authorized and empowered, instead of having the work of audit-
ing done by the finance committee as herein provided, to employ
a competent auditor or auditors to do said work. Said board of
commissioners are also empowered to cause the books of said
county to be audited by an expert accountant for such period in
the past as they shall deem necessary. Said board are also em-
powered to use the balance of a fund collected for the building
of a county home, amounting to about nine hundred dollars ($900),
for general county purposes or in the improvement of the said
county home and to such an extent as they shall deem advisable.

Sec. 20. All laws and clauses of laws in conflict with this act
are hereby repealed, but nothing in this act shall be construed as
relieving the sheriff of collecting, without salary, after his official
term has expired, all such uncollected taxes as may be on any
books in his hands.

Sec. 21. This act shall be in force and effect from and after its
ratification.

Ratified this the 6th day of March, A.D. 1923.

CHAPTER 581

AN ACT PROVIDING FOR ELECTIONS FOR ALL BOND
ISSUES AND SPECIAL TAX LEVIES IN JOHNSTON
COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That all bond issues or tax levies created, authorized
or directed by any special act of the General Assembly for one
thousand nine hundred and twenty-three affecting Johnston
County shall be operative and effective only when the same shall
have been submitted to a vote of the qualified voters of Johnston County and a majority of the votes cast shall be for such bond issue or special tax.

Sec. 2. The board of county commissioners of Johnston County are hereby authorized and directed, upon a petition signed by ten per cent of the qualified voters, to call an election, same to be held under the same rules and laws governing the election of members of the General Assembly, and at such election the commissioners shall provide ballots of the same size and color in sufficient numbers, one set of which shall contain the words “For Special Tax” and the other “Against Special Tax,” and a sufficient quantity of each shall be provided at each polling place in Johnston County.

Sec. 3. If at such special election a majority of the votes cast are for special tax the county commissioners are directed to levy such tax and pay same over to the proper authorities, as provided for in the special act for which such election is called to ratify, and such special act shall be fully operative after such ratification at the polls, together with all its provisions and details.

Sec. 4. This act shall be in force from and after its ratification. Ratified this the 5th day of March, A.D. 1923.

CHAPTER 582

AN ACT EMPOWERING THE COUNTY COMMISSIONERS OF MOORE COUNTY TO ACQUIRE BY DONATION OR GIFT GROUNDS, BUILDINGS AND OTHER EQUIPMENT FOR A HOSPITAL FOR SAID COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the county commissioners of Moore County be and they are hereby authorized and empowered to acquire by donation or gift, grounds, buildings and other equipment as may be necessary for establishing and maintaining a hospital for said county.

Sec. 2. That the said commissioners of Moore County are hereby authorized and empowered to organize the management of said hospital by the appointment of a hospital board for the regulation and management of said hospital.

Sec. 3. That the county commissioners of Moore County are hereby authorized and empowered to appropriate such funds as may be necessary for aiding in the operation and maintaining of said hospital; that said hospital may be operated in connection with or separate and apart from any other Moore County institution, and said hospital shall be open to all the citizens of said county on such terms and under such regulations as may be adopted by said hospital board.
Repealing clause.

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

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

Ratified this the 6th day of March, A.D. 1923.

CHAPTER 583

AN ACT AUTHORIZING THE CREATION OF CEMETARY TRUSTEES FOR CITIES AND TOWNS IN NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Section 1. That the governing body of any municipal corporation which now owns or shall hereafter own a cemetery is authorized, if it is deemed proper, to create a board composed of not less than three nor more than five persons, to be known as "Cemetary Trustees of the Town or City of ......................, North Carolina"; shall fix the term of office of each member, in no case to exceed five years, and in case of any vacancy by death, resignation or otherwise, elect a successor.

Sec. 2. That the members of said board, when properly elected, shall within thirty days after notice of their election convene and designate one of their number chairman, one secretary and treasurer, and provide for regular meetings at such times as the said board shall fix; it shall also fix the bond to be given by the secretary and treasurer, conditioned for the faithful accounting of all moneys which shall come into his hands; shall provide for special meetings, and shall cause the secretary to keep a record of its proceedings.

Sec. 3. That upon the creation of such board the title to all property held by the town or city and used for cemetery purposes shall pass to and vest in said board, subject to the same limitations, conditions and restrictions as it was held by the town or city.

Sec. 4. That the said board shall have the exclusive control and management of such cemetery; shall have the power to employ a superintendent and such assistants as may be needed, and may do any and all things pertaining to the control, maintenance, management and upkeep of the cemetery which the governing body of the town or city could have done, or which by law the governing body of the town or city shall hereafter be authorized to do.

Sec. 5. That all rules and regulations heretofore adopted by the town or city for the control, upkeep, management, and maintenance, as well as policing of the cemetery, shall continue in force and effect until and after the said board shall have changed the same as herein provided for.
SEC. 6. That the said board shall have power to adopt rules and regulations for maintaining order in the cemetery and policing the same, and such rules and regulations, when adopted, shall have the same force and effect as ordinances adopted and passed by the governing body of the town or city. When any such rules and regulations shall be adopted the secretary of the board shall transmit a copy thereof to the governing body of the town or city, and shall cause a copy to be published in some newspaper published in the town or city, and the said rules and regulations shall be in force and effect ten days after their publication.

SEC. 7. That thirty days prior to the adoption of the annual budget by the governing body of the town or city, the said trustees shall present to such governing body a budget for the ensuing year, in which said budget there shall be set out in detail an accurate account of the receipts and expenditures of the board for the previous year, the estimated expense for the ensuing year, the estimated source of income from all sources, other than appropriation by the governing body of the town or city, any balance on hand, and such other information as the said trustees may think proper; and the said governing body of the town or city shall in the annual budget include a sufficient appropriation for the care and maintenance of the said cemetery for the ensuing year, which shall be paid over to the board of trustees in monthly installments.

SEC. 8. That the board of trustees shall obtain from the governing body all maps, plats, deeds and other evidences relating to the lands, lots and property of the cemetery; they shall also obtain from the governing body of the town or city, as nearly as possible, an accurate list of the lots theretofore sold, together with the names of the owners thereof. The said board of trustees shall from time to time cause surveys to be made, maps and plats prepared, laying out additional lots, streets, paths, walks and parkways; shall fix a price at which such lots shall be sold, which price may from time to time, in the discretion of the board, be changed; shall adopt rules and regulations as to the sale of said lots and deliver to the purchaser or purchasers deed or evidences of title thereto.

SEC. 9. That the said board shall have the power to acquire additional lands for cemetery purposes, either by purchase or otherwise. In making such additional acquisitions of property, if possible, they shall acquire adjacent property; all moneys received from the sale of lots shall be held by the board of trustees intact and used for the purchase of additional lands; to beautify and otherwise maintain and keep the present property and the future acquired property. The board may, if it seems best to it, invest the said money in good, interest-bearing securities, payable to the

Rules for maintaining order and policing.

Force of rules.

Copy to governing body.

Publication.

Presentation of budget.

Details of budget.

Appropriation.

Payment to board.

Commissioners to obtain maps, plats and deeds.

List of lots sold and owners.

Surveys and plats to be made.

Additional lots, streets, walks and parkways.

Price of lots.

Regulation of sale of lots.

Power to acquire land.

Adjacent property.

Disposal of money from lot sales.

Investments.
said board, and the income derived therefrom shall be by the board used in the beautifying, maintenance and upkeep of the cemetery or cemeteries under its control.

Sec. 10. That if it becomes necessary to acquire additional lands for cemetery purposes and the said board cannot agree with the owners upon the price thereof, the said board shall have the power to condemn the said lands for cemetery purposes, and in so doing the provisions of chapter thirty-three of the Consolidated Statutes shall be followed as nearly as possible, and to that end, and for that purpose, the board of trustees of any cemetery acquired under this act shall be deemed and considered a corporation and a body politic.

Sec. 11. That if any lands are acquired by purchase or condemnation for cemetery purposes and the board of trustees shall not have sufficient funds with which to pay for the same, the amount necessary shall be included in their budget, and the governing body of any town or city shall make an appropriation necessary to complete the purchase.

Sec. 12. The board of trustees of any cemetery shall have the power to accept gifts, either by devise, bequeath or otherwise, and hold the same for the purposes expressed in the gift, and any moneys coming into the hands of such board by devise or otherwise shall be by the board used exclusively for the purposes for which it is given.

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

Ratified this the 6th day of March, A.D. 1923.

CHAPTER 584

AN ACT FOR THE PROTECTION OF GAME IN DUPLIN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the owner, natural or artificial, of any lands, wishing to make the same an asylum for game, may list the same with the clerk of the Superior Court of the county in which said land is situated, with proper description of same, and setting forth the length of time for which said land shall be such asylum for game, which shall not be less than two years nor more than five years from said date, the same to be in writing and duly signed by the owner, after the same has been dated, and the same shall be duly acknowledged or proven as now provided by law for instruments permissable or required to be recorded.

Sec. 2. The said clerk of the Superior Court shall mark the same filed, and record in a book to be provided by the county,
which shall be denominated "Game Asylum," which book shall contain an alphabetical index of such owners, together with the number of the page on which such listing is made, and it shall be the duty of the clerk to index same as soon as recorded by him, the expense of recording to be borne by the landowner at ten cents per copy-sheet.

Sec. 3. That from and after the filing of any such paper as provided herein, and for and during the period for which such land shall be a game asylum, as set out therein, it shall be unlawful for any person to kill, hunt, trap, injure or molest any wild duck, wild turkey, squirrel or quail within the boundaries of said tract of land so listed, and each animal or bird so killed, hunted, trapped or injured shall constitute a separate offense under this chapter, and any person violating this act shall be guilty of a misdemeanor.

Sec. 4. That it shall be the duty of the game warden of the county to obtain a list of all such asylums from the clerk, and to prosecute all persons who shall violate this act; and upon each conviction that he may secure for a violation of this act, there shall be allowed and taxed in the bill of costs five dollars for the game warden, to be paid by the defendant as other costs: Provided, this act shall only apply to Duplin County.

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

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

Ratified this 6th day of March, A.D. 1923.

CHAPTER 585

AN ACT TO AMEND CHAPTER 169, PUBLIC-LOCAL LAWS, EXTRA SESSION 1921, PROVIDING FOR THE ESTABLISHMENT OF PLANNING COMMISSIONERS IN THE CITIES AND TOWNS OF NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That section twelve of chapter one hundred and sixty-nine, Public-Local Laws of Extra Session one thousand nine hundred and twenty-one, and amendments thereto, be amended by adding at the end thereof the following: "That this act shall also apply to the county of Durham."

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

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

Ratified this the 6th day of March, A.D. 1923.
CHAPTER 586

AN ACT RELATING TO PUBLIC ROADS AND BRIDGES IN HARNETT COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. A body to be known and designated as the "Highway Commission of Harnett County" (hereinafter referred to as the highway commission or the commission) is hereby created in and for Harnett County. The commission is hereby constituted a body politic and corporate, under the name and style aforesaid; the commission may sue and be sued, adopt a common seal, purchase or otherwise acquire and hold all property which may be necessary for the exercise of the powers of the commission, and do any and all things which may be necessary for the proper accomplishment of the purposes specified in this act.

SEC. 2. The highway commission shall be composed of five members, who shall in the first instance be appointed by the board of commissioners of Harnett County within sixty days after this act shall go into effect. The members of said commission so appointed by the board of commissioners of Harnett County shall hold office until the first Monday in December, one thousand nine hundred and twenty-four, and their successors shall be elected in the manner hereafter stated. At the general election to be held for the year one thousand nine hundred and twenty-four, and at each general election to be held thereafter, for the election of county officers, there shall be elected by the qualified voters of Harnett County five members of the highway commission, to serve for a term of two years. The term of office of each member shall be deemed to continue until the election and qualification of his successor. If for any cause there shall be a vacancy in the commission, the remaining members thereof or member thereof shall appoint some person who is a citizen and taxpayer of Harnett County to fill such vacancy, and the person so chosen shall serve for the unexpired term. The members of the highway commission, before entering upon the discharge of their duties, in addition to the oath to support the Constitution and laws of the United States and of the State of North Carolina, shall take before the clerk of the Superior Court of Harnett County the following oath of office, which oath shall be signed by each member, and shall be attested by said clerk and recorded in the book of official oaths, to wit: "I, .................................., do solemnly swear (or affirm) that I will honestly, diligently, and faithfully perform the duties of the office of member of the highway commission of Harnett County to the best of my knowledge, skill and ability: so help me, God."

SEC. 3. The highway commission shall meet at the courthouse in Harnett County within twenty days after their appointment, and shall proceed to organize by the election of one of its mem-
bers as chairman, and some competent person as secretary. The commission shall hold a regular meeting at the courthouse in Harnett on the first Monday in each month, and special meetings may be held at any time upon the call of the chairman or any two members of the commission upon two days notice to the members who do not join in the call. The members of the commission shall receive as compensation while actually engaged in the performance of their duties the sum of five dollars ($5) per diem and mileage; but no per diem shall be paid for more than two days in any one month. The secretary shall receive such salary or per diem as the commission may provide, and shall give such bond as the commission may determine.

Sec. 4. The secretary of the commission shall keep a record and minutes of its proceedings in a book to be provided for that purpose, which book, together with all other records, papers and vouchers, shall be at all times kept open to the inspection of the public.

Sec. 5. There shall be elected by the highway commission annually a competent, skillful and experienced person, having practical experience in modern methods of road building, who shall be known and designated as the “Superintendent of Highways”; and there shall also be elected annually (if the highway commission deems it to be necessary) a skilled and experienced civil engineer, also experienced in modern methods of road building, who shall assist the superintendent of the highways in the discharge of his duties as fixed by this act, and who shall be known and designated as the “Highway Engineer.” The same person may be appointed both as superintendent of highways and as highway engineer. The said superintendent of highways and highway engineer (if one be elected) shall be paid a just and reasonable compensation, to be fixed by the commission, and the salaries shall be paid out of the taxes to be levied and collected under this act.

Sec. 6. Before entering upon the discharge of his duties the superintendent of highways shall give bond in the penal sum of five thousand dollars, with surety to be approved by the commission, conditioned upon the faithful performance of his duties and the proper accounting for all funds which may come into his hands by virtue of this act, which bond shall be approved by the commission and filed with its secretary. The commission in like manner may cause the highway engineer to give such bond as the commission may, in its discretion, determine. In case such bonds be given in surety companies, then the premiums thereon shall be paid by the commission from the road taxes to be collected under the provisions of this act.

Sec. 7. The highway commission, or the superintendent of highways under its direction and as its agent, shall have power and authority to employ and fix the rate of compensation of such overseers, foremen, laborers, and other employees as may be neces-
Supervision and control of employees.

Authority to suspend or discharge.

Duties and powers transferred.

Management and control vested.

Exceptions.

Further enumeration of powers.

Selection of roads.

Manner of work.

Establishment and alteration of roads.

Discontinuance.

Township system abolished.

Work to be governed by highway commission.

Expenditures not governed by source.

Proviso: parity of expenditures and of work.

Sary to be employed to carry out the provisions of this act, and the persons so employed shall be at all times under the supervision and subject to the full authority of the commission and its agents, and the commission shall have full authority at all times to suspend, remove and discharge any of its employees, including the superintendent of highways and the highway engineer.

Sec. 8. The highway commission shall perform all the duties which have heretofore been performed, and exercise all the powers heretofore exercised by the board of county commissioners of Harnett County, or by the road officials of the several townships within said county, or by any other body or person now or heretofore acting under authority of existing law in relation to the public roads and bridges of said county, whether under general law or by special statute; and the management and control of all the public roads and bridges within said county shall be vested absolutely and entirely in the highway commission, except roads and bridges under the exclusive control and management of the authorities of an incorporated city or town, or the authorities of the State of North Carolina. The highway commission, or its duly authorized agent, shall have power and authority to supervise, direct, and have full charge and control of the building, maintenance, and repair of all said public roads and bridges, including the control of the county convict force. It shall have full and complete authority to determine what roads or parts of roads shall be worked or improved and how, when, and in what manner the work shall be done; it shall have full charge and control of the laying out of new roads, the widening or relocating of public roads now in use, and the discontinuing old roads, and it shall have full and complete power and authority to do any and all things necessary to be done in the proper furtherance and for the prompt discharge of said duties, and all other duties imposed upon it by this act.

Sec. 9. The system of working the public roads of Harnett County by townships, expending within each township the road taxes collected within the township, is hereby abolished; and hereafter all public roads of said county shall be worked, improved, maintained, and repaired, and all public bridges built, cared for and kept up from the taxes and other moneys authorized by this act to be expended by the highway commission, and said taxes and other moneys may be expended for roads or bridge purposes in accordance with this act as the same may be necessary in any part of the county without respect to the township or section from which the taxes or other moneys were derived: Provided, however, that in expending the receipts from the road taxes to be levied and collected under the provisions of this act the highway commission shall disburse the same so that the public roads and bridges in each section of the county shall be kept in as good a state of repair, so far as practicable, as the public roads and bridges are in other sections of the county.
Sec. 10. Any person in Harnett County who shall be convicted in any of the courts of said county, whether Superior, justices', mayors' or other courts, and sentenced to work on the public roads, shall be assigned into the custody and control of the highway commission of Harnett County by the board of county commissioners of said county, or other authority having charge of said prisoners, whenever the highway commission shall request said board of county commissioners or other authority so to do. Said prisoners while in the custody and under the control of the highway commission shall be employed on such road work or bridge work as may be deemed best by the highway commission, or if at any time said prisoners cannot, in the judgment of the highway commission, be advantageously employed on such work, it shall be lawful for the highway commission to hire out said prisoners, for reasonable and proper consideration, as one body or in a gang or gangs, to any person, firm or corporation, public or private, for the performance of other kinds of works, whether road work or other work. The expense of maintaining and guarding said prisoners while employed or hired out by the highway commission shall be paid out of the taxes levied for road purposes under the provisions of this act, or out of the moneys received as compensation for their services. The highway commission is hereby authorized and empowered to use the common jail of said county for the safe-keeping of said prisoners, or to build and keep a convict camp or camps for said purpose, and is also authorized and empowered to feed, clothe, maintain, and guard said prisoners while they are employed or hired out as aforesaid.

Sec. 11. In addition to the convict force, said highway commission shall have power and authority to employ such free labor as may be necessary for the proper construction, maintenance and repair of the public roads and bridges in accordance with the provisions of this act. The commission shall also have full power and authority to engage, purchase, or hire such teams, tools, machinery, and equipment as may be necessary for use upon the public roads and bridges and pay therefor reasonable compensation.

Sec. 12. The highway commission shall also have power and authority to enter into contracts with any person, firm or corporation for the construction, improvement, maintenance or repair of any public roads or bridges of the county, and, in all cases where in the judgment of the commission it is necessary or desirable, to require the contractor to give bond, conditioned for the faithful performance of his contract.

Sec. 13. In opening new highways, widening and straightening out old roads or repairing the same, the highway commission is hereby authorized through its agents to enter upon any land and build such highways. If the commission and the owner or owners of said land cannot agree as to the amount of damages, if any,
the commission shall, either before or after the completion of the work, select one disinterested freeholder, who shall be a resident of the township in which the land is situated, and the said landowner shall have the power and authority to select one disinterested freeholder in said township, and the two so selected shall have the power and authority to choose a third freeholder in said township, and the three persons so chosen shall go upon the land and assess the damages and benefits. The judgment of two of those chosen shall be the amount of damages the said commission shall pay said landowner: Provided, in case either party to said proceeding is not satisfied with the award of damages, they may appeal to the Superior Court of Harnett County, as in all other cases of appeal from inferior courts: Provided, also, that no suit shall be instituted by the landowner for damages on account of location of the road under this act or the taking of timber or material until after sixty days after the completion of the road across the lands of such landowner, and no suit shall be brought by any landowner unless the same is commenced within six months after the completion of the road across the lands of the claimant.

Sec. 14. The highway commission is hereby authorized through or left for shade or ornament), dig or cause to be dug and carry away any timber (except trees or groves on improved land planted or left for shade or ornament), dig, or cause to be dug and carry away any gravel, sand, clay, dirt, or stone which may be necessary for the repair or construction of roads in said county, and make or cause to be made such drains or ditches upon any land adjoining or lying near any road in said county that the commission may deem necessary for the better condition of the road; and the drains and ditches so made shall not be obstructed by the occupants of such lands or any other person; and any person obstructing such drains or ditches shall be guilty of a misdemeanor. Due compensation shall be made for any damage sustained by the landowner under this section, to be ascertained under the same rules and regulations as are provided in section thirteen.

Sec. 15. Before entering upon any land as authorized by sections thirteen and fourteen of this act, it shall be the duty of the highway commission, through its representatives, to serve notice upon the owner or owners of said land, notifying them that the highway is to be located upon the land or that certain material is to be taken, as the case may be.

Sec. 16. The highway commission shall have power to acquire by purchase or condemnation gravel pits, rock quarries, and all materials, machinery, implements, and property necessary or useful for the construction, improvement or repair of the public roads or bridges under the charge of the commission.

Sec. 17. The highway commission shall in each year, prior to the date on which the board of county commissioners of Harnett
County levies taxes for general county purposes (beginning in the year nineteen hundred and twenty-three), present to the board of county commissioners a statement of the rate of the special tax which the commission desires to have levied by the board of county commissioners for such year for the special purpose of improving, maintaining, and repairing public roads and bridges under the provisions of this act; and it shall be the duty of the board of county commissioners to levy said special tax at said rate for said purpose upon all the taxable property in the county: *Provided, however,* that the board of county commissioners shall not levy a tax for said purpose at a rate greater than twenty cents on the one hundred dollars valuation of said taxable property.

**Sec. 18.** Harnett County shall assume the payment of the principal and interest of all bonds or notes now outstanding issued by any township in Harnett County for the purpose of constructing, improving or repairing roads or bridges in said township; and it shall be the duty of the board of county commissioners of Harnett County to levy annually a special tax upon all taxable property in said county for the special purpose of paying such principal and interest, or for providing a sinking fund for such bonds or notes, which tax shall be levied at a rate sufficient for said purpose and shall be in addition to all other taxes authorized to be levied by the board of county commissioners. The power and duty to levy such special tax is hereby conferred and imposed upon the board of county commissioners for the reason that the charge and control of the roads and bridges for which the bonds and notes aforesaid were issued are transferred by this act from the township authorities to the county authorities, and for the further reason that it would be inequitable to require the several townships by or on whose behalf said bonds and notes were issued, to bear the whole burden of taxation for the purpose of paying said bonds and notes, as well as the burden of the taxes required by section seventeen of this act and the taxes to be levied to pay county bonds to be issued for road and bridge purposes under this act.

**Sec. 19.** All moneys on hand when this act takes effect or thereafter received, which were or shall be raised by Harnett County or by or on behalf of any township therein for road or bridge purposes (other than moneys raised to pay the principal and interest of outstanding township bonds or notes), whether raised by taxation, bond issues, or otherwise, including any moneys received by reason of the hiring out of the convict forces by the highway commission to any person, firm or corporation, shall upon the taking effect of this act, or when they are collected, be deposited with the county treasurer and kept by him in a separate fund or funds and paid out only upon written orders of the highway commission, signed by the chairman and secretary of the

**County commissioners to levy tax.**

**Proviso: limit of rate.**

**Assumption of township bonds.**

**Tax for payment of township bonds.**

**Consideration of assumption and tax.**

**Moneys to be deposited as road fund.**
Equipment turned over.

Monesy deposited as fund to pay township road debts.

Proviso: money retained for completion of work.

Commissions not allowed.

Special and local road laws repealed.

General repealing clause.
Effect of repeal.

Bond issue authorized.

Amount.

Purpose.

Methods of issue.

Maturity.

Commission. All road machinery, stock and implements and other road property owned or used by Harnett County or by any township therein shall, upon the taking effect of this act, be turned over to the highway commission.

Sec. 20. All money on hand when this act takes effect, or thereafter received, raised or to be raised by means of a tax levied on property or polls in any one township for the purpose of paying the principal or interest of bonds or notes issued by such township for road or bridge purposes, shall, when this act takes effect, be deposited with the county treasurer of Harnett County and placed by him in separate funds to be used solely for the purpose of paying the principal and interest of said bonds and notes: Provided, that any funds now in the hands of the treasurer of any township commissioners arising from the sale of bonds for their outstanding contract for the construction of any certain roads in said township, said funds shall remain in the hands of said treasurer and be paid out in the construction of the roads in said township in completion of the program of the said township road commissioners under the direction of the township road commissioners of said township.

Sec. 21. No commissions shall be allowed to the county treasurer's office or to the board of county commissioners on account of the receipt or disbursement of the proceeds of the sale of any bonds, or on account of any moneys raised by special tax for road or bridge purposes or for the payment of the principal or interest of any bonds or notes issued for such purposes.

Sec. 22. All special or local laws relating to the construction, improvement or maintenance of public roads or bridges of Harnett County or of any township therein, including special or local laws authorizing the raising of money for said purposes, are hereby repealed. All laws and parts of laws in conflict with this act are also repealed. Nothing in this act, however, shall be held to invalidate any indebtedness incurred under any law hereby repealed, or to invalidate any act done under such a law, or to prevent the collection of any taxes levied under such law.

Sec. 23. The board of commissioners of Harnett County is hereby authorized, upon the condition and subject to the limitations and restrictions in this act, to issue bonds of said county in an aggregate principal amount not exceeding three hundred thousand dollars for the purpose of paying off, exchanging or refunding the road bonds of the several townships of Harnett County issued for road purposes and which are now outstanding. The said bonds may be issued and sold as one issue or divided into two or more issues, and in either case may be issued all at one time or from time to time. Each issue shall so mature that the aggregate principal amount of the issue shall be payable in annual installments, beginning not more than five years after the
date of the bonds of such issue and ending not more than thirty years after the date of such issue. No installments of any such bonds shall be more than two and one-half times as great in amount as the smallest prior installment of the same issue. If all bonds of any one issue are not delivered simultaneously, the bonds of such issue delivered at any one time shall mature as aforesaid. The proceeds of such bonds when sold shall not be used for any other purpose than that of exchanging, refunding or paying off the bonds of the several townships of Harnett County issued for road purposes and then outstanding.

Sec. 24. Said bonds shall be issued in such form and denominations, and with such provisions as to time, place and medium of payment of principal and interest as the board of county commissioners of Harnett County may determine, subject to the limitations and restrictions of this act. The bonds shall bear interest at a rate not exceeding six per cent per annum, payable semi-annually. They may be either coupon bonds or registered bonds, and if issued in coupon form may be made registrable as to principal or as to both principal and interest. They shall be signed by the chairman of the board of county commissioners of Harnett County, and the county seal shall be affixed to the bonds and attested by the clerk of said board; and the coupons of such bonds shall bear the printed or lithographed or engraved facsimile signature of the chairman of said board of county commissioners who is in office at the date of the bonds. The delivery of bonds signed as aforesaid by officers in office at the time of such signing shall be valid notwithstanding any changes in officers occurring after such signing.

Sec. 25. That said bonds authorized under this act shall be sold by the county commissioners of Harnett County in accordance with the law governing the sale of bonds by counties, but in no event shall the said bonds be sold for less than par and accrued interest.

Sec. 26. The proceeds of the sale of said bonds shall be placed in a separate fund and used only for the purposes for which the said bonds were issued. The purchaser of the said bonds shall not be bound to see to the application of the proceeds.

Sec. 27. The powers granted by this act are granted in addition to and not in substitution for existing powers of the board of county commissioners of Harnett County, and are not subject to any limitation or restriction contained in any other law.

Sec. 28. No commission shall be allowed to the county treasurer's office or to the board of county commissioners on account of the receipt or disbursement of the proceeds of the sale of any bonds, or on account of any moneys raised by special tax for road or bridge purposes, or for the payment of the principal or interest of any bonds or notes issued for such purposes.
Special and local laws repealed.

SEC. 29. That all special or local laws relating to the construction, improvement or maintenance of public roads or bridges in Harnett County, or of any township therein, including special or local laws authorizing the raising of money for said purposes, are hereby repealed. All laws and parts of laws in conflict with this act in any way affecting Harnett County are also repealed. Nothing in this act, however, shall be held to invalidate any indebtedness incurred under any law hereby repealed, or to invalidate any act done under such law, or to prevent the collection of any taxes levied under such law.

Petition for election.

SEC. 30. This act shall not become effective unless and until a petition of at least twenty per cent of the qualified voters of Harnett County shall be presented to the county commissioners of said county asking that an election be called for the purpose of taking the sense of the voters of Harnett County upon the provisions contained in this act. The county commissioners of said county shall within thirty days after receipt of said petition by them call an election by the qualified voters of Harnett County to be held under the same rules and regulations and in the same manner as elections for members of the General Assembly. For the purposes of said election a new registration of the qualified voters may be held. At the said election the voters shall cast ballots on which shall be printed or written the words “For County Road System,” and ballots on which shall be written or printed the words “Against County Road System.” If a majority of the votes cast at said election shall be “For County Road System,” then this act shall be in full force and effect. If a majority of the votes so cast shall be “Against County Road System,” then this act shall be null and void.

Commissioners to meet and qualify.

SEC. 31. That the highway commissioners herein named shall meet on the first Monday in April, one thousand nine hundred and twenty-three, at the courthouse in Lillington, and there take the oath as required in this act and organize and elect one member as chairman to the board, and elect a secretary to said board, and counsel to said board; and to take charge of the roads of Harnett County as contemplated and provided for in this act.

Organization.

SEC. 32. That this act shall be in force and effect from and after its ratification.

Ratified this the 6th day of March, A.D. 1923.

CHAPTER 587

AN ACT REGULATING ROAD HANDS IN DUPLIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the township supervisors of Duplin County shall have supervision and allotment of the hands of their re-
spective townships to stream duty and shall allot such hands as they think is needed for said work in accordance with the general rule for allotting road hands: Provided, where two or more townships are divided by the same stream, then the chairman of the board of supervisors of these townships shall allot the stream hands.

Sec. 2. Any person summoned for road or stream duty according to law who shall, by twelve o'clock of the day preceding the one appointed for work on the road or stream, pay to the overseer the sum of one dollar and fifty cents shall be relieved from working for one day.

Sec. 3. That the provisions of this act shall in no wise repeal any law in Duplin County not in conflict with this act, and shall not repeal any of the provisions of any act for a special road district in conflict with this act.

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

Ratified this the 6th day of March, A.D. 1923.

CHAPTER 588

AN ACT TO FIX THE FEES OF THE SEVERAL RECORDERS OF ROBESON COUNTY, AND OTHER FEES.

The General Assembly of North Carolina do enact:

Section 1. That the board of commissioners of Robeson County shall investigate and determine the amount of time necessary to be devoted to the duties of the office of recorder of the several recorders' districts in Robeson County, and the proper dispatch of the business of such courts, and shall fix the salary of each recorder of the several recorders' districts in Robeson County at such sum of money as the board of commissioners of Robeson County, in its discretion, may deem commensurate with the duties performed by each recorder, and the business dispatched by each court, such salary to be payable monthly.

Sec. 2. That the board of commissioners of Robeson County, in its discretion, may increase the allowance for clerk hire now allowed the sheriff of Robeson County in the conduct of the public business of his office to an amount not to exceed eighteen hundred dollars per annum.

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

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

Ratified this the 6th day of March, A.D. 1923.
CHAPTER 589

AN ACT AUTHORIZING THE BOARD OF COMMISSIONERS OF CUMBERLAND COUNTY TO SUBMIT TO THE QUALIFIED VOTERS OF SAID COUNTY THE QUESTION OF REDUCING THE NUMBER OF COUNTY COMMISSIONERS FROM FIVE TO THREE, AND THE QUESTION OF CHANGING THE METHOD OF NOMINATING COUNTY COMMISSIONERS.

The General Assembly of North Carolina do enact:

SECTION 1. The board of commissioners of Cumberland County may, if they deem it advisable, submit to the qualified voters of said county at the next or any subsequent general election the question of

(1) Whether they desire to retain the existing number and method of nominating county commissioners; or

(2) Whether they desire to divide the county into five separate districts and nominate a commissioner for each district; or

(3) Whether they desire to divide the county into three separate districts and nominate a commissioner for each district as hereinafter provided.

SEC. 2. If the county commissioners decide to submit the matter to a vote of the people of the county, the county board of elections shall provide a separate ballot box therefor at each polling place in the county, and shall also cause a sufficient number of ballots to be printed and supplied to the election officials of the county, on which shall be printed the following:

(1) For existing plan of nominating county commissioners:

(2) For five district plan of nominating county commissioners:

(3) For three district plan of nominating county commissioners:

Each voter will place a (X) mark opposite the plan he (or she) desires to vote for, and the plan receiving a plurality of the votes cast shall thereafter be the lawful plan or method of nominating and electing the commissioners of said county.

Said election shall be held under and subject to the general election laws of the State so far as practicable. The result of the referendum or election shall be certified by the county election board to the county commissioners, who shall enter the same on their minute book.

SEC. 3. If a plurality of the vote cast is for plan number one (1), no change shall be made in the existing method of nominating county commissioners, nor in the number to be nominated.
If a plurality of the vote cast is for plan number two (2), the county shall be divided into five districts for the purpose of nominating county commissioners, as follows:

District number one (1) shall be composed of Cross Creek Township only.

District number two (2) shall be composed of Grays Creek, District No. 2. Rock Fish, and Pearce’s Mill townships.

District number three (3) shall be composed of Seventy-first District No. 3. Manchester and Carver’s Creek townships.

District number four (4) shall be composed of Black River and District No. 4. Flea Hill townships.

District number five (5) shall be composed of Cedar Creek and District No. 5. Beaver Dam townships.

If a plurality of the vote cast is for plan number three (3), the county shall be divided into three districts for the purpose of nominating county commissioners, as follows: District number one (1) shall be composed of Cross Creek Township only; district number two (2) shall be composed of all other townships on the west side of the Cape Fear River in said county; district number three (3) shall be composed of all townships on the east side of said river in said county.

Sec. 4. That if plan number two (2) is adopted there shall be nominated by each of the political parties at the next succeeding primary election of county officers, and biennially thereafter, a county commissioner from each of the five districts aforementioned, and the rules and regulations prescribed for the nomination of other county officers of Cumberland County shall be applicable to the nomination of county commissioners in each of the five districts aforementioned: Provided, however, that in any primary election the candidate voted for shall be a resident of the district for which he offers himself a candidate for county commissioner, and only the electors of that district shall be entitled to vote for said candidate in said primary.

Sec. 5. That if plan number three (3) is adopted, there shall be nominated by each of the political parties at the next succeeding primary election of county officers, and biennially thereafter, a county commissioner from each of the three districts aforementioned, and the rules and regulations prescribed for the nomination of other county officers of Cumberland County shall likewise be applicable to the nomination of county commissioners in each of the three districts aforementioned: Provided, however, that in any primary election the candidate voted for shall be a resident of the district for which he offers himself a candidate for county commissioner, and only the electors of that district shall be entitled to vote for said candidate in said primary.

Sec. 6. That if plan number two (2) is adopted there shall be elected at each general election thereafter five commissioners for Election under plan 2.
Cumberland County, who shall serve for two years and until their successors are elected and qualified, and the candidates nominated for each of the five districts mentioned in this act, at the primary next preceding the general election, shall be submitted to the entire electorate of the county as the duly and lawfully chosen nominees for county commissioners of the respective political parties. If plan number three (3) is adopted, only three county commissioners shall be nominated by the respective political parties and voted on as in this act provided, and the candidates nominated from each of the three districts hereinbefore mentioned shall be submitted to all the qualified voters of the county as the duly and lawfully chosen nominees for county commissioners of the respective political parties.

Sec. 7. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed to the extent of such conflict.

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

Ratified this the 6th day of March, A.D. 1923.

CHAPTER 590

AN ACT EMPOWERING THE BOARD OF COMMISSIONERS OF CRAVEN COUNTY TO APPOINT A SPECIAL OFFICER.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Craven County are hereby authorized and empowered to appoint at the next regular meeting or at any other meeting of said board a special officer for said county of Craven, who shall act with the same power and authority as deputy sheriff of Craven County or as a constable of Number Eight (8) Township, or any other township of said Craven County, whose duty it shall be to enforce the prohibition, speed and road laws and all other laws applicable and in force in Craven County and North Carolina in the same manner and with the same power and authority as the sheriff in said Craven County, North Carolina, may have in said county and State; and the said special officer so appointed by said board of commissioners of said Craven County, North Carolina, shall receive the same fees for serving both criminal and civil writs in all service as is now allowed by law or shall hereafter be allowed by law to the constable of Number Eight (8) Township of Craven County.

Sec. 2. That said officer so appointed shall give the same bond and take the same oath as is now required of constables of Craven County.
Sec. 3. That all laws and clauses of laws in conflict with this Repealing clause are hereby repealed.

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

Ratified this the 6th day of March, A.D. 1923.

CHAPTER 591

AN ACT REGULATING THE PERFORMANCE OF DUTIES OF FINANCIAL AGENTS OR DEPOSITORIES OF ANSON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That no general act of the present session of the General Assembly shall be construed to enlarge the duties of the financial agents or depositories of Anson County as fixed by House Bill sixty-seven, Senate Bill ninety-five, of the present session of the General Assembly, and the duties of such financial agents or depositories shall be performed as regulated by the provisions of said bill, and the duties of all officers of Anson County as fixed in said bill shall be performed as therein specified and not otherwise.

Sec. 2. All laws or clauses of laws in conflict with this act are hereby repealed to the extent of such conflict.

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

Ratified this the 6th day of March, A.D. 1923.

CHAPTER 592

AN ACT SUPPLEMENTAL TO AN ACT PASSED AT THE PRESENT SESSION OF THE GENERAL ASSEMBLY, ENTITLED "AN ACT REGULATING THE SALARY OF THE SHERIFF OF FORSYTH COUNTY."

The General Assembly of North Carolina do enact:

Section 1. That an act passed at the present session of the General Assembly of North Carolina entitled "An act regulating the salary of the sheriff of Forsyth County," be and the same is hereby amended by inserting after section eight a new section, as follows:

"Sec. 9. The salary of the sheriff of Forsyth County shall begin on the first Monday of December, one thousand nine hundred and twenty-two, and the said board of county commissioners shall pay him the sum of four thousand dollars per year, as provided in
section one of this act in monthly installments of three hundred thirty-three dollars and thirty-three cents; the first monthly installment of three hundred thirty-three dollars and thirty-three cents shall be due on the first Monday in January, one thousand nine hundred and twenty-three, and on the first Monday of each succeeding month during the year; and the county commissioners of Forsyth County are hereby authorized and empowered to pay the present sheriff of Forsyth County three hundred thirty-three dollars and thirty-three cents per month, the salary of said sheriff beginning to run from the first Monday in December, one thousand nine hundred and twenty-two."

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

Ratified this the 6th day of March, A.D. 1923.

CHAPTER 593

AN ACT TO AMEND CHAPTER 175 OF THE PUBLIC-LOCAL LAWS OF EXTRA SESSION 1921, RELATING TO THE ESTABLISHMENT OF THE MECKLENBURG COUNTY GENERAL HOSPITAL.

The General Assembly of North Carolina do enact:

Section 1. That chapter one hundred and seventy-five of the Public-Local Laws of Extra Session one thousand nine hundred and twenty-one, being an act entitled "An act providing for the establishment of the Mecklenburg County General Hospital," be amended by adding thereto a new section immediately following section twenty-five thereof, reading as follows:

"Sec. 25A. That after the sale of the bonds and establishment of the hospital authorized by this act, or after the sale of such bonds and before the establishment of such hospital, the board of trustees of Mecklenburg County General Hospital, if in their opinion such course will better serve the needs and interest of the county, and more perfectly provide for the treatment and care of the sick and injured of Mecklenburg County and the city of Charlotte, are hereby fully authorized and empowered to donate, give, grant, convey or lease such hospital, including its site, buildings, fixtures and everything pertaining thereto, or in the event such hospital shall not have been then actually established, all funds derived from the sale of such bonds and all property which may have been acquired looking to and for the establishment of such hospital, to the University of North Carolina or some other college in North Carolina, on condition that such hospital shall be kept, maintained and operated, or that such funds and property shall be used and expended in the erection and establishment of a
hospital in said county, which shall be kept, maintained and operated as a general hospital as a part of and in connection with a Grade "A," degree-conferring medical school located in said county, or to be located in said county, providing a four years medical course, and upon such other conditions as said board of trustees may prescribe; and in the event of such donation, gift, grant, conveyance or lease, the trustees or other duly constituted authorities of said University or other college receiving such donation, conveyance or lease, shall therupon succeed to all of the powers and authority with reference to the establishment, operation and maintenance of such hospital which are by the terms of this act vested in said board of trustees of Mecklenburg County General Hospital: Provided, however, that if at any time after such donation, gift, conveyance or lease such hospital shall cease to be kept, used, maintained and operated in the manner and for the purposes aforesaid, then same shall revert to and become the property of the county of Mecklenburg, and shall thereafter be used, kept, maintained and operated for the purposes and in the manner originally prescribed in this act; and Provided further, that no such donation, gift, grant, conveyance or lease shall be valid and operative unless and until authorized, ratified, or confirmed by a resolution duly adopted at a regular meeting of the board of county commissioners of said county."

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

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

Ratified this the 6th day of March, A.D. 1923.

CHAPTER 594

AN ACT TO CREATE THE OFFICE OF MATRON OF THE RECORDER'S COURT OF NEW HANOVER COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. The office of matron of the recorder's court of New Hanover County is hereby created for the purpose of providing said court with a feminine attendant of mature years, whose duty it shall be to privately examine any female prisoner or make any investigation in respect to character or reputation of any such prisoner, under the direction of the court whenever the court may be of the opinion that the thing requested to be done will aid in the proper administration of justice.

SEC. 2. The county commissioners of New Hanover County may appoint some woman of good character, who is a resident of the county of New Hanover, to the office hereby created for a term of office.
Proviso: removal for cause.

Salary.

period coexistent with that of the recorder: Provided, the commissioners of New Hanover County shall have the right in their discretion to remove said matron for just cause at any time.

Sec. 3. Said matron shall receive a salary of forty dollars per month and be paid by the auditor of New Hanover County at the end of each and every month hereafter.

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

Ratified this the 6th day of March, A.D. 1923.

CHAPTER 595

AN ACT TO AMEND CHAPTER 502, PUBLIC-LOCAL LAWS 1919, RELATING TO CERTAIN OFFICIAL FEES IN MECKLENBURG COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section one of chapter five hundred and two of the Public-Local Laws of one thousand nine hundred and nineteen be and the same is hereby amended by striking out in line five (5) thereof the words “ninety cents” and inserting in lieu thereof the words “eighty cents,” and by striking out in lines eight and nine (8 and 9) the words “one dollar and ten cents” ($1.10), and inserting in lieu thereof the words “one dollar” ($1), and by striking out in line ten (10) thereof the words “forty cents” (.40) and inserting in lieu thereof the words “thirty-five cents” (.35).

Sec. 2. That all laws only and in so far as the same conflict with the provisions of this act are hereby repealed.

Sec. 3. This act shall be in force from and after July the first, nineteen hundred and twenty-three.

Ratified this the 6th day of March, A.D. 1923.

CHAPTER 596

AN ACT RELATING TO DISCOUNTS AND PENALTIES ON TAXES IN WILKES COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the county commissioners of Wilkes County be and they are hereby authorized and empowered to adopt, by proper resolution duly passed at a meeting of said commissioners, the schedules of discounts and penalties on taxes in Wilkes County as now provided in the State Machinery Act, or in lieu thereof the following schedules: that on all taxes for the year one thousand nine hundred and twenty-three and in each year
thereafter a discount of two per cent shall be allowed for taxes paid during the month of October and a discount of one per cent for all taxes paid during the months of November and December; that on the first day of May in each and every year two per cent shall be added to all taxes unpaid for the next preceding year and an additional penalty of one per cent on the first day of each succeeding month thereafter that such taxes remain unpaid until the first day of October in said year, and that an additional penalty of four per cent shall be added on the first day of October in each and every year on all taxes for the next preceding year remaining unpaid.

Sec. 2. That on the first day of April and on the first day of September of each year the sheriff shall mail to the last known address of each delinquent taxpayer of Wilkes County a printed or written notice showing the amount due and unpaid on taxes levied and charged against said taxpayer for the preceding year and calling attention to the provisions of this act relative to the imposition of penalties. The expenses of printing and postage for mailing such notices shall be paid by the county.

Sec. 3. That the sheriff of Wilkes County shall make a complete and final settlement on the first Monday of October in each and every year for the taxes for the preceding year as the law now directs, and in making such settlement the commissioners may, in their discretion, allow him credit for the amount of taxes yet uncollected where the tax receipts are still unpaid and attached in the tax books.

Sec. 4. It shall be the duty of the sheriff to turn over to the county treasurer funds derived from tax collections as promptly as collected. The board of county commissioners shall have power to direct the sheriff to proceed promptly with the collection of taxes in order that funds may be realized to take care of county obligations.

Sec. 5. That the tax books shall be delivered to the sheriff on the first Monday of each October, but not until he shall have made settlement of the taxes for the preceding year.

Sec. 6. That the commissioners of Wilkes County are hereby authorized and empowered to appoint a person or persons to collect the uncollected taxes after they have been returned by the sheriff, and to pay such person or persons a commission not to exceed four per cent of amount collected: Provided, that the said board of county commissioners shall require such person or persons entrusted with the collection of said taxes to execute a good and sufficient bond with sureties to properly account and settle for all taxes collected by him or them.

Sec. 7. That such person or persons appointed by the board of county commissioners to collect taxes shall be and they are hereby vested with the same powers to enforce payment by levy and sale
as is now or may hereafter be provided by law for the sheriff or other tax collector under the general law, and they shall likewise be allowed the same fees and costs in cases of levies and sales as is now or may be provided by law.

Sec. 8. That this act shall in no way be construed to impair the collection of taxes by distraint nor in any way affect the present law as to the collection of taxes; that the special provision of this act shall not apply except on the adoption of the resolution provided for in section one of this act.

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

Sec. 10. That this act shall apply only to the county of Wilkes.

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

Ratified this the 6th day of March, A.D. 1923.

CHAPTER 597
AN ACT TO PENSION CERTAIN SCHOOL TEACHER IN DUPLIN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That in recognition of the valuable services of Miss Julia Jones as a school teacher, the board of education of Duplin County is hereby authorized, in their discretion, to appropriate out of the school funds of said county and pay to the said Miss Julia Jones the sum of ten dollars per month or one hundred and twenty dollars per year.

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

Ratified this the 6th day of March, A.D. 1923.

CHAPTER 598
AN ACT RELATING TO TAX RECEIPTS AND VITAL STATISTICS OF LENOIR COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the register of deeds of Lenoir County shall be paid the sum of five cents for making up each tax receipt for the sheriff of Lenoir County, and also shall be allowed the sum of five cents for making and indexing each record of the vital statistics in Lenoir County. This allowance as provided for in this section shall be in addition to all other compensation of the register of deeds of Lenoir County.
SEC. 2. All laws and clauses of laws in conflict with this act are hereby repealed.

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

Ratified this the 6th day of March, A.D. 1923.

CHAPTER 599

AN ACT TO MAKE UNIFORM THE TAX PENALTIES IN IREDELL COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the governing body of any city or town, or specifically chartered school district, in Iredell or McDowell counties, may, by a resolution of such governing body, at a regular or specially called meeting, by resolution provide for a one-half of one per cent per month discount on all taxes paid during the months of October and November, and a penalty of one-half of one per cent per month for the months of February, March and April; and in no event shall the penalty exceed one and one-half per cent; that it is distinctly understood that no discount be allowed or penalty collected unless and until the resolution above referred to has been adopted.

SEC. 2. That whenever a resolution has been adopted as provided for in section one of this act the same shall not be repealed for the year mentioned in said resolution: Provided, this act shall apply only to Iredell and McDowell counties.

SEC. 3. That all laws and clauses of laws in conflict with this act, to the extent of such conflict, shall be repealed.

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

Ratified this the 6th day of March, A.D. 1923.

CHAPTER 600

AN ACT RELATING TO THE LISTING AND COLLECTION OF TAXES IN YOUNGSVILLE GRADED SCHOOL DISTRICT, FRANKLIN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That in listing of property for taxation and the collection of school taxes thereon in Youngsville Graded School District, the same rules, regulations and laws shall govern as in the listing and collection of taxes for county purposes as exist under the general State law, that is to say, property for school
taxation shall be listed with the township list-taker, and the taxes thereon shall be collected by the sheriff or his deputy of Franklin County. That so much of section two, chapter one hundred and twenty-three, Private Laws of one thousand nine hundred and five, or any other law or clauses of laws in conflict with section one of this act is hereby repealed.

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

Ratified this the 6th day of March, A.D. 1923.

CHAPTER 601

AN ACT TO AMEND CHAPTER 203, PUBLIC-LOCAL LAWS OF EXTRA SESSION 1921, RELATING TO CARTERET COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter two hundred and three, Public-Local Laws Extra Session one thousand nine hundred and twenty-one, be amended by adding at the end of said section the following:

"Provided, that on petition of the majority of the qualified voters of any township in Carteret County filed with the board of county commissioners of said county, the said board may in its discretion by resolution permit black geese, also known as domesticated wild geese, to run at large in said township or townships.

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

Ratified this the 6th day of March, A.D. 1923.

CHAPTER 602

AN ACT TO PROVIDE SEPARATE SCHOOLS FOR THAT RACE OF PEOPLE IN GASTON TOWNSHIP, NORTHAMPTON COUNTY, KNOWN AS THE "PORTUGUESE."

The General Assembly of North Carolina do enact:

SECTION 1. That the race of people known as "Portuguese" in Gaston Township, Northampton County, shall have a separate school from the white or colored schools in said county: Provided, said Portuguese shall furnish a suitable building situate in Gaston Township for said school, said building to be approved by the county board of education for said county of Northampton.

Sec. 2. That after said building shall have been provided as aforesaid, the board of education for Northampton County is hereby
empowered and directed to provide teachers for said school for
said race, and said teacher or teachers shall be paid as other
teachers in said county are paid without extra tax on said race
of people, except as they may vote same upon themselves. The
teachers of said school shall be either of the said race known as
Portuguese or white persons, as in the discretion of the board of
education for Northampton County it may deem proper.

Sec. 3. This act shall be in force from and after June fifteenth,
one thousand nine hundred and twenty-three.

Ratified this the 6th day of March, A.D. 1923.

CHAPTER 603

AN ACT TO REPEAL "AN ACT TO EQUALIZE SCHOOL ADVANTAGES IN CABARRUS COUNTY," BEING SENATE BILL 1139, HOUSE BILL 1214.

The General Assembly of North Carolina do enact:

Section 1. That an act entitled "A bill to equalize school advantages in Cabarrus County," being Senate Bill one thousand one hundred and thirty-nine, House Bill one thousand two hundred and fourteen, a Public-Local act for the session of nineteen hundred and twenty-three of the General Assembly, be and the same is hereby repealed.

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

Ratified this the 6th day of March, A.D. 1923.

CHAPTER 604

AN ACT TO AMEND CHAPTER 126, PUBLIC-LOCAL LAWS SESSION 1915, RELATING TO THE HIGHWAY COMMISSION OF PASQUOTANK COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That chapter one hundred and twenty-six, Public-Local Laws of North Carolina, session one thousand nine hundred and fifteen, be and the same is hereby amended by striking out all of section two and inserting in lieu thereof the following:

"Sec. 2. That all public roads, bridges and ditches along or across the public roads of Pasquotank County shall be under the exclusive supervision and control of the Pasquotank Highway Commission; that all petitions for establishing, locating, changing and discontinuing any public road, bridge over, or ditches paralleling the same, and all matters in reference thereto, are by this act
placed under the exclusive supervision and control of the said commission; that all ditches paralleling the public roads of said county shall be cut, kept cleaned out in good drainage condition by the owners or tenants of the abutting lands served by such ditches, and whenever it shall be necessary to throw the dirt from said ditches, such dirt shall be thrown a distance of not less than three and one-half feet from such ditch and in a manner that will make it accessible for the road grader; that all bridges crossing the public roads of said county shall be constructed and maintained by the said commission, and it shall be unlawful for any person to remove or otherwise interfere with any of the bridges upon the public roads of said county, except by written permission of the said commission.”

Sec. 2. Amend further by adding to section nine the following: “Provided, that on and after April first, one thousand nine hundred and twenty-three, said commission shall let to contract the maintenance of the roads of said county, and shall advertise the same for thirty days, awarding the work to the lowest responsible bidder for a period of twelve months, and upon a mileage basis. The contracting parties shall be required to enter into a proper undertaking for the faithful performance of all the contracts. The roads shall be regularly inspected every three months or as often as it may be deemed necessary, and should complaint be made because of improper maintenance of said road by said contractors, the contracting parties shall be promptly notified and given a hearing at the next regular meeting of the commission. The contract so entered into between the contractor and the commission shall be such as to require the contractor to maintain in the best manner possible the roads in a given territory, and it shall be his duty to spread over the road in an approved manner the dirt thrown from the ditches along said road, and he shall keep in good repair the ditches crossing the road, and the commission shall furnish the lumber or material used for said bridges. To the end that the roads and bridges shall be properly protected, it shall be unlawful for any person, firm or corporation to move or cause to be moved any building or other structure upon or across the public highways of Pasquotank County, without first having secured a permit from the said highway commission, said permit to specify the length of time that such building or other structure may remain upon the public highway, and any person, firm or corporation moving or causing to be moved any such building or other structure upon or across the public highway shall be liable in damages to the said highway commission for any and all injuries done to said highway. Any person, firm or corporation violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined by the court not to exceed fifty dollars.
Sec. 3. Amend further by adding at the end of section fifteen the following: "and in all instances the general and special benefits shall be assessed as offsets against the damages."

Sec. 4. That the terms of the present members of the Pasquotank Highway Commission are hereby terminated and the following named persons shall be and constitute the said commission, to wit: R. B. Davis, J. J. Morris and J. W. Foreman, who shall hold office for a term of two years, or until their successors are elected and qualified; Henry Sample and S. G. Scott, who shall hold office for a term of four years, or until their successors are elected and qualified; Job N. Williams and James R. Bright, who shall hold office for a term of six years, or until their successors are elected and qualified. Each member of said highway commission shall receive the same per diem and mileage as is now paid to the members of the board of county commissioners of said county; that, in case of a vacancy on said highway commission, leaving an unexpired term, said vacancy shall be filled by the election of a person by the State Highway Commission.

Sec. 5. That on or before the first Monday of July of each year, the Pasquotank Highway Commission shall cause to be certified to the board of county commissioners the amount of money which it deems necessary for road activities in said county, and it shall be mandatory upon the board of county commissioners to levy such tax as may be deemed by the said highway commission necessary to its proper functions: Provided, the amount so requested and certified shall not exceed the limitations prescribed in the act creating this commission.

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

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

Ratified this the 6th day of March, A.D. 1923.

CHAPTER 605

AN ACT TO AMEND CHAPTER 505 OF THE PUBLIC-LOCAL LAWS OF 1921, AND CHAPTER 592 OF THE PUBLIC-LOCAL LAWS OF 1919, RELATING TO SALARY OF THE METER ADJUSTER OF CITY OF WILMINGTON AND COUNTY OF NEW HANOVER.

The General Assembly of North Carolina do enact:

Section 1. That chapter five hundred and five, Public-Local Law amended. Laws of one thousand nine hundred and twenty-one, be amended as follows: "By striking out the last sentence of section one, beginning at the word 'as,' in line twenty-nine, and extending to the
end of the sentence in line thirty-four of this section, and inserting in lieu thereof the following: ‘As compensation for the services provided by this section, and the said meter adjuster shall receive a salary of not less than one hundred and twenty-five dollars ($125) a month or more than one hundred and fifty dollars ($150) a month, to be paid him by the city government and the board of county commissioners jointly, the salary to begin March first, one thousand nine hundred and twenty-three. It is further provided that the meter adjuster shall have power to appoint an assistant, whose compensation will be in the discretion of the said meter adjuster, and to be paid by said meter adjuster.’”

Sec. 2. That section one of chapter five hundred and ninety-two of the Public-Local Laws of one thousand nine hundred and nineteen be amended by striking out the word “new” at the beginning of line five, between the word “whenever,” at the end of line four, and the word “meter” in line five, and inserting in lieu thereof the word “any.”

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

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

Ratified this the 6th day of March, A.D. 1923.

CHAPTER 606

AN ACT REPEALING CHAPTER 613 OF THE PUBLIC-LOCAL LAWS 1919, RELATIVE TO BOND ISSUES IN PENDER COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That chapter six hundred and thirteen of the Public-Local Laws one thousand nine hundred and nineteen, and Private Laws one thousand nine hundred and nineteen, be and the same is hereby repealed.

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

Ratified this the 6th day of March, A.D. 1923.

CHAPTER 607

AN ACT TO FIX THE COMPENSATION OF THE CONSTABLE OF WILMINGTON TOWNSHIP, NEW HANOVER COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That from and after December fourth, one thousand nine hundred and twenty-two, the constable of Wilmington Township, New Hanover County, shall receive a salary of one hundred
and twenty-five dollars ($125) per month, payable at the end of each month, from the general funds of New Hanover County.

Sec. 2. That the auditor of New Hanover County is hereby authorized to pay the constable of Wilmington Township, New Hanover County, any difference in the amounts already paid said constable under the fee system, and the salary provided for in this act as full settlement for services rendered from December fourth, one thousand nine hundred and twenty-two, to the date this act shall become effective.

Sec. 3. The said constable shall be entitled to charge the same fees as heretofore for services rendered, but all such fees be the property of New Hanover County and paid over to the auditor of said county on the last day of each month.

Sec. 4. All laws and clauses of laws in conflict herewith are hereby repealed.

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

Ratified this the 6th day of March, A.D. 1923.

CHAPTER 608

AN ACT TO AMEND CHAPTER 386 OF THE PUBLIC LAWS OF NORTH CAROLINA, SESSION 1909, THE SAME BEING AN ACT TO ESTABLISH A SPECIAL COURT FOR ROWAN COUNTY, WITH CIVIL AND CRIMINAL JURISDICTION, TO BE KNOWN AS ROWAN COUNTY COURT.

The General Assembly of North Carolina do enact:

SECTION 1. That section twelve of chapter three hundred and eighty-six of the Public Laws of North Carolina, session nineteen hundred and nine, be and the same is hereby amended by striking out the word "one," in line seven thereof, and inserting in lieu thereof the word "two," and by striking out the word "two," in line eight thereof, and inserting in lieu thereof the word "four," and by striking out all the words following the period in line ten thereof down to and including the word "convicted" in line thirteen thereof.

Sec. 2. That the prosecuting attorney of said Rowan County court shall receive for his services as such prosecuting attorney the sum of fifteen hundred dollars per annum, payable monthly.

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

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

Ratified this the 6th day of March, A.D. 1923.
CHAPTER 609

AN ACT PROHIBITING THE COUNTY BOARD OF EDUCATION OR THE BOARD OF COMMISSIONERS FOR THE COUNTY OF CRAVEN, OR BOARD OF ALDERMEN OF THE CITY OF NEW BERN, SAID COUNTY, PLEDGING THE CREDIT OF SAID COUNTY OR CITY, OR ISSUING BONDS OF SAID COUNTY OR CITY WITHOUT FIRST SUBMITTING THE QUESTION TO THE QUALIFIED VOTERS THEREOF.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for the county board of education or the board of commissioners for the county of Craven, or the board of aldermen of the city of New Bern, said county, to pledge the credit of or issue bonds whereby the credit of said county, city, or any township or district in said county, is pledged for any purpose other than to pay existing floating indebtedness of said county, city, township or district, heretofore incurred for necessary expenses of said county, city, township or district, without first submitting the question of pledging the credit and issuing such bonds to the qualified voters of said county, city, township or district, at an election to be held as hereinafter provided: Provided, however, that this act shall not prevent said board of education borrowing sufficient money in anticipation of the collection of taxes to operate the public schools of said county, but the total amount of the money so borrowed shall not exceed eighty per cent of the taxes levied for public schools for the current fiscal year in which such loan is made, and the amount so borrowed shall be repaid out of the taxes levied for such fiscal year: Provided further, that the board of commissioners for the county of Craven, or the board of aldermen of the city of New Bern, without such election, may borrow money to pay necessary current expenses of said county or said city, as the case may be, in anticipation of the collection of taxes levied by said board of commissioners or by said board of aldermen during any fiscal year not exceeding eighty per cent of the total amount of taxes levied by said county or city and uncollected during such fiscal year, and may issue notes or other evidences of indebtedness for the amount so borrowed, and the money so borrowed shall be used only to meet necessary current expenses of said county or city, and the amount so borrowed shall be repaid by said board of commissioners or said board of aldermen out of the taxes collected for said fiscal year by said county or city: Provided, that in case of any emergency such as the loss of public buildings or other property by fire, flood or act of God, the said board of commissioners and said board of aldermen, respectively, may borrow money and issue notes or bonds of said county and city, re-
respectively, to meet the necessary expense of such emergency: Provided further, that nothing herein shall restrict or abrogate the right of the board of commissioners to contract or pay any indebtedness for necessary expenses, as provided by the general law.

Sec. 2. That other than the weekly pay-roll of said city, all bills, accounts or claims against said county, city, or board of education shall be presented before payment to the board of commissioners of said county or to the board of aldermen of said city or to the said county board of education as the case may be, at a regular meeting of such boards, and shall be considered and approved by a majority of the board to which said bill, claim or account is presented before the same shall be paid, and no bill, claim or account shall be paid except upon the proper warrant issued for the payment thereof.

Sec. 3. That said board of aldermen shall not contract to spend nor spend the money of said city in violation of the provisions of the Municipal Finance Act, one thousand nine hundred and twenty-one, as now or hereafter amended.

Sec. 4. The said board of commissioners for the county of Craven shall enter into no contract concerning the purchase of property or supplies for said county for an amount exceeding five hundred dollars without first advertising for bids for the same by posting notice thereof for ten days at the county courthouse door.

Sec. 5. If a resolution of said board of commissioners or of said board of aldermen or of said board of education provides for the issuance of bonds or other evidences of indebtedness for a purpose other than the payment of necessary expenses of said county, city, township, or district, the approval of a majority of the qualified voters of the county, city, township, or district, as required by the Constitution of North Carolina, shall be necessary in order to make the resolution operative. Whenever the taking effect of a resolution authorizing the issuance of bonds or other evidences of indebtedness is dependent upon the approval of the resolution by the voters of said county, city, township or district, the governing body may submit the resolution to the voters at an election to be held not more than six months after the passage of said resolution. The governing body may call a special election for that purpose, or may submit the resolution to the voters at the regular county or city election next succeeding the passage of the resolution, but no such special election shall be held within one month before or after a regular election. Several resolutions or other matters may be voted upon at the same election.

Sec. 6. The said board of commissioners or said board of aldermen in their discretion may order a new registration of the voters for such election. The books for such new registration shall remain open in each precinct or ward from nine a.m. to six p.m. on each day except Sundays and holidays for three weeks begin-
Election officers.

Proviso: registration on Saturdays.
Notice of registration and appointment of officers.

Vacancy of registrar filled.

Sufficiency of publication.

Details of notice.

Date of election.

Ballots.

Returns.

Canvass of return.

Determination and declaration of result.

Laws governing elections.

Statement of result.

ning on a Monday morning and ending on the second Saturday evening before the election. A registrar and two judges of election shall be appointed by the board of commissioners or the board of aldermen, as the case may be, for each precinct or ward: Provided, that the books shall be open at the polling places on each Saturday during the registration period. Sufficient notice shall be deemed to have been given of such new registration and of the appointment of the election officers if a notice thereof be published at least thirty days before the closing of the registration books, stating the hours and days for registration. It shall not be necessary to specify in said notice the places for registration. In case the registrar shall fail or refuse for any cause to perform his duties, it shall be lawful for the clerk of said board of commissioners or said board of aldermen, as the case may be, to appoint another person to perform such duties, and no notice of such appointment shall be necessary.

Sec. 7. A notice of the election shall be deemed sufficiently published if published once not later than twenty days before the election. Such notice shall state the maximum amount of the proposed bonds and the purpose thereof, and the fact that a tax will be levied for the payment thereof. The date of the election shall be stated therein.

Sec. 8. A ballot or ballots shall be furnished to each qualified voter at said election, which ballots may contain the words "For the resolution authorizing ................. dollars bonds (briefly stating the purpose) and a tax therefor," and "Against the resolution authorizing ................. dollars bonds (briefly stating the purpose) and a tax therefor," and if one ballot contains the two alternatives, it may contain squares in one of which the voter may make an (X) mark, but this form of ballot is not prescribed.

Sec. 9. The officers appointed to hold the election in making return of the result thereof shall incorporate therein not only the number of votes cast for and against each resolution submitted, but also the number of voters registered and qualified to vote in the election. The board of commissioners, if it be a county, township or district election, or the board of aldermen, if it be a city election, shall canvass the returns, and shall include in their canvass the votes cast and the number of voters registered and qualified to vote in the election, and shall judicially determine and declare the result of the election.

Sec. 10. Except as herein otherwise provided, the registration and elections shall be conducted in accordance with the laws then governing elections for county officers in said county, if it be a county, township or district election, or governing city elections if it be a city election, and governing the registration of the electors for such election of officers. The said boards shall prepare a statement showing the number of votes cast for and against each resolution submitted and the number of voters qualified to vote
in the election, and declaring the result of the election, which statement shall be signed by a majority of the members of the board canvassing the returns and delivered to the clerk of such board, who shall record it in the record book containing the minutes of such board and file the original in his office and publish it once.

Sec. 11. Provided, that nothing in this act shall repeal nor be construed to repeal any part of the Municipal Finance Act, one thousand nine hundred and twenty-one, as now or hereafter amended, and such portions of this act as may be in conflict with the Municipal Finance Act, one thousand nine hundred and twenty-one, as now or hereafter amended, shall be subject to the provisions of said the Municipal Finance Act, one thousand nine hundred and twenty-one, as now or hereafter amended.

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

Ratified this the 6th day of March, A.D. 1923.

CHAPTER 610

AN ACT TO AMEND SECTION 1, CHAPTER 105 OF THE PUBLIC-LOCAL LAWS EXTRA SESSION 1921.

The General Assembly of North Carolina do enact:

Section 1. That section one, chapter one hundred and five of the Public-Local Laws of North Carolina, Extra Session of one thousand nine hundred and twenty-one, be amended by inserting in line seven after the word “upon,” and before the word “corporations,” the word “foreign.”

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

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

Ratified this the 6th day of March, A.D. 1923.

CHAPTER 611

AN ACT TO ENABLE ANY TWO OR MORE COUNTIES TO ESTABLISH A DISTRICT HOSPITAL-HOME IN LIEU OF SEPARATE COUNTY HOMES.

The General Assembly of North Carolina do enact:

Section 1. Any two or more adjacent counties may by action of the county commissioners in said counties, as hereafter provided, establish a district hospital-home for the aged and infirm, to be located at some suitable place within the counties composing
the district, location and purchase to be controlled by a board of
teachers appointed by the county commissioners of the respective
counties owning and controlling said hospital-home, each county
having the same relative vote in all meetings of the board of
trustees as such county has in the lower house of the General
Assembly.

Sec. 2. That the county commissioners of the aforesaid counties
are hereby authorized and empowered to sell and convey by deed
all properties held by the aforesaid counties for the care and
maintenance of their county's poor, and from the proceeds of such
sale appropriate so much as may be required to meet said county's
proportionate part of the funds necessary to perfect the completion
of said community home for the aged and infirm, as provided
herein.

Sec. 3. That should it be deemed wisest not to sell said
properties, or should any county not have said properties in its
possession, or should any counties have said properties which
would not be for sale, the necessary funds shall then be raised
by direct taxation within the county or counties preferring this
method of raising their pro rata part.

Sec. 4. That the several boards of county commissioners shall,
as soon as they shall have agreed among themselves to establish
a district hospital-home for the aged and infirm for their counties,
appoint the members of the board of trustees, which board shall
be known as the board of trustees of the district hospital-home
for the district comprising ..................... counties; the members
of said board of trustees shall be appointed every two years by
the boards of county commissioners, the term of office for said
trustees shall be two years, and until their successors are chosen
and qualified; that all vacancies shall be filled by the several
boards of county commissioners, and said commissioners shall
provide for the expense and compensation of said board of trus-
tees.

Sec. 5. That this board of trustees shall, as soon as possible after
appointment, assemble and organize by the election of a chairman,
a secretary, and a treasurer, which last officer shall be bonded.
They shall proceed promptly with the purchase of a site for such
hospital-home, including, if they deem it desirable, a farm of
suitable size, location and fertility, giving due consideration to
sanitary surroundings and transportation facilities; provide for
the necessary stock, tools and farm equipment, and shall then
cause to be erected suitable plain, substantial, comfortable, per-
manent buildings for the accommodation of those for whom this
act is intended, giving due regard to the separation of the sexes
and races, and such other plans for segregation as their judgment
and existing conditions may suggest. Said buildings are to be
furnished with plain, substantial furniture, and such other equip-
ment as conditions demand.
Sec. 6. That the several counties constructing, equipping, and 
operating a district hospital shall pay for the site and for the 
construction and equipment of the plant in proportion to the taxable 
property of the several counties, and shall own in the same 
proportion, but the operating expenses shall be borne by the 
several counties in proportion to the population of the county.

Sec. 7. That the State Board of Charities and Public Welfare 
shall have prepared plans for such district hospital-home, and 
shall furnish such plans on request to any board of trustees of 
any district hospital-home at cost; and that all such hospital-
homes shall be built in accordance with plans furnished or ap-
proved by the State Board of Charities and Public Welfare.

Sec. 8. That as soon as the district hospital-home is ready for 
occupancy the several county homes, or poorhouses heretofore 
owned by the several counties, shall be closed and occupants shall 
be transferred and located in the district hospital-home for the 
aged and infirm herein provided for.

Sec. 9. That the board of trustees of the said district hospital-
home shall elect a capable superintendent and such other em-
ployees as it may deem necessary to the efficient management of 
said district hospital-home, and shall fix their salaries with due 
regard to number and condition of inmates occupying said dis-

tribution hospital-home.

Sec. 10. That the board of trustees shall meet at least twice a 
year for the transaction of such business as their positions may 
require. They shall have the general conduct and management of 
the district hospital-home's affairs. They shall meet at the call 
of the chairman whenever he shall deem it necessary, or upon 
call issued by a majority of the board.

Sec. 11. That the matter to be considered at any special meeting 
shall be set out in the call for the special meeting, but any busi-
ness may be transacted at special meetings which received a two-
thirds vote of the entire board of trustees, although not mentioned 
in the call.

Sec. 12. That the board is vested with all powers not already 
mentioned which are possessed by boards supervising State institu-
tions.

Sec. 13. That any two or more counties constructing, operating 
and maintaining a district hospital-home for the aged and infirm 
shall, as required by law now in force, for the care and mainte-
nance of those not able to care for themselves, send such person 
or persons to the district hospital-home for the aged and infirm 
in lieu of the county home, and shall pay the expense of main-
tenance in proportion to the population of the county.

Sec. 14. That as soon after the first day of January of each 
year as may be practicable, the board of trustees shall cause a 
report to be made of the hospital-home, which report shall show 
the number of inmates, the county admitting them, date of ad-
mission, age, condition of health, sex, color, educational acquire-
ments, diagnosis of disease if diseased, total number of inmates
received during the year, average number cared for per month,
names and disposition of those dismissed, pro rata cost of mainte-
nance, the total amount of money expended, the total amount of
money received from each county, and such information as the
State Board of Charities and Public Welfare and the board of
trustees of the district-hospital may demand. It shall also show
an inventory and appraisement of property, real and personal, and
give as strict account of receipts from farm and expenditure
thereon, and such other information as may be required to check
up the institution from all viewpoints.

Sec. 15. That a copy of the said report of the said board of
trustees shall be furnished the county commissioners of the
respective counties interested in and providing said district hos-
pital-home.

Sec. 16. That all acts or parts of acts not consistent with this
act are hereby repealed.

Sec. 17. That this act shall be in force from and after its rati-
fication.

Ratified this the 6th day of March, A.D. 1923.

CHAPTER 612

AN ACT TO VALIDATE AN ISSUE OF $20,000 GOOD ROADS
BONDS OF DUNN'S TOWNSHIP IN FRANKLIN COUNTY,
AND TO AUTHORIZE THE LEVY OF A TAX FOR THEIR
PAYMENT.

The General Assembly of North Carolina do enact:

SECTION 1. The good roads bonds of Dunn's Township in Frank-
lin County of the face amount of twenty thousand dollars, dated
July first, one thousand nine hundred and seventeen, maturing
July first, one thousand nine hundred and forty-seven, and bearing
interest at the rate of five per centum per annum, payable semi-
annually, heretofore issued by the board of road trustees of Dunn's
Township, pursuant to chapter one hundred and forty of the
Public-Local Laws of one thousand nine hundred and seventeen,
for the purpose of constructing and improving the public roads in
said township, and now outstanding and unpaid, and all acts and
proceedings done or taken in or about the authorization, issuance
and sale of said bonds, are hereby legalized and validated, not-
withstanding any defect in said acts or proceedings, and said
bonds are hereby declared to be binding and valid obligations of
said board and township.
Sec. 2. The board of county commissioners of Franklin County shall levy annually a special tax ad valorem upon all the taxable property in said township for the special purpose of paying the interest on said bonds and of creating a sinking fund for their retirement at maturity, and for no other purpose: Provided, however, that the tax to be levied for said purpose shall not exceed thirty-five cents on the one hundred dollars of assessed valuation of such taxable property.

Sec. 3. All acts and parts of acts inconsistent with this act are hereby repealed.

Sec. 4. This act shall be in force from and after its ratification. Ratified this the 6th day of March, A.D. 1923.

CHAPTER 613

AN ACT TO REGULATE THE FEES OF THE OFFICERS OF NEW HANOVER COUNTY, AND TO MAKE THE SAME CORRESPOND TO PAYMENT UPON A SALARY BASIS.

The General Assembly of North Carolina do enact:

Section 1. That chapter ninety-five of the Public-Local Laws of one thousand nine hundred and twenty-one be and the same is hereby amended as in this act provided.

Sec. 2. The sheriff, clerk of the Superior Court, register of deeds, and their several deputies and clerks, and the constable of Wilmington Township, shall collect, receive, and account for all the fees to which they become entitled by virtue of their respective offices under the laws of North Carolina relative to salaries and fees as prescribed in chapter ninety-five, Public-Local Laws one thousand nine hundred and twenty-one, and chapter five hundred and thirty-five, Public-Local Laws of one thousand nine hundred and twenty-one, or such as may hereafter be enacted by the General Assembly, and shall pay the same on the first of every week, or within two days thereafter, to the auditor of New Hanover County, and said officers and each of them shall be responsible for and chargeable with all moneys of every kind which are paid into their respective offices, and shall be held to strict account therefor, and the money so paid shall be kept by the auditor of New Hanover County in a separate fund, to be known as the "Salary Fee Fund."

Sec. 3. The said officers shall faithfully collect all fees, commissions, profits, and emoluments of all kinds now belonging or appertaining to their respective offices, and they shall receive as compensation for their services only such salaries and compensation as is provided for in this act, and for any abstraction, concealment, or misapplication of any of the moneys payable into

Special tax.

Proviso: limit of tax rate.

Repealing clause.

Ratified this the 6th day of March, A.D. 1923.

Laws amended.

Officers to collect and account for fees.

Weekly settlements.

Responsibility.

Salary fee fund.

Collection enjoined.

Compensation.

Abstraction, concealment or misapplication felony.
Punishment.

Failure to collect fees misdemeanor.

Punishment.
Fees collected in advance.

Settlement.

Account books.

Itemized account of receipts.

Books open for inspection.

Safe-keeping.
Specification to be shown.

Auditor to prescribe forms.

Rules for keeping books.
Form and method to be followed.
Weekly statements.

Statements sworn.
Payment to accompany report. Sworn.
Quarterly statement.

Details of statements.
Comparison of statements.
Ascertainment of true amount.

their respective offices, which any of them have collected, the person so offending shall be guilty of a felony, and upon conviction shall forfeit his said office and be punished as is now by law provided in cases of embezzlement by public officers.

Sec. 4. Any officer of New Hanover County, or any clerk or deputy thereof, who shall fail or refuse to collect any fee, commission, or emolument of any kind belonging to his office, shall be guilty of a misdemeanor, and shall be fined or imprisoned in the discretion of the court; and all fees, commissions, or emoluments which should be collected by such officers under the laws of the State of North Carolina shall be demanded and collected by them in advance, unless otherwise provided by law, and, being collected, shall be turned over to the auditor of New Hanover County, as provided by this act.

Sec. 5. That each and all of said officers shall open and keep a separate set of account books, consisting of a cash book and a ledger, in which shall be promptly, correctly, and accurately entered itemized accounts of all moneys collected or received by such officers by virtue of their office, or which by law are or may be payable into their respective offices, and all of said books shall at all times be open to the inspection of the public upon demand, and said books shall be safely kept so as to prevent and guard against the loss or destruction thereof. Said books shall show in itemized form the name of the person paying in any sum of money, the date when paid, the purpose for which it was paid, and the amount thereof, and a complete record of all expenses of said office, duly itemized. The auditor of New Hanover County shall have power to prescribe the form of books to be kept, not inconsistent with this act, and to prescribe rules and regulations for the keeping thereof, and said books shall be kept in the form and after the method as prescribed by said auditor.

Sec. 6. That at the end of each week or within two days thereafter, a statement showing the total of all fees, salaries or other emoluments coming into the hands of said officers from all sources shall be transmitted by each of said officers, under oath, to the county auditor, said statement to be accompanied by check or cash of corresponding amount to total shown on said statement; and at the end of each and every period of three months after May first, one thousand nine hundred and twenty-three, or within five days thereafter, a true and accurate statement shall be transmitted by each of said officers, and under oath, to the auditor of said county, said statement to contain and show in detail all the entries made upon said book during the preceding quarter, and upon receipt of such statement to be checked and compared with the books of original entry, and if upon such checking and comparison it shall be ascertained that the statement submitted by any officer does not conform to and correspond with the books of original entry, or if it is ascertained that the statement so sub-
mitted is not true and correct statement of the transactions of his office for the preceding month, then it shall be the duty of the auditor of said county to ascertain and determine the true and correct amount which should be paid by such officer for moneys collected and received by him during the preceding quarter by virtue of his office, and upon the amount being so ascertained by the auditor, it shall be his duty to cause the officer to pay over the amount so ascertained to be due to the auditor of New Hanover County, and if he shall fail to do so, then the matter shall be reported to the county attorney, and it shall be his duty to institute actions against such officer and his official bond in the Superior Court or other court of competent jurisdiction in the county of New Hanover and to prosecute such officer and pay over the same to the auditor of New Hanover County.

Sec. 7. Any of said officers who shall fail, neglect, or refuse to make the weekly statement as required by the preceding section, or who shall willfully submit any false or incorrect statement, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined or imprisoned, in the discretion of the court.

Sec. 8. That the sheriff, clerk of the Superior Court and the register of deeds shall receive monthly as full compensation for all services rendered, and in lieu of all other fees, salaries and emoluments which they may now or hereafter be entitled by virtue of their respective offices, an amount equal to the total of all moneys paid into the office of the county auditor by said officer for the preceding month: Provided, and the payment shall not otherwise be made, that the request for said payment be accompanied by a statement under oath, and itemized so as to show (a) the amount to be retained by the officers, (b) the amount to be paid for clerical help, (c) the amount to be paid to deputies and assistants; (d) all other expenses of the office itemized so as to show separately the principal items. The said statements made for the purpose of securing withdrawals as in this section provided shall be printed by the county auditor in some newspaper published in the city of Wilmington.

Sec. 8½. That for the purpose of enabling the said officers to pay small items of expense, there may be retained out of the said moneys coming into the hands of said officers, under rules for accounting to be made by the county auditor, an office cash account, which shall not exceed five hundred dollars for the sheriff, one hundred dollars for the clerk of the Superior Court, and one hundred dollars for the register of deeds, said office cash accounts to be audited by the county auditor quarterly.

Sec. 9. The constable of Wilmington Township shall, in lieu of all fees and emoluments to which he may now or hereafter be entitled by law, collect and pay over to the auditor of New Hanover County for the credit of the salary fee fund described in this act all fees, commissions and emoluments coming in to him
by virtue of his office. He shall, if required by the judge of the Superior Court, attend all sessions of said court and perform such other duties as the said judge may prescribe: Provided further, that if said constable shall in any month turn into the salary fee fund from the fees and emoluments of his said office less than one hundred and twenty-five dollars, then said constable shall be paid by the county such additional amount out of the general funds as may be necessary to pay the month's part of said annual salary.

Sec. 10. All the salaries or withdrawals herein provided for shall be paid on the last day of every month if said statement herein provided be filed by that time, otherwise at any time thereafter when said statement is filed, by the auditor of New Hanover County to the persons entitled to receive the same, upon warrants signed by the chairman of the board of commissioners of said county, or by the clerk of said board, and said warrant when paid shall be charged to the "Salary Fee Fund" herein provided.

Sec. 11. The sheriff of New Hanover County and clerk of the Superior Court and register of deeds shall retain for the benefit of the "Salary Fee Fund" herein provided for, any and all commissions allowed by law as salaries, and for the collection of taxes, fines, forfeitures and penalties.

Sec. 12. All moneys coming into the hands of the auditor of New Hanover County by virtue of this act shall be held by him as a separate and distinct fund, and so much of said fund as shall be necessary shall be applied to the payment of the salaries or withdrawals herein provided for. The auditor shall open up a separate account with each of the officers of said county, which shall show the amount received from each officer and the amount paid each officer, and the said accounts shall be at all times open to the public.

Sec. 13. That the salaries and allowance herein provided for the several officers shall be in lieu of all other compensation now allowed by law, but they shall each continue to collect and pay over to the auditor of New Hanover County, for the credit of the "Salary Fee Fund" prescribed in this act, all fees, commissions and emoluments coming into their hands by virtue of their office.

Sec. 14. On the first Monday in December, each and every year, it shall be the duty of said auditor to submit to the board of commissioners of said county a detailed statement of the conditions of the said "Salary Fee Fund," showing the amounts received during the preceding year from each officer, and the amounts paid out to each officer, and the balance remaining in said "Salary Fee Fund" to the credit of each of the respective officers.

Sec. 15. The officers hereinbefore mentioned shall faithfully and truly perform all of the duties of their several offices which are now or which may hereafter be imposed upon them by law,
and they shall receive no other compensation or allowance of any kind whatsoever for any extra or additional services rendered to the county, State or other governmental agency, and they shall be liable for all the pains and penalties now or hereafter provided for failure to perform the duties of their said offices.

Sec. 16. All officers of New Hanover County who are now or may be hereafter required to give bond for the faithful performance of their duties shall give bond in some bonding company authorized by the laws of the State of North Carolina to do business in this State, and the premiums upon said bonds shall be paid by the county of New Hanover out of the “Salary Fee Fund” provided for herein.

Sec. 17. This act is in addition to and not in substitution for chapter ninety-five, Public-Local Laws one thousand nine hundred and twenty-one, and chapter five hundred and thirty-five, Public-Local Laws one thousand nine hundred and twenty-one; all other laws or clauses of laws in conflict with this act are hereby repealed.

Sec. 18. That this act shall apply only to the county of New Hanover.

Sec. 19. That this act shall be in full force and effect from and after May first, one thousand nine hundred and twenty-three.

Ratified this the 6th day of March, A.D. 1923.

CHAPTER 614

AN ACT TO MAKE CHAPTER 606, PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION OF 1917, AND AMENDMENT THERETO, APPLICABLE TO NEW HANOVER COUNTY, ENTITLED “AN ACT TO PROVIDE THE AUSTRALIAN BALLOT.”

The General Assembly of North Carolina do enact:

Section 1. That chapter six hundred and six, Public-Local Laws of North Carolina, session one thousand nine hundred and seventeen, ratified the fifth day of March, Anno Domini one thousand nine hundred and seventeen, and the amendment thereto, being chapter five hundred and sixty-seven, entitled “An act amending chapter six hundred and six, Public-Local Laws, passed by the General Assembly of North Carolina at its session of one thousand nine hundred and seventeen, ratified on the fifth day of March, one thousand nine hundred and seventeen, entitled ‘An act to provide the Australian ballot,’” be and the same is hereby made applicable to New Hanover County, and that all elections held in said county after the ratification of this act shall be held under the provisions of the laws herein specified.
Repealing clause. Sec. 2. That all laws and clauses of laws in conflict with this act are hereby repealed, in so far and no further as the county herein mentioned is concerned.

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

Ratified this the 6th day of March, A.D. 1923.

CHAPTER 615

AN ACT TO PROVIDE FOR THE ORGANIZATION OF A COUNTY BOARD OF HEALTH FOR MADISON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. The chairman of the board of county commissioners, the chairman of the county board of education, and the superintendent of schools of Madison County shall meet together on the first Monday in April, one thousand nine hundred and twenty-three, and thereafter on the first Monday in April in the odd years of the calendar, and elect from the regularly registered physicians of the county two physicians who, with themselves, shall constitute the county board of health. The chairman of the board of county commissioners shall be the chairman of the county board of health, and the presence of three members at any regular or called meeting shall constitute a quorum. The term of office of the members of the county board of health shall terminate on the first Monday in April in the odd years of the calendar, and while on duty they shall receive four dollars per diem, to be paid by the county.

Application of act. Sec. 2. That this act shall apply to Madison County only.

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

Ratified this the 6th day of March, A.D. 1923.

STATE OF NORTH CAROLINA.
Office of Secretary of State,
Raleigh, March 6, 1923.

I, W. N. Everett, 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.

W. N. Everett,
Secretary of State.
<table>
<thead>
<tr>
<th>INDEX TO PUBLIC-LOCAL LAWS</th>
</tr>
</thead>
</table>

### A

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abandonment of dedications, adjudication of</td>
<td>541</td>
</tr>
<tr>
<td>Acceptance of dedications, time for</td>
<td>541</td>
</tr>
<tr>
<td>Alamance County, bonds for courthouse for funding debt</td>
<td>228</td>
</tr>
<tr>
<td>既要</td>
<td>234</td>
</tr>
<tr>
<td>carnivals prohibited</td>
<td>264</td>
</tr>
<tr>
<td>chairman of commissioners</td>
<td>45</td>
</tr>
<tr>
<td>county home</td>
<td>11</td>
</tr>
<tr>
<td>game law</td>
<td>601</td>
</tr>
<tr>
<td>pay of deputy sheriffs</td>
<td>203</td>
</tr>
<tr>
<td>publicity of expenditures and promotion of economy</td>
<td>63</td>
</tr>
<tr>
<td>road law</td>
<td>102</td>
</tr>
<tr>
<td>Alexander County game law, foxes</td>
<td>210</td>
</tr>
<tr>
<td>game law, opossums</td>
<td>212</td>
</tr>
<tr>
<td>salaries of officers</td>
<td>657</td>
</tr>
<tr>
<td>Alleghany County game law, foxes</td>
<td>288</td>
</tr>
<tr>
<td>bonds</td>
<td>164</td>
</tr>
<tr>
<td>Anson County, discontinuance of chain-gang</td>
<td>565</td>
</tr>
<tr>
<td>duties of financial agents</td>
<td>679</td>
</tr>
<tr>
<td>handling funds; treasurer abolished</td>
<td>12</td>
</tr>
<tr>
<td>jury tax</td>
<td>62</td>
</tr>
<tr>
<td>pay of commissioners</td>
<td>159</td>
</tr>
<tr>
<td>road law</td>
<td>251</td>
</tr>
<tr>
<td>rural policemen</td>
<td>446</td>
</tr>
<tr>
<td>sawmills or planing mills on creeks and streams</td>
<td>550</td>
</tr>
<tr>
<td>Ashe County bonds</td>
<td>261</td>
</tr>
<tr>
<td>game laws</td>
<td>215</td>
</tr>
<tr>
<td>highway commission</td>
<td>172</td>
</tr>
<tr>
<td>road law</td>
<td>220</td>
</tr>
<tr>
<td>Ashe and Watauga counties, bridge construction</td>
<td>21</td>
</tr>
<tr>
<td>Asheville Township, deputy constable</td>
<td>482</td>
</tr>
<tr>
<td>Asheville and Buncombe County, use of official automobiles</td>
<td>139</td>
</tr>
<tr>
<td>Attendance by children in places of amusement</td>
<td>628</td>
</tr>
<tr>
<td>Australian ballot for Macon, Clay, Cherokee, Yancey, and Transylvania counties</td>
<td>59</td>
</tr>
<tr>
<td>New Hanover County</td>
<td>518</td>
</tr>
<tr>
<td>New Hanover County</td>
<td>703</td>
</tr>
<tr>
<td>Stanly County</td>
<td>462</td>
</tr>
<tr>
<td>Automobiles, Buncombe County and Asheville</td>
<td>139</td>
</tr>
<tr>
<td>Buncombe and Madison counties</td>
<td>22</td>
</tr>
<tr>
<td>Avery County, bond and note issues to be voted on</td>
<td>59</td>
</tr>
<tr>
<td>fees of justices</td>
<td>544</td>
</tr>
<tr>
<td>pay for capture of stills</td>
<td>83</td>
</tr>
<tr>
<td>road law</td>
<td>423</td>
</tr>
</tbody>
</table>

45—Public-Local
| Avery, Mitchell, and Watauga counties, bear trapping | 387 |
| Avery and Watauga counties, game law | 386 |

**B**

| Banners Elk to Elk Park, road law repealed | 136 |
| Battleboro Special School District bonds | 65 |
| Beaufort County, game law—squirrel | 555 |
| road law amended | 243 |
| special tax | 215 |
| Beaufort and Mecklenburg counties, acceptance of dedications | 541 |
| Beaver Dam and East Fork townships, debts assumed by Haywood County | 128 |
| Bertie County, audit of accounts | 398 |
| bonds | 418 |
| deputies for clerk, register, and sheriff | 189 |
| road law | 551 |
| Bertie, Gates, Hertford, and Northampton counties, game law | 489 |
| Bethel Lutheran Church, Sunday sales forbidden | 260 |
| Black River, fishing days | 605 |
| Bladen County, office of auditor created | 516 |
| free ferries | 306 |
| game law | 500 |
| loan from one county fund to another county fund | 415 |
| purchase and sale of land validated | 227 |
| road law | 552 |
| salaries | 184 |
| Boards of education, Caswell County | 283 |
| Caswell County | 408 |
| Cleveland County, number and appointment | 554 |
| Columbus County, terms of members | 387 |
| Durham County, to acquire rights of way for sewerage and drainage of public schools | 217 |
| Franklin County, to fill vacancy on | 35 |
| Greene County, annual report | 454 |
| Madison County, relief of | 483 |
| Pitt County, annual statement | 177 |
| Pitt County | 423 |
| Randolph County, insurance on school building | 498 |
| Randolph County, bonds for debt of | 512 |
| Transylvania County | 3 |

**Bonds:**

| for maintenance and improvement of drainage districts | 570 |
| Alamance County courthouse | 228 |
| for funded debt | 234 |
| Alleghany County | 164 |
Bonds—Continued:

<table>
<thead>
<tr>
<th>County/Location</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ashe County</td>
<td>261</td>
</tr>
<tr>
<td>Avery County, to be voted on</td>
<td>59</td>
</tr>
<tr>
<td>Battleboro School District</td>
<td>65</td>
</tr>
<tr>
<td>Bertie County</td>
<td>418</td>
</tr>
<tr>
<td>Brunswick County, to be voted on</td>
<td>190</td>
</tr>
<tr>
<td>Brunswick County</td>
<td>266</td>
</tr>
<tr>
<td>Bryson City, water and lights</td>
<td>413</td>
</tr>
<tr>
<td>Caldwell County</td>
<td>539</td>
</tr>
<tr>
<td>Caldwell County, for Lovelady Township</td>
<td>650</td>
</tr>
<tr>
<td>Chatham County</td>
<td>162</td>
</tr>
<tr>
<td>Cheoah Township</td>
<td>244</td>
</tr>
<tr>
<td>Cherokee County</td>
<td>17</td>
</tr>
<tr>
<td>Cherokee County</td>
<td>49</td>
</tr>
<tr>
<td>Cherokee County</td>
<td>230</td>
</tr>
<tr>
<td>Clay County</td>
<td>51</td>
</tr>
<tr>
<td>Clay County</td>
<td>323</td>
</tr>
<tr>
<td>Cleveland County</td>
<td>5</td>
</tr>
<tr>
<td>Columbus County, elections for sale of</td>
<td>161</td>
</tr>
<tr>
<td>Craven County and New Bern, submitted to vote</td>
<td>692</td>
</tr>
<tr>
<td>Davie County</td>
<td>515</td>
</tr>
<tr>
<td>Dunn Township</td>
<td>698</td>
</tr>
<tr>
<td>Edgecombe County</td>
<td>65</td>
</tr>
<tr>
<td>Graham County</td>
<td>308</td>
</tr>
<tr>
<td>Grassly Creek Township</td>
<td>387</td>
</tr>
<tr>
<td>Granville County</td>
<td>428</td>
</tr>
<tr>
<td>Gaston County</td>
<td>415</td>
</tr>
<tr>
<td>Guilford County, for equalizing school advantages</td>
<td>247</td>
</tr>
<tr>
<td>Haywood County, limiting issue and providing payment</td>
<td>256</td>
</tr>
<tr>
<td>Henderson County, for floating debt</td>
<td>32</td>
</tr>
<tr>
<td>refunding bonds</td>
<td>33</td>
</tr>
<tr>
<td>for roads validated</td>
<td>34</td>
</tr>
<tr>
<td>Hyde County, must be voted on</td>
<td>199</td>
</tr>
<tr>
<td>Iredell County</td>
<td>350</td>
</tr>
<tr>
<td>Johnston County, must be voted on</td>
<td>660</td>
</tr>
<tr>
<td>Lee County</td>
<td>20</td>
</tr>
<tr>
<td>Lee County</td>
<td>580</td>
</tr>
<tr>
<td>Lee County</td>
<td>333</td>
</tr>
<tr>
<td>Lenoir County</td>
<td>318</td>
</tr>
<tr>
<td>Lincoln County</td>
<td>315</td>
</tr>
<tr>
<td>McDowell County</td>
<td>320</td>
</tr>
<tr>
<td>Madison County, for convict and road work</td>
<td>33</td>
</tr>
<tr>
<td>Montgomery County</td>
<td>281</td>
</tr>
<tr>
<td>Moore County</td>
<td>155</td>
</tr>
<tr>
<td>Moore County</td>
<td>535</td>
</tr>
</tbody>
</table>
Bonds—Continued:

Murphy Township .................................................. 258
New Hanover County .............................................. 411
New Hanover County .............................................. 412
Onslow County ..................................................... 61
Onslow County ..................................................... 644
Pamlico County .................................................... 93
Pender County, law repealed .................................... 690
Person County ...................................................... 248
Pitt County .......................................................... 88
Polk County, payment of interest on ............................. 437
Randolph County ................................................... 506
Randolph County, for board of education ....................... 512
Robeson County .................................................... 527
Robeson County, for townships ................................... 638
Rockingham County ............................................... 265
School districts in Carteret, Scotland, Martin, Wayne, Haywood
and Richmond counties, validated ............................... 512
Stanly County ....................................................... 89
Stokes County ....................................................... 145
Surry County ......................................................... 50
Surry County ......................................................... 416
Swain County ......................................................... 129
Swain County ......................................................... 319
Topsail Township, law repealed ................................... 690
Union County ......................................................... 239
Vance County validated ............................................. 637
Wake County (old courthouse) ..................................... 354
Wake County (floating debt) ....................................... 351
Watauga County ..................................................... 246
Waynesville Township, for betterment of schools ......... 402
Boone Fork Creek, fishing ......................................... 433
Brunswick County, bonds ......................................... 266
  bond issues to be voted on ...................................... 190
  elections on special road tax ................................... 639
  fees of clerk ..................................................... 227
  fiscal agent ....................................................... 57
  game law .......................................................... 460
  execution of official bonds .................................... 462
  salaries of officers ............................................. 578
  special tax ........................................................ 431
Brunswick County, Southport High School, and Southport City, to cancel
  part of debt ....................................................... 378
Bryson City, bonds, water and lights ............................ 413
Buffalo, Reedy Fork, and Horsepen creeks, fishing ........ 346
Buncombe County auditor to enter deed on tax record .... 270
  automobiles for officials ....................................... 137
Buncombe County—Continued:

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>compensation of tax collector</td>
<td>348</td>
</tr>
<tr>
<td>duties and fees of deputy sheriffs</td>
<td>108</td>
</tr>
<tr>
<td>elections</td>
<td>283</td>
</tr>
<tr>
<td>financial system</td>
<td>71</td>
</tr>
<tr>
<td>financial system</td>
<td>285</td>
</tr>
<tr>
<td>financial system</td>
<td>356</td>
</tr>
<tr>
<td>to pave roads on petition</td>
<td>380</td>
</tr>
<tr>
<td>prohibition of sale of deer meat</td>
<td>455</td>
</tr>
<tr>
<td>promotion of cream routes</td>
<td>353</td>
</tr>
<tr>
<td>record of plats and maps</td>
<td>207</td>
</tr>
<tr>
<td>road laws and special tax</td>
<td>361</td>
</tr>
<tr>
<td>rural patrol commission, rural patrolmen</td>
<td>205</td>
</tr>
<tr>
<td>sanitary districts</td>
<td>390</td>
</tr>
<tr>
<td>treasurer allowed assistance</td>
<td>204</td>
</tr>
<tr>
<td>use of school buildings</td>
<td>112</td>
</tr>
<tr>
<td>Buncombe County and Asheville, official automobiles</td>
<td>139</td>
</tr>
<tr>
<td>Buncombe and Madison counties, driving automobiles</td>
<td>22</td>
</tr>
<tr>
<td>Burgaw Township, constable appointed</td>
<td>201</td>
</tr>
<tr>
<td>election on special road tax</td>
<td>314</td>
</tr>
<tr>
<td>Burke County, appointment of members of highway commission</td>
<td>500</td>
</tr>
<tr>
<td>certain road funds</td>
<td>37</td>
</tr>
<tr>
<td>road law</td>
<td>320</td>
</tr>
<tr>
<td>highway commission, appointment of members of</td>
<td>500</td>
</tr>
<tr>
<td>Byrd, R. H., appointed constable</td>
<td>201</td>
</tr>
</tbody>
</table>

C

Cabarrus County, equalization of school advantages                   | 509  |
<p>| law equalizing schools repealed                                     | 687  |
| road law                                                           | 329  |
| salaries of sheriff and treasurer                                  | 167  |
| Caldwell County, bonds for Lovelady Township                        | 650  |
| bonds                                                               | 539  |
| carnivals prohibited                                                | 182  |
| road law amended                                                   | 435  |
| Camden County, dance halls                                          | 407  |
| pay of jurors                                                      | 325  |
| road law                                                           | 225  |
| sale of fireworks                                                  | 10   |
| Carnivals forbidden, Alamance County                                | 264  |
| Caldwell County                                                    | 182  |
| Cleveland County                                                   | 84   |
| Granville County                                                   | 197  |
| McDowell County                                                    | 599  |
| Madison County                                                     | 270  |
| Rockingham County                                                  | 194  |</p>
<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carteret County, equalization of school advantages</td>
<td>575</td>
</tr>
<tr>
<td>geese at large</td>
<td>686</td>
</tr>
<tr>
<td>school districts and bond issues validated</td>
<td>512</td>
</tr>
<tr>
<td>special school tax repealed</td>
<td>339</td>
</tr>
<tr>
<td>Caswell County, board of education</td>
<td>283</td>
</tr>
<tr>
<td>Confederate monument</td>
<td>408</td>
</tr>
<tr>
<td>deer law repealed</td>
<td>389</td>
</tr>
<tr>
<td>enforcement of prohibition law</td>
<td>621</td>
</tr>
<tr>
<td>fees of sheriff</td>
<td>349</td>
</tr>
<tr>
<td>pay of county officers, auditor</td>
<td>286</td>
</tr>
<tr>
<td>prosecuting attorney</td>
<td>488</td>
</tr>
<tr>
<td>relating to courthouse</td>
<td>410</td>
</tr>
<tr>
<td>road laws</td>
<td>298</td>
</tr>
<tr>
<td>special tax</td>
<td>163</td>
</tr>
<tr>
<td>use of courthouse</td>
<td>178</td>
</tr>
<tr>
<td>Catawba County, jury tax</td>
<td>62</td>
</tr>
<tr>
<td>game law</td>
<td>291</td>
</tr>
<tr>
<td>improvements of roads</td>
<td>642</td>
</tr>
<tr>
<td>powers of highway commission</td>
<td>642</td>
</tr>
<tr>
<td>register of deeds to perform duties omitted by predecessors</td>
<td>107</td>
</tr>
<tr>
<td>road law</td>
<td>563</td>
</tr>
<tr>
<td>salary of treasurer</td>
<td>641</td>
</tr>
<tr>
<td>Cemetery commissions, creation of</td>
<td>662</td>
</tr>
<tr>
<td>Charlotte and Mecklenburg County, joint courthouse and municipal building</td>
<td>438</td>
</tr>
<tr>
<td>Chatham County, bonds</td>
<td>162</td>
</tr>
<tr>
<td>game laws</td>
<td>625</td>
</tr>
<tr>
<td>bonds validated</td>
<td>432</td>
</tr>
<tr>
<td>Chattel mortgages and conditional sales, registration in Guilford County</td>
<td>165</td>
</tr>
<tr>
<td>Cheoah School, Graham County, and Robbinsville waterworks</td>
<td>170</td>
</tr>
<tr>
<td>supplement</td>
<td>421</td>
</tr>
<tr>
<td>Cheoah Township, payment of road debt, regulation of payments and road work</td>
<td>244</td>
</tr>
<tr>
<td>Cheoah, Stecoah and Yellow Creek townships, bonds for</td>
<td>433</td>
</tr>
<tr>
<td>Cherokee County, Australian ballot</td>
<td>59</td>
</tr>
<tr>
<td>bonds</td>
<td>49</td>
</tr>
<tr>
<td>bonds validated</td>
<td>17</td>
</tr>
<tr>
<td>jury tax</td>
<td>62</td>
</tr>
<tr>
<td>road law, bonds</td>
<td>230</td>
</tr>
<tr>
<td>salary of officers, treasurer abolished</td>
<td>139</td>
</tr>
<tr>
<td>special tax</td>
<td>347</td>
</tr>
<tr>
<td>Cherokee and Currituck counties, fireworks</td>
<td>12</td>
</tr>
<tr>
<td>Cherokee and Graham counties, attendance of Indians on schools</td>
<td>70</td>
</tr>
<tr>
<td>Cherokee and Mitchell counties, game law</td>
<td>545</td>
</tr>
<tr>
<td>Cherokee, Rutherford, Gates and Graham counties, sales of meal and flour</td>
<td>498</td>
</tr>
</tbody>
</table>
Chowan County, pay of county commissioners, road commissioners and board of education ........................................ 101
fees of clerk ........................................................................ 93
fees of clerk of court ................................................................ 39
game law, sale of quail ................................................................. 211
foxes ...................................................................................... 211
squirrels .................................................................................... 211
license to log-haulers .................................................................. 322
salary of treasurer ..................................................................... 415

Chewes—Old Ford Christian, Sunday sales .................................................. 3
Landers' Chapel, Webb's Chapel, Mt. Beulah Baptist, and Bethel Lutheran, Sunday sales forbidden ........................................ 260

Cities and towns:
Asheville and Buncombe County, official automobiles .................................. 139
Bryson City, bonds, water and lights ......................................................... 413
Cemetery commissions ............................................................................. 662
Charlotte-Mecklenburg County, joint courthouse and municipal building .......... 438
Elizabeth City and Pasquotank County, appropriation for chamber of commerce ............................................................... 250
to aid Pasquotank Municipal Hospital Association .................................... 544
Fayetteville exempted from Sunday sales law ........................................... 506
Lexington, recorder's court law amended ................................................ 95
Mooresville, recorder's court .................................................................... 311
New Bern and Craven County, bonds submitted to vote ............................ 692
Robbinsville, Graham County, and Cheoah Schools, waterworks .................. 170
supplement ....................................................................................... 421
Sanford, charter amended ..................................................................... 292
Southport, Southport High School and Brunswick County to cancel part of debt ................................................................. 378
To create cemetery commissions .............................................................. 662
Wilmington and New Hanover County, meter adjuster ............................... 609
appropriation to Community Hospital Association ....................................... 82
extension of library facilities ................................................................... 269
Wrightsville Beach, appropriation from New Hanover County ..................... 287

Clay County, Australian ballot .................................................................. 59
bonds for courthouse ............................................................................. 323
bonds validated .................................................................................. 51
road laws amended .............................................................................. 219
road supervisors .................................................................................. 53

Cleveland County, to borrow money .......................................................... 18
carnivals forbidden ................................................................................ 54
bonds ................................................................................................. 5
profanity on highways ............................................................................ 8
number and appointment of county school board ...................................... 554
Columbus County, audit of accounts ........................................ 41
  special tax ........................................................................ 399
  employment of convicts ..................................................... 203
  terms of members of board of education .................................. 353
  to borrow from one county fund to another ............................. 137
  powers of commissioners as to recorder's court ...................... 621
  system of road work .......................................................... 604
  time for justices to file reports ......................................... 588
  sale of bonds ..................................................................... 161
  salaries of officers ............................................................. 175
  fees of jurors ...................................................................... 224
  election of auditor, treasurer abolished .................................. 202
  supplemental act .................................................................. 570
Community Hospital Association, appropriation to ...................... 85
Conditional sale agreements and chattel mortgages, registration in Guil-
  ford County ................................................................... 165
Conditional sale agreements .................................................. 194
Confederate monuments, Durham County .................................. 70
Consolidated Statutes, amended:
  chapter 82 ........................................................................ 189
  sec. 1229 ............................................................................ 62
  sec. 1364 ............................................................................ 33
  sec. 1505 ............................................................................ 216
  sec. 1681 ............................................................................ 556
  sec. 1902 ............................................................................ 932
  sec. 2111 ............................................................................. 212
  secs. 2111 and 2114 ............................................................ 291
  sec. 2114 ............................................................................. 211
  secs. 2114 and 2116 ............................................................. 587
  sec. 2116 ............................................................................. 214
  sec. 2116 ............................................................................. 411
  sec. 2131 ............................................................................. 211
  sec. 3405 ............................................................................. 176
  sec. 3767 ............................................................................. 549
  sec. 3905 ............................................................................. 453
  sec. 3906 ............................................................................. 599
  sec. 3908 and chapter 578 Public-Local Laws 1921 ................. 623
  sec. 3908 ............................................................................. 624
  sec. 4352 ............................................................................. 8
  sec. 4422 ............................................................................. 587
  sec. 4461 ............................................................................. 632
  sec. 5403 ............................................................................. 283
  sec. 8073, ch. 133 ................................................................. 9
Counties:
  Alamance, bonds for courthouse ........................................... 228
    bonds for funding debt ....................................................... 234
    chairman of commissioners ................................................ 45
Counties—Continued:  

Alamance, pay of deputy sheriffs .......................................................... 203  
carnivals forbidden .............................................................................. 264  
county home .......................................................................................... 11  
road law ................................................................................................. 102  
publicity of expenditures and promotion of economy ......................... 63  
Alamance, Craven, Jones, and Lenoir counties, game law ................. 601  
Alexander, game law, opossums .......................................................... 212  
  game laws, foxes .................................................................................. 210  
  salaries of officers ............................................................................... 657  
Alleghany, bonds .................................................................................. 164  
  game law, foxes .................................................................................. 288  
Anson, discontinuance of chain-gang .................................................... 565  
  road law ............................................................................................... 251  
  pay of commissioners ......................................................................... 159  
  handling funds, treasurer abolished .................................................... 12  
  rural policemen ................................................................................... 446  
  duties of financial agent ..................................................................... 679  
  sawmills or planing mills on streams or creeks ................................... 550  
Ashe, bonds ............................................................................................ 261  
  game laws ............................................................................................ 215  
  highway commission .......................................................................... 172  
  road law amended ............................................................................... 220  
Ashe and Watauga, bridge construction .............................................. 21  
Avery, bond and note issues to be voted on .......................................... 59  
  road law ............................................................................................... 423  
  fees of justices ..................................................................................... 387, 544  
  pay for capture of stills ...................................................................... 83  
Avery, Mitchell and Watauga, bear trapping ......................................... 83  
Avery and Watauga, game law .............................................................. 335  
Beaufort, special tax ............................................................................. 215  
  game law, squirrels .......................................................................... 555  
  road law amended ............................................................................... 243  
Beaufort and Mecklenburg, acceptance of dedications ....................... 541  
Bertie, audit of accounts......................................................................... 398  
  bonds ................................................................................................. 418  
  deputies for clerk, register, and sheriff .............................................. 189  
  road law ............................................................................................... 551  
Bertie, Gates, Hertford, and Northampton, game law ....................... 489  
Bladen, office of auditor created .......................................................... 516  
  free ferries ......................................................................................... 306  
  game law ............................................................................................. 500  
  loan from one county fund to another county fund ......................... 415  
  road law .............................................................................................. 532  
  purchase and sale of land validated .................................................... 227  
  salaries ................................................................................................. 184
Counties—Continued:

Brunswick, bonds .......................................................... 266
special tax ....................................................................... 431
elections on special road tax........................................... 639
fiscal agent ..................................................................... 57
fees of clerk ..................................................................... 227
game law ......................................................................... 460
execution of official bonds.............................................. 462
all bond issues to be voted on......................................... 190
salaries of officers............................................................. 578

Brunswick, city of Southport, and Southport High School, to cancel part of debt........................................... 378

Buncombe, automobiles for officials................................. 137
financial system ................................................................ 285
elections ............................................................................ 283
auditor to enter deeds on tax record................................. 270
rural patrol commission, rural policemen........................ 205
record of plats and maps.................................................. 207
use of school buildings..................................................... 112
duties and fees of deputy sheriffs...................................... 108
financial system ............................................................... 71
financial system ............................................................... 356
treasurer allowed assistance............................................ 204
promotion of cream routes.............................................. 353
compensation of tax collector.......................................... 348
road law and special tax.................................................. 361
to pave roads on petition................................................ 380
sanitary districts ............................................................... 390

Buncombe and city of Asheville, official automobiles........ 139

Buncombe, Haywood, Jackson, Henderson, and Transylvania, prohibition of sale of deer meat........................................... 455

Buncombe and Madison, driving automobiles................. 22

Burke, appointment of members of highway commission.... 500
certain road funds ........................................................... 37
road law ............................................................................ 320

Cabarrus, equalization of school advantages.................... 509
law equalizing schools repealed........................................ 687
salaries of sheriff and treasurer....................................... 167
road law ............................................................................ 329

Caldwell, bonds for Lovelady Township............................ 650
bonds .............................................................................. 539
carnivals forbidden ........................................................ 182
road law amended ........................................................... 435

Camden, dance halls........................................................ 407
road law ............................................................................ 225
pay of jurors .................................................................... 325

Camden, sale of fireworks............................................... 10
Counties—Continued:

Carteret, special tax law repealed................................................................. 339
    equalization of school advantages......................................................... 575
    geese at large......................................................................................... 686
Carteret, Scotland, Martin, Wayne, Haywood, and Richmond School districts, and bond issues validated. ................................................................. 512
Caswell, enforcement of prohibition law......................................................... 621
    deer law repealed..................................................................................... 389
    fees of sheriff......................................................................................... 349
    special tax ............................................................................................... 163
    use of courthouse...................................................................................... 178
    pay of county officers, auditor.................................................................. 286
    board of education..................................................................................... 283
    board of education..................................................................................... 408
    relating to courthouse................................................................................ 410
    prosecuting attorney................................................................................... 488
    road laws ................................................................................................. 298
Catawba, register of deeds to perform duties omitted by predecessors .......... 107
    road law .................................................................................................. 563
    salary of treasurer.................................................................................... 641
    improvements of roads............................................................................... 642
    powers of highway commission................................................................... 642
    game law .................................................................................................... 201
Chatham, Cherokee, Washington, and Anson, jury tax................................. 62
    bonds validated ....................................................................................... 432
    game laws................................................................................................. 625
Cherokee, special tax....................................................................................... 347
    bonds ........................................................................................................ 49
    bonds validated ....................................................................................... 17
    salaries of officers, treasurer abolished..................................................... 129
    road law, bonds....................................................................................... 230
Cherokee and Graham, attendance of Indians on schools............................... 70
Cherokee and Mitchell counties, game law..................................................... 545
Cherokee, Rutherford, and Gaston counties, sales of meal and flour.............. 498
Chowan, licenses to log-haulers....................................................................... 322
    fees of clerk of court................................................................................. 39
    fees of clerk.............................................................................................. 93
    pay of county commissioners, road commissioners, and board
    of education............................................................................................... 101
    game law, sale of quail.............................................................................. 211
    game law, foxes....................................................................................... 211
    game, squirrels....................................................................................... 415
Clay, bonds for courthouse.............................................................................. 823
    bonds validated ....................................................................................... 51
    road supervisors...................................................................................... 53
<table>
<thead>
<tr>
<th>Counties—Continued:</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clay, road law, amended</td>
<td>219</td>
</tr>
<tr>
<td>Cleveland, to borrow money</td>
<td>18</td>
</tr>
<tr>
<td>carnivals forbidden</td>
<td>54</td>
</tr>
<tr>
<td>bonds</td>
<td>5</td>
</tr>
<tr>
<td>Cleveland, profanity on highways</td>
<td>8</td>
</tr>
<tr>
<td>number and appointment of county school board</td>
<td>554</td>
</tr>
<tr>
<td>Columbus, audit of accounts</td>
<td>41</td>
</tr>
<tr>
<td>special tax</td>
<td>399</td>
</tr>
<tr>
<td>employment of convicts</td>
<td>203</td>
</tr>
<tr>
<td>terms of members of board of education</td>
<td>353</td>
</tr>
<tr>
<td>to borrow from one county fund for another</td>
<td>137</td>
</tr>
<tr>
<td>powers of commissioners as to recorder's court</td>
<td>621</td>
</tr>
<tr>
<td>system of road work</td>
<td>604</td>
</tr>
<tr>
<td>time for justices to file reports</td>
<td>588</td>
</tr>
<tr>
<td>sale of bonds</td>
<td>161</td>
</tr>
<tr>
<td>salaries of officers</td>
<td>175</td>
</tr>
<tr>
<td>fees of jurors</td>
<td>224</td>
</tr>
<tr>
<td>election of auditor, treasurer abolished</td>
<td>202</td>
</tr>
<tr>
<td>supplemental act</td>
<td>570</td>
</tr>
<tr>
<td>Craven, special officer</td>
<td>678</td>
</tr>
<tr>
<td>Craven, and city of New Bern, bonds submitted to vote</td>
<td>692</td>
</tr>
<tr>
<td>Cumberland, game law, game warden</td>
<td>505</td>
</tr>
<tr>
<td>fees of clerk of Superior Court</td>
<td>600</td>
</tr>
<tr>
<td>fees in insolvent cases</td>
<td>601</td>
</tr>
<tr>
<td>fees of register of deeds</td>
<td>599</td>
</tr>
<tr>
<td>Sunday sales</td>
<td>588</td>
</tr>
<tr>
<td>election on number and nomination of county commissioners</td>
<td>586</td>
</tr>
<tr>
<td>rural policemen</td>
<td>646</td>
</tr>
<tr>
<td>aid to public rest room</td>
<td>649</td>
</tr>
<tr>
<td>sale of seed cotton</td>
<td>653</td>
</tr>
<tr>
<td>Currituck, reports of officers</td>
<td>42</td>
</tr>
<tr>
<td>game law</td>
<td>565</td>
</tr>
<tr>
<td>salary of superintendent of public instruction</td>
<td>555</td>
</tr>
<tr>
<td>standard-keeper</td>
<td>9</td>
</tr>
<tr>
<td>Currituck and Cherokee, fireworks</td>
<td>12</td>
</tr>
<tr>
<td>Dare, pay of sheriff and of treasurer</td>
<td>550</td>
</tr>
<tr>
<td>publication of annual accounts</td>
<td>414</td>
</tr>
<tr>
<td>Davidson, limit of road tax</td>
<td>113</td>
</tr>
<tr>
<td>employment of tax clerk</td>
<td>118</td>
</tr>
<tr>
<td>to fund floating debt</td>
<td>105</td>
</tr>
<tr>
<td>auditor abolished</td>
<td>23</td>
</tr>
<tr>
<td>bonds of officers</td>
<td>54</td>
</tr>
<tr>
<td>game law, quail</td>
<td>411</td>
</tr>
<tr>
<td>fees of coroner</td>
<td>453</td>
</tr>
<tr>
<td>Davie, bonds</td>
<td>515</td>
</tr>
<tr>
<td>pay for topsoil for roads</td>
<td>449</td>
</tr>
<tr>
<td>game laws</td>
<td>322</td>
</tr>
</tbody>
</table>
Counties—Continued:

Davie, salaries of officers.................................................. 408
Duplin, salaries of officers.................................................. 250
game law, asylums.............................................................. 664
road hands regulated......................................................... 674
pension for school teacher................................................. 684
salaries of officers............................................................ 606
plats and subdivisions validated.......................................... 376
Durham, sewerage and draining for public schools.................. 217
fees of justices................................................................. 155
planning commissions........................................................ 665
county home ...................................................................... 596
farm-life schools ................................................................. 521
protection of plats, maps, and tracings.................................. 106
Confederate monument........................................................ 44
purchasing agent .................................................................
Sunday sales .................................................................... 456
Edgecombe, pay of sheriff..................................................... 190
bonds for Battleboro School District...................................... 65
advertisement of real estate in townships............................. 55
Forsyth, drainage .................................................................. 238
drainage ............................................................................. 277
salary of sheriff................................................................. 679
pay of stenographer............................................................. 573
purchasing agent and tax supervisor..................................... 584
barbed-wire fence ................................................................. 587
traffic regulations................................................................. 597
county home ...................................................................... 641
salaries of officers............................................................... 79
pay of jailer and assistant.................................................... 80
relief of register of deeds..................................................... 78
salary of sheriff................................................................. 67
collection of drainage assessments........................................ 406
removal of cemeteries.......................................................... 295
Franklin, audit of accounts.................................................... 183
salaries of officers............................................................... 271
salaries of officers, supplement............................................. 400
appointment to board of education of................................... 34
fireworks ........................................................................... 401
bonds validated .................................................................. 432
Gaston, bonds ..................................................................... 247
Graham, fees of justices........................................................ 546
road law .............................................................................. 546
pay of commissioners.......................................................... 94
funds for current expenses, bonds of Yellow Creek Township.... 308
Graham, Robbinsville, and Cheoah School, waterworks......... 170
supplement ........................................................................ 421
bonds for townships............................................................ 433
Counties—Continued:

Granville, landlord and tenant. .......................................................... 163
   appointment of road commissioners ........................................... 354
   bonds ......................................................................................... 428
   salary of sheriff ........................................................................ 484
   road law amended ...................................................................... 504
   carnivals forbidden ..................................................................... 197
Greene, annual report of board of education ................................. 454
   special tax .................................................................................. 100
Guilford, court stenographer ......................................................... 589
   tramps defined and punished ..................................................... 632
   probates and registrations validated ......................................... 36
   fishing in certain streams ........................................................... 346
   registration of chattel mortgages and conditional sale agreements 165
   laws equalizing school advantages reënacted, and bond issues ........................................................................... 256
   authorized for execution ..............................................................
   protection of plats and maps ....................................................... 197
   enforcement of game law ............................................................ 654
Halifax, game laws .......................................................................... 453
Harnett, game laws, quail ................................................................. 214
   pay of officers ............................................................................. 1
   road law ...................................................................................... 666
   rural policemen .......................................................................... 602
Harnett, protection of deer ............................................................... 67
   auditor ......................................................................................... 358
Haywood, to assume debts of Beaver Dam and East Fork townships 128
   limiting bond issue and providing for payment .......................... 235
   pay of sheriff and treasurer ....................................................... 447
   game law .................................................................................... 567
   convict force .............................................................................. 592
   road law ..................................................................................... 123
   pay and duties of commissioners ............................................ 76
   to build certain bridges ............................................................ 324
   county hospital ......................................................................... 326
   road law amended .................................................................... 329
   auditor ....................................................................................... 353
Henderson, distribution of milk ....................................................... 173
   cooperation with State Highway Commission .......................... 549
   salaries of sheriff and clerk Superior Court ............................. 552
   fees of surveyor ......................................................................... 556
   promotion of fish industry .......................................................... 594
   bonds for floating debt ............................................................... 32
   bonds for refunding ................................................................. 33
   bonds for roads validated .......................................................... 34
   retirement of officers ................................................................. 461
Hertford, better government .......................................................... 83
   supplement to better government and road law ....................... 590
<table>
<thead>
<tr>
<th>Counties—Continued:</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hoke, pay of jurors</td>
<td>605</td>
</tr>
<tr>
<td>collection of taxes</td>
<td>505</td>
</tr>
<tr>
<td>Hyde, promotion of education and relief of taxpayers</td>
<td>39</td>
</tr>
<tr>
<td>road supervisors</td>
<td>630</td>
</tr>
<tr>
<td>game law</td>
<td>564</td>
</tr>
<tr>
<td>compensation of sheriff</td>
<td>174</td>
</tr>
<tr>
<td>bonds must be voted on</td>
<td>185</td>
</tr>
<tr>
<td>modification of boundaries of drainage districts</td>
<td>502</td>
</tr>
<tr>
<td>election under act of 1923 for promotion of education and relief of taxpayers</td>
<td>464</td>
</tr>
<tr>
<td>abolition of treasurer</td>
<td>410</td>
</tr>
<tr>
<td>Hyde, Nash, Franklin, and Wilson, drainage</td>
<td>86</td>
</tr>
<tr>
<td>Iredell, automobiles for hire</td>
<td>201</td>
</tr>
<tr>
<td>uniform tax penalties</td>
<td>685</td>
</tr>
<tr>
<td>superintendent of roads</td>
<td>109</td>
</tr>
<tr>
<td>bonds</td>
<td>350</td>
</tr>
<tr>
<td>auditor and tax commissioner, treasurer abolished</td>
<td>457</td>
</tr>
<tr>
<td>working convicts on farm</td>
<td>508</td>
</tr>
<tr>
<td>Iredell and McDowell, tax penalties</td>
<td>685</td>
</tr>
<tr>
<td>Jackson, game laws</td>
<td>208</td>
</tr>
<tr>
<td>road law amended</td>
<td>57</td>
</tr>
<tr>
<td>recorders' courts</td>
<td>111</td>
</tr>
<tr>
<td>special tax</td>
<td>216</td>
</tr>
<tr>
<td>terms of recorder's court</td>
<td>216</td>
</tr>
<tr>
<td>treasurer, auditor, and tax collector</td>
<td>168</td>
</tr>
<tr>
<td>Johnston, acts of assistants to register of deeds validated</td>
<td>144</td>
</tr>
<tr>
<td>election for all bonds and special tax</td>
<td>660</td>
</tr>
<tr>
<td>county treasurer restored</td>
<td>580</td>
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<tr>
<td>equalization of school advantages</td>
<td>580</td>
</tr>
<tr>
<td>game law, opossum and squirrel</td>
<td>201</td>
</tr>
<tr>
<td>Lee, bonds</td>
<td>533</td>
</tr>
<tr>
<td>bonds</td>
<td>20</td>
</tr>
<tr>
<td>bonds</td>
<td>530</td>
</tr>
<tr>
<td>fox hunting</td>
<td>655</td>
</tr>
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<td>Lenoir, bonds</td>
<td>318</td>
</tr>
<tr>
<td>tax receipts and vital statistics</td>
<td>684</td>
</tr>
<tr>
<td>Lincoln, bonds</td>
<td>315</td>
</tr>
<tr>
<td>appointment of superintendent of roads</td>
<td>526</td>
</tr>
<tr>
<td>McDowell, salary of clerk of court and register of deeds</td>
<td>160</td>
</tr>
<tr>
<td>traveling shows</td>
<td>599</td>
</tr>
<tr>
<td>construction of highways</td>
<td>64</td>
</tr>
<tr>
<td>bonds for hospitals</td>
<td>320</td>
</tr>
<tr>
<td>game laws, foxes</td>
<td>389</td>
</tr>
<tr>
<td>game law, foxes</td>
<td>297</td>
</tr>
<tr>
<td>Macon, bonus for wildcats</td>
<td>19</td>
</tr>
<tr>
<td>road laws</td>
<td>26</td>
</tr>
<tr>
<td>supplement</td>
<td>127</td>
</tr>
</tbody>
</table>
Counties—Continued:

Macon, Clay, Cherokee, Yancey, and Transylvania, Australian ballot... 59
Madison, tax collector ................................................................. 23
  relief of board of education..................................................... 483
  salary of register of deeds..................................................... 427
  sale of veal calves..................................................................... 430
  tax collector and other officers................................................ 23
  funds for convict and road work............................................... 33
  required to build road............................................................. 60
  road work.................................................................................. 91
  traffic regulations....................................................................... 631
  protection of fish......................................................................... 449
  prohibition enforcement officers.............................................. 166
  game law.................................................................................... 284
  carnivals forbidden..................................................................... 270
  board of health.......................................................................... 704
  building of road required........................................................ 289
  special road district................................................................... 114

Martin, selection of county commissioners and board of education...... 591
  election of school committeemen in local tax districts................. 572
  fees of register of deeds.......................................................... 655
  road trustees for Williamston Township..................................... 655

Mecklenburg, and city of Charlotte, joint courthouse and municipal
building......................................................................................... 438
Mecklenburg, relating to General Hospital........................................ 680
  fees of register of deeds.......................................................... 682
  appointment of highway commission........................................ 427
Mitchell, grades on roads................................................................ 19
  treasurer abolished...................................................................... 242
  road law amended....................................................................... 247
  superintendent of public welfare................................................. 552
  salary of clerk of Superior Court.............................................. 589
  change of location of roads in Poplar Township.......................... 317
  game laws.................................................................................... 376
  salary of sheriff......................................................................... 293
  road law...................................................................................... 303
  bonds for Grassy Creek Township............................................. 415
  compulsory school attendance................................................. 288
Montgomery, protection of roads...................................................... 503
  protection of partridges............................................................ 450
  fishing......................................................................................... 183
  bonds............................................................................................ 281
  election of attorney...................................................................... 272
Moore, game law............................................................................ 468
  protection of maps and plats....................................................... 346
  live-stock raising........................................................................ 56
  fees of clerk............................................................................... 94
  planning boards.......................................................................... 249
Counties—Continued:

<table>
<thead>
<tr>
<th>Category</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Moore, regulation of traffic</td>
<td>583</td>
</tr>
<tr>
<td>hospital</td>
<td>661</td>
</tr>
<tr>
<td>bonds</td>
<td>535</td>
</tr>
<tr>
<td>bonds</td>
<td>155</td>
</tr>
<tr>
<td>Nash, salaries of officers</td>
<td>463</td>
</tr>
<tr>
<td>pay of tales jurors</td>
<td>453</td>
</tr>
<tr>
<td>salaries of officers</td>
<td>158</td>
</tr>
<tr>
<td>Nash, Franklin, and Edgecombe, game law</td>
<td>466</td>
</tr>
<tr>
<td>New Hanover, term of county solicitor</td>
<td>487</td>
</tr>
<tr>
<td>conditional sale agreements</td>
<td>194</td>
</tr>
<tr>
<td>appropriation to Wrightsville Beach</td>
<td>287</td>
</tr>
<tr>
<td>Australian ballot</td>
<td>703</td>
</tr>
<tr>
<td>matron for recorder's court</td>
<td>681</td>
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<tr>
<td>fees of officers</td>
<td>689</td>
</tr>
<tr>
<td>pensions for teachers</td>
<td>588</td>
</tr>
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<td>Australian ballot</td>
<td>595</td>
</tr>
<tr>
<td>salary of clerk of commissioners</td>
<td>40</td>
</tr>
<tr>
<td>bonds, county home</td>
<td>41</td>
</tr>
<tr>
<td>bonds, annex to courthouse</td>
<td>412</td>
</tr>
<tr>
<td>relative to school funds</td>
<td>294</td>
</tr>
<tr>
<td>attendance of children at places of amusement</td>
<td>628</td>
</tr>
<tr>
<td>New Hanover, and city of Wilmington, extension of library facilities</td>
<td>269</td>
</tr>
<tr>
<td>salary of meter adjuster</td>
<td>689</td>
</tr>
<tr>
<td>appropriations to Community Hospital Association</td>
<td>82</td>
</tr>
<tr>
<td>Northampton, salary of clerk of Superior Court</td>
<td>486</td>
</tr>
<tr>
<td>Onslow, bonds</td>
<td>61</td>
</tr>
<tr>
<td>road bonds</td>
<td>644</td>
</tr>
<tr>
<td>game law</td>
<td>618</td>
</tr>
<tr>
<td>Orange, fees for service of process</td>
<td>307</td>
</tr>
<tr>
<td>salaries of officers</td>
<td>310</td>
</tr>
<tr>
<td>Pamlico, game law</td>
<td>317</td>
</tr>
<tr>
<td>appointment of highway commissioner</td>
<td>52</td>
</tr>
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<td>bonds</td>
<td>93</td>
</tr>
<tr>
<td>county-wide tax for schools</td>
<td>639</td>
</tr>
<tr>
<td>game laws, deer</td>
<td>545</td>
</tr>
<tr>
<td>chain-gang</td>
<td>167</td>
</tr>
<tr>
<td>Pasquotank, game law</td>
<td>450</td>
</tr>
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<td>transfer of dog tax</td>
<td>556</td>
</tr>
<tr>
<td>highway commission</td>
<td>687</td>
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<tr>
<td>compensation to E. R. Ferrell</td>
<td>178</td>
</tr>
<tr>
<td>drainage bonds validated</td>
<td>196</td>
</tr>
<tr>
<td>dox-tax collectors</td>
<td>434</td>
</tr>
<tr>
<td>Pasquotank and Elizabeth City, to aid Pasquotank Municipal Hospital</td>
<td>544</td>
</tr>
<tr>
<td>Association</td>
<td></td>
</tr>
<tr>
<td>appropriation for chamber of commerce</td>
<td>250</td>
</tr>
<tr>
<td>Pender, auditor</td>
<td>607</td>
</tr>
<tr>
<td>game laws</td>
<td>620</td>
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</tbody>
</table>

46—Public-Local
Counties—Continued:

<table>
<thead>
<tr>
<th>County</th>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
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<td>to widen roads</td>
<td>358</td>
</tr>
<tr>
<td></td>
<td>fishing</td>
<td>407</td>
</tr>
<tr>
<td></td>
<td>constable for Burgaw Township</td>
<td>201</td>
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<td></td>
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<td>690</td>
</tr>
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<td>Perquimans</td>
<td>game laws</td>
<td>409</td>
</tr>
<tr>
<td></td>
<td>fees of clerk of court</td>
<td>318</td>
</tr>
<tr>
<td></td>
<td>fees of sheriff</td>
<td>239</td>
</tr>
<tr>
<td>Person</td>
<td>game law</td>
<td>419</td>
</tr>
<tr>
<td></td>
<td>fees of sheriff</td>
<td>56</td>
</tr>
<tr>
<td></td>
<td>bonds</td>
<td>248</td>
</tr>
<tr>
<td></td>
<td>salaries of officers, audit of accounts</td>
<td>191</td>
</tr>
<tr>
<td></td>
<td>county home</td>
<td>200</td>
</tr>
<tr>
<td>Pitt</td>
<td>board of education</td>
<td>423</td>
</tr>
<tr>
<td></td>
<td>bonds</td>
<td>88</td>
</tr>
<tr>
<td></td>
<td>board of education to file annual statement</td>
<td>177</td>
</tr>
<tr>
<td>Pitt and Pasquotank</td>
<td>profane language on roads</td>
<td>189</td>
</tr>
<tr>
<td>Polk</td>
<td>payment of coupons on road bonds</td>
<td>437</td>
</tr>
<tr>
<td></td>
<td>pay of road commissioners</td>
<td>629</td>
</tr>
<tr>
<td></td>
<td>special tax</td>
<td>217</td>
</tr>
<tr>
<td>Randolph</td>
<td>bonds</td>
<td>506</td>
</tr>
<tr>
<td></td>
<td>game law</td>
<td>296</td>
</tr>
<tr>
<td></td>
<td>county commissioners and road trustees</td>
<td>53</td>
</tr>
<tr>
<td></td>
<td>chairman of commissioners</td>
<td>22</td>
</tr>
<tr>
<td></td>
<td>county treasurer</td>
<td>111</td>
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<tr>
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<td>treasurer abolished</td>
<td>7</td>
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<tr>
<td></td>
<td>terms of court</td>
<td>591</td>
</tr>
<tr>
<td></td>
<td>bonds for debt of board of education</td>
<td>512</td>
</tr>
<tr>
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<td>insurance on school buildings</td>
<td>498</td>
</tr>
<tr>
<td>Robeson</td>
<td>salary and election of superintendent of schools</td>
<td>451</td>
</tr>
<tr>
<td></td>
<td>loan for Gaddy's Township</td>
<td>419</td>
</tr>
<tr>
<td></td>
<td>fishing</td>
<td>306</td>
</tr>
<tr>
<td></td>
<td>game laws</td>
<td>42</td>
</tr>
<tr>
<td></td>
<td>game law</td>
<td>632</td>
</tr>
<tr>
<td></td>
<td>road bonds for townships</td>
<td>638</td>
</tr>
<tr>
<td></td>
<td>election of drainage commissioners</td>
<td>617</td>
</tr>
<tr>
<td></td>
<td>salary of superintendent of roads, employment, care of bridges</td>
<td>563</td>
</tr>
<tr>
<td></td>
<td>pay of members of boards</td>
<td>562</td>
</tr>
<tr>
<td></td>
<td>loan of road bond sinking fund to county</td>
<td>559</td>
</tr>
<tr>
<td></td>
<td>election of drainage commissioners</td>
<td>540</td>
</tr>
<tr>
<td></td>
<td>salary of recorders and sheriff</td>
<td>675</td>
</tr>
<tr>
<td></td>
<td>fees of prosecuting attorneys</td>
<td>656</td>
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<td></td>
<td>bonds for county home</td>
<td>527</td>
</tr>
<tr>
<td></td>
<td>fees of sheriff</td>
<td>175</td>
</tr>
<tr>
<td></td>
<td>notice of appointment of auditor</td>
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<td>Rockingham</td>
<td>carnivals forbidden</td>
<td>194</td>
</tr>
<tr>
<td></td>
<td>bonds</td>
<td>265</td>
</tr>
<tr>
<td></td>
<td>bonus to officers seizing liquor carriers</td>
<td>176</td>
</tr>
<tr>
<td>Counties—Continued:</td>
<td>Page</td>
<td></td>
</tr>
<tr>
<td>--------------------------------------------------------</td>
<td>------</td>
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</tr>
<tr>
<td>Rockingham, allowance to sheriff for deputies</td>
<td>602</td>
<td></td>
</tr>
<tr>
<td>deputy clerk</td>
<td>78</td>
<td></td>
</tr>
<tr>
<td>Rowan, county court</td>
<td>691</td>
<td></td>
</tr>
<tr>
<td>uncollectible taxes</td>
<td>487</td>
<td></td>
</tr>
<tr>
<td>Rutherford, county solicitor</td>
<td>43</td>
<td></td>
</tr>
<tr>
<td>transfer of funds</td>
<td>181</td>
<td></td>
</tr>
<tr>
<td>township bonds</td>
<td>151</td>
<td></td>
</tr>
<tr>
<td>special police for mills</td>
<td>97</td>
<td></td>
</tr>
<tr>
<td>hunting</td>
<td>401</td>
<td></td>
</tr>
<tr>
<td>Sampson, game law</td>
<td>548</td>
<td></td>
</tr>
<tr>
<td>fees of sheriff</td>
<td>623</td>
<td></td>
</tr>
<tr>
<td>chairman of commissioners</td>
<td>50</td>
<td></td>
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<tr>
<td>game laws</td>
<td>399</td>
<td></td>
</tr>
<tr>
<td>to place officers on salary</td>
<td>491</td>
<td></td>
</tr>
<tr>
<td>Sampson, Cumberland, and Harnett, fishing</td>
<td>605</td>
<td></td>
</tr>
<tr>
<td>Scotland, authority and duties of constables and policemen</td>
<td>195</td>
<td></td>
</tr>
<tr>
<td>financial agents</td>
<td>430</td>
<td></td>
</tr>
<tr>
<td>rural policemen</td>
<td>34</td>
<td></td>
</tr>
<tr>
<td>Stanly, Australian ballot</td>
<td>462</td>
<td></td>
</tr>
<tr>
<td>damages for location of roads</td>
<td>464</td>
<td></td>
</tr>
<tr>
<td>itinerant merchants or peddlers</td>
<td>421</td>
<td></td>
</tr>
<tr>
<td>sheriff on salary</td>
<td>494</td>
<td></td>
</tr>
<tr>
<td>salary of judge and prosecuting attorney of county court</td>
<td>347</td>
<td></td>
</tr>
<tr>
<td>open muffler, cut-outs</td>
<td>793</td>
<td></td>
</tr>
<tr>
<td>cartways, road law</td>
<td>375</td>
<td></td>
</tr>
<tr>
<td>improvement of roads</td>
<td>40</td>
<td></td>
</tr>
<tr>
<td>bonds</td>
<td>89</td>
<td></td>
</tr>
<tr>
<td>appointment of treasurer</td>
<td>210</td>
<td></td>
</tr>
<tr>
<td>Stokes, auditor abolished</td>
<td>7</td>
<td></td>
</tr>
<tr>
<td>bonds and road law</td>
<td>145</td>
<td></td>
</tr>
<tr>
<td>annual audit</td>
<td>176</td>
<td></td>
</tr>
<tr>
<td>fees allowed sheriff</td>
<td>198</td>
<td></td>
</tr>
<tr>
<td>transfer of funds</td>
<td>200</td>
<td></td>
</tr>
<tr>
<td>Surry, witness fees</td>
<td>432</td>
<td></td>
</tr>
<tr>
<td>bonds</td>
<td>367</td>
<td></td>
</tr>
<tr>
<td>game law</td>
<td>311</td>
<td></td>
</tr>
<tr>
<td>bonds</td>
<td>50</td>
<td></td>
</tr>
<tr>
<td>protection of fish by prohibiting throwing sawdust in creeks and use of explosives</td>
<td>467</td>
<td></td>
</tr>
<tr>
<td>fees of justices</td>
<td>467</td>
<td></td>
</tr>
<tr>
<td>road law amended</td>
<td>96</td>
<td></td>
</tr>
<tr>
<td>bridges</td>
<td>98</td>
<td></td>
</tr>
<tr>
<td>collection of taxes</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>pay of judge of juvenile court</td>
<td>587</td>
<td></td>
</tr>
<tr>
<td>fees of sheriff</td>
<td>273</td>
<td></td>
</tr>
<tr>
<td>killing and shipping heifer calves</td>
<td>251</td>
<td></td>
</tr>
<tr>
<td>salary of register of deeds</td>
<td>526</td>
<td></td>
</tr>
</tbody>
</table>
Counties—Continued:

<table>
<thead>
<tr>
<th>County</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Surry and Stokes</td>
<td>81</td>
</tr>
<tr>
<td>bonds</td>
<td>129</td>
</tr>
<tr>
<td>salary of chairman of commissioners</td>
<td>179</td>
</tr>
<tr>
<td>salary of sheriff</td>
<td>180</td>
</tr>
<tr>
<td>salary of treasurer</td>
<td>180</td>
</tr>
<tr>
<td>fish protected</td>
<td>602</td>
</tr>
<tr>
<td>road law amended</td>
<td>96</td>
</tr>
<tr>
<td>roads in Forney’s Creek Township</td>
<td>99</td>
</tr>
<tr>
<td>Swain, bonds</td>
<td>219</td>
</tr>
<tr>
<td>bonds</td>
<td>129</td>
</tr>
<tr>
<td>salary of chairman of commissioners</td>
<td>179</td>
</tr>
<tr>
<td>salary of sheriff</td>
<td>180</td>
</tr>
<tr>
<td>salary of treasurer</td>
<td>180</td>
</tr>
<tr>
<td>Transylvania, work on roads, special tax</td>
<td>495</td>
</tr>
<tr>
<td>relief of treasurer</td>
<td>484</td>
</tr>
<tr>
<td>pay of treasurer and sheriff</td>
<td>98</td>
</tr>
<tr>
<td>board of education</td>
<td>3</td>
</tr>
<tr>
<td>game and fish law</td>
<td>212</td>
</tr>
<tr>
<td>salaries of officers</td>
<td>275</td>
</tr>
<tr>
<td>relief of sheriff and tax collector</td>
<td>196</td>
</tr>
<tr>
<td>Tyrrell, road law</td>
<td>337</td>
</tr>
<tr>
<td>sheriff, clerk, and register on salaries</td>
<td>574</td>
</tr>
<tr>
<td>pasturing hogs on graveyards forbidden</td>
<td>559</td>
</tr>
<tr>
<td>game law</td>
<td>485</td>
</tr>
<tr>
<td>Union, bonds</td>
<td>239</td>
</tr>
<tr>
<td>duties of register of deeds</td>
<td>242</td>
</tr>
<tr>
<td>game law</td>
<td>277</td>
</tr>
<tr>
<td>game law</td>
<td>214</td>
</tr>
<tr>
<td>operation of cotton warehouses</td>
<td>593</td>
</tr>
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<td>salaries of officers</td>
<td>622</td>
</tr>
<tr>
<td>bonds of officers</td>
<td>101</td>
</tr>
<tr>
<td>election on abolition of road commission</td>
<td>452</td>
</tr>
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<td>Vance, settlements of county officers</td>
<td>174</td>
</tr>
<tr>
<td>dog-tax collector</td>
<td>590</td>
</tr>
<tr>
<td>school bonds validated</td>
<td>637</td>
</tr>
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<td>Wake, fees of coroner</td>
<td>654</td>
</tr>
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<td>675</td>
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<td>623</td>
</tr>
<tr>
<td>fees for serving summons on jurors</td>
<td>624</td>
</tr>
<tr>
<td>work on streets of towns</td>
<td>349</td>
</tr>
<tr>
<td>bonds (old courthouse)</td>
<td>354</td>
</tr>
<tr>
<td>bonds (floating debt)</td>
<td>351</td>
</tr>
<tr>
<td>Warren, game law</td>
<td>606</td>
</tr>
<tr>
<td>game laws</td>
<td>627</td>
</tr>
<tr>
<td>superintendent of public welfare</td>
<td>629</td>
</tr>
<tr>
<td>pay of deputy clerk</td>
<td>457</td>
</tr>
<tr>
<td>Washington, game law, squirrel and quail</td>
<td>587</td>
</tr>
<tr>
<td>Watauga, special tax and bonds</td>
<td>246</td>
</tr>
<tr>
<td>salary of sheriff</td>
<td>159</td>
</tr>
<tr>
<td>game law, foxes</td>
<td>209</td>
</tr>
</tbody>
</table>
Counties—Continued:

<table>
<thead>
<tr>
<th>Counties</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Watauga, road law</td>
<td>340</td>
</tr>
<tr>
<td>treasurer abolished</td>
<td>422</td>
</tr>
<tr>
<td>protection of fish</td>
<td>429</td>
</tr>
<tr>
<td>Wayne, sheriff’s fees</td>
<td>172</td>
</tr>
<tr>
<td>Wilkes, discounts and penalties</td>
<td>682</td>
</tr>
<tr>
<td>calf law repealed</td>
<td>8</td>
</tr>
<tr>
<td>Wilson, salaries of commissioners</td>
<td>204</td>
</tr>
<tr>
<td>Yancey, game laws</td>
<td>556</td>
</tr>
<tr>
<td>pay and duty of commissioners</td>
<td>138</td>
</tr>
<tr>
<td>road laws</td>
<td>190</td>
</tr>
<tr>
<td>cooperation with State Highway Commission in road work</td>
<td>343</td>
</tr>
<tr>
<td>Yancey and Madison, road across Paint Gap</td>
<td>9</td>
</tr>
<tr>
<td>Yancey, Mitchell, and Haywood, rights of way of public service corporations</td>
<td>494</td>
</tr>
</tbody>
</table>

Counties, joint establishment of hospital-homes: 695

County commissioners:

- Alamance County, chairman: 45
- Anson County, pay of: 159
- Chowan County, pay of: 101
- Cherokee County, pay of: 129
- Columbus County, powers enlarged: 621
- Cumberland, number and nomination of: 676
- Graham County, pay of: 94
- Haywood County, pay and duties of: 76
- Nash County, salary: 158
- Randolph County, chairman: 22
- Randolph County: 53
- Sampson County: 50
- Wilson County, salaries: 204
- Yancey County, pay and duty: 138

County homes:

- establishment of hospital-homes in place of: 695
- Alamance County: 11
- Durham County: 596
- Forsyth County: 641
- Onslow County: 61
- New Hanover County: 411
- Person County: 200
- Robeson County: 527
- Stanly County: 89

County court, Rowan County: 691

- Stanly County, salary of judge and prosecuting attorney: 347
- Craven County, special officer: 678
- game law: 601
- Craven County and New Bern, bonds submitted to election: 692
- Crawford Township, election ratified: 718
| Cumberland County, game law | 505 |
| Sunday sales | 588 |
| sale of seed cotton | 653 |
| public rest room | 649 |
| vote on county commissioners | 676 |
| fees of clerk | 600 |
| fees in insolvent cases | 601 |
| rural police | 646 |
| Cumberland, Harnett and Sampson counties, fishing | 605 |
| Currituck Bay and Keels Creek, fishing | 346 |
| Currituck County, standard-keeper | 9 |
| reports of officers | 42 |
| salary of superintendent of public instruction | 555 |
| game law | 565 |
| Currituck and Cherokee counties, fireworks | 12 |

**D**

| Danbury, Sauratown and Meadow townships, roads | 145 |
| Dance halls, Camden County | 407 |
| Dance halls and picture shows, attendance of children | 628 |
| Dare County, pay of sheriff and of treasurer | 550 |
| publication of annual accounts | 414 |
| Davidson County, fees of coroner | 453 |
| game law, quail | 411 |
| bonds of officers | 54 |
| auditor abolished | 23 |
| to fund floating debt | 105 |
| employment of tax clerk | 113 |
| Davie County, bonds | 515 |
| pay for top soil for roads | 449 |
| salaries of officers | 408 |
| game laws | 322 |
| Dedication of streets and highways, time for acceptance, and adjudication of abandonment | 541 |
| Depredation of fowls, Olin Township | 188 |
| Olin Township | 486 |
| Developments and subdivisions, to be submitted to planning boards | 17 |
| Discounts and penalties, Iredell County | 685 |
| Discounts and penalties on payment of tax, Wilkes County | 682 |
| Drainage, law amended | 86 |
| Muddy Creek and South Muddy Creek | 103 |
| Potts Creek, redredging | 263 |
| commissioners to issue and sell bonds for maintenance of district | 492 |
| election of commissioners in Robeson County | 617 |
| Forsyth County | 238 |
| election of commissioners in Robeson County | 540 |
| modification of boundary of districts in Hyde County | 502 |
Drainage—Continued:

<table>
<thead>
<tr>
<th>Category</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Forsyth County</td>
<td>277</td>
</tr>
<tr>
<td>collection of assessments in Forsyth County</td>
<td>406</td>
</tr>
<tr>
<td>Mattamuskeet Lake Drainage District in Hyde County, collection of</td>
<td>547</td>
</tr>
<tr>
<td>maintenance tax</td>
<td></td>
</tr>
<tr>
<td>Drainage districts, Mattamuskeet, sale of lands</td>
<td>10</td>
</tr>
<tr>
<td>Pasquotank County, No. 1, bonds validated</td>
<td>196</td>
</tr>
<tr>
<td>Draper, A. J., appointed to Mecklenburg County Highway Commission</td>
<td>427</td>
</tr>
<tr>
<td>Dunn's Township, bonds validated</td>
<td>698</td>
</tr>
<tr>
<td>Duplin County, salaries of officers</td>
<td>250</td>
</tr>
<tr>
<td>plats and subdivisions validated</td>
<td>376</td>
</tr>
<tr>
<td>salaries of officers</td>
<td>606</td>
</tr>
<tr>
<td>game asylums</td>
<td>664</td>
</tr>
<tr>
<td>road hands regulated</td>
<td>674</td>
</tr>
<tr>
<td>pension for school teacher</td>
<td>684</td>
</tr>
<tr>
<td>Durham County, protection of plats, maps, and tracings</td>
<td>106</td>
</tr>
<tr>
<td>purchasing agent</td>
<td>44</td>
</tr>
<tr>
<td>fees of constable</td>
<td>158</td>
</tr>
<tr>
<td>sewerage and draining for public schools</td>
<td>217</td>
</tr>
<tr>
<td>Sunday sales</td>
<td>456</td>
</tr>
<tr>
<td>county home</td>
<td>596</td>
</tr>
<tr>
<td>farm-life schools</td>
<td>598</td>
</tr>
<tr>
<td>planning commissions</td>
<td>665</td>
</tr>
</tbody>
</table>

E

East Fork and Beaver Dam townships, debt assumed by Haywood County       | 128  |
Edgecombe County, advertising real estate in townships                  | 55   |
| bonds for Battleboro School District                                    | 65   |
| pay of sheriff                                                          | 190  |
Edgecombe, Nash, and Franklin counties, game law                         | 466  |
Elizabeth City and Pasquotank County, appropriation for chamber of       | 250  |
| commerce                                                                |      |
| to aid Pasquotank Municipal Hospital Association                       | 544  |
Elk Park, to Banners Elk, road law repealed                              | 136  |

F

Farester, L. E., and Ramsey, Craig, prohibition enforcement officers     | 166  |
Farm-life schools, Durham County                                        | 598  |
Farmer's Mill, special policemen                                        | 55   |
Fayetteville, exempted from Sunday sales law                             | 588  |
Ferrell, E. R., compensation for                                        | 178  |
Ferries, Bladen County                                                   | 306  |
Fireworks, sale of, Camden County                                       | 10   |
| Currituck and Cherokee counties                                        | 12   |
| Franklin County                                                        | 401  |
Fishing, Black River                                                     | 605  |
| Boone Fork Creek                                                       | 433  |
| Guilford County                                                        | 346  |
**Fishing—Continued:**

<table>
<thead>
<tr>
<th>County</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Henderson County</td>
<td>455</td>
</tr>
<tr>
<td>Johnson's Mill Pond and Phillips Creek, close season for three years</td>
<td>434</td>
</tr>
<tr>
<td>Keels Creek and Currituck Bay</td>
<td>400</td>
</tr>
<tr>
<td>Madison County</td>
<td>284</td>
</tr>
<tr>
<td>Madison County</td>
<td>449</td>
</tr>
<tr>
<td>Montgomery County</td>
<td>183</td>
</tr>
<tr>
<td>Northeast or the Northeast Prong of New River, use of haul-seines...</td>
<td>144</td>
</tr>
<tr>
<td>Pungo River</td>
<td>624</td>
</tr>
<tr>
<td>Pender County</td>
<td>407</td>
</tr>
<tr>
<td>Robeson County</td>
<td>306</td>
</tr>
<tr>
<td>Sampson, Cumberland, and Harnett counties</td>
<td>605</td>
</tr>
<tr>
<td>Surrey County</td>
<td>467</td>
</tr>
<tr>
<td>Swain County</td>
<td>602</td>
</tr>
<tr>
<td>Transylvania County</td>
<td>212</td>
</tr>
<tr>
<td>Watauga County</td>
<td>429</td>
</tr>
<tr>
<td>Forney's Creek Township, road law</td>
<td>99</td>
</tr>
<tr>
<td>Forsyth County, drainage</td>
<td>238</td>
</tr>
<tr>
<td>pay of jailer and assistant</td>
<td>80</td>
</tr>
<tr>
<td>relief of register of deeds</td>
<td>78</td>
</tr>
<tr>
<td>drainage</td>
<td>277</td>
</tr>
<tr>
<td>removal of cemeteries</td>
<td>295</td>
</tr>
<tr>
<td>collection of drainage assessments</td>
<td>406</td>
</tr>
<tr>
<td>pay of stenographer</td>
<td>573</td>
</tr>
<tr>
<td>pay of stenographer</td>
<td>573</td>
</tr>
<tr>
<td>purchasing agent and tax supervisor</td>
<td>584</td>
</tr>
<tr>
<td>barbed-wire fences</td>
<td>587</td>
</tr>
<tr>
<td>traffic regulations</td>
<td>597</td>
</tr>
<tr>
<td>county home</td>
<td>641</td>
</tr>
<tr>
<td>salary of sheriff</td>
<td>67</td>
</tr>
<tr>
<td>salary of sheriff</td>
<td>679</td>
</tr>
<tr>
<td>salaries of officers</td>
<td>79</td>
</tr>
<tr>
<td>Franklin County, appointment to board of education</td>
<td>35</td>
</tr>
<tr>
<td>audit of accounts</td>
<td>183</td>
</tr>
<tr>
<td>fireworks</td>
<td>401</td>
</tr>
<tr>
<td>bonds validated</td>
<td>432</td>
</tr>
<tr>
<td>drainage</td>
<td>86</td>
</tr>
<tr>
<td>salaries of officers</td>
<td>271</td>
</tr>
<tr>
<td>salaries of officers (supplement)</td>
<td>400</td>
</tr>
<tr>
<td>Franklin, Edgecombe, and Nash counties, game law</td>
<td>466</td>
</tr>
</tbody>
</table>

**G**

<table>
<thead>
<tr>
<th>Township</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gaddys Township, loan for</td>
<td>419</td>
</tr>
<tr>
<td>Game laws, Alamance, Craven, Jones, and Lenoir counties</td>
<td>601</td>
</tr>
<tr>
<td>Alexander County, opossums</td>
<td>212</td>
</tr>
<tr>
<td>Alexander County, foxes</td>
<td>210</td>
</tr>
<tr>
<td>Alleghany County, foxes</td>
<td>288</td>
</tr>
<tr>
<td>County</td>
<td>Page</td>
</tr>
<tr>
<td>--------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>Ashe County</td>
<td>215</td>
</tr>
<tr>
<td>Avery and Watauga counties</td>
<td>386</td>
</tr>
<tr>
<td>Beaufort County, squirrel</td>
<td>555</td>
</tr>
<tr>
<td>Bertie, Gates, Hertford, and Northampton counties</td>
<td>489</td>
</tr>
<tr>
<td>Bladen County</td>
<td>500</td>
</tr>
<tr>
<td>Brunswick County</td>
<td>460</td>
</tr>
<tr>
<td>Carteret County</td>
<td>686</td>
</tr>
<tr>
<td>Caswell County, deer</td>
<td>340</td>
</tr>
<tr>
<td>Catawba County</td>
<td>291</td>
</tr>
<tr>
<td>Chatham County</td>
<td>625</td>
</tr>
<tr>
<td>Cherokee and Mitchell counties</td>
<td>545</td>
</tr>
<tr>
<td>Chowan County, sale of quail</td>
<td>211</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>foxes</td>
<td>211</td>
</tr>
<tr>
<td>squirrels</td>
<td>505</td>
</tr>
<tr>
<td>Cumberland County, foxes, game warden</td>
<td>565</td>
</tr>
<tr>
<td>Currituck County</td>
<td>411</td>
</tr>
<tr>
<td>Davidson County, quail</td>
<td>322</td>
</tr>
<tr>
<td>Davie County</td>
<td>664</td>
</tr>
<tr>
<td>Duplin County, asylums</td>
<td>654</td>
</tr>
<tr>
<td>Guilford County, enforcement</td>
<td>453</td>
</tr>
<tr>
<td>Halifax County</td>
<td>67</td>
</tr>
<tr>
<td>Harnett County, deer</td>
<td>214</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>quail</td>
<td>567</td>
</tr>
<tr>
<td>Haywood County</td>
<td>564</td>
</tr>
<tr>
<td>Hyde County</td>
<td>208</td>
</tr>
<tr>
<td>Jackson County</td>
<td>291</td>
</tr>
<tr>
<td>Johnston County, opossums and squirrels</td>
<td>655</td>
</tr>
<tr>
<td>Lee County, fox hunting</td>
<td>297</td>
</tr>
<tr>
<td>McDowell County, foxes</td>
<td>340</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>foxes</td>
<td>284</td>
</tr>
<tr>
<td>Madison County</td>
<td>376</td>
</tr>
<tr>
<td>Mitchell County</td>
<td>450</td>
</tr>
<tr>
<td>Montgomery County</td>
<td>468</td>
</tr>
<tr>
<td>Moore County</td>
<td>466</td>
</tr>
<tr>
<td>Nash, Franklin, and Edgecombe counties</td>
<td>618</td>
</tr>
<tr>
<td>Onslow County</td>
<td>317</td>
</tr>
<tr>
<td>Pamlico County</td>
<td>545</td>
</tr>
<tr>
<td>Pamlico County, deer</td>
<td>450</td>
</tr>
<tr>
<td>Pasquotank County</td>
<td>620</td>
</tr>
<tr>
<td>Pender County</td>
<td>409</td>
</tr>
<tr>
<td>Perquimans County</td>
<td>419</td>
</tr>
<tr>
<td>Person County</td>
<td>296</td>
</tr>
<tr>
<td>Randolph County</td>
<td>633</td>
</tr>
<tr>
<td>Robeson County</td>
<td>42</td>
</tr>
<tr>
<td>Robeson County</td>
<td>548</td>
</tr>
<tr>
<td>Sampson County</td>
<td>399</td>
</tr>
<tr>
<td>Sampson County</td>
<td></td>
</tr>
</tbody>
</table>
**Game laws—Continued:**

<table>
<thead>
<tr>
<th>Location</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Surry County</td>
<td>311</td>
</tr>
<tr>
<td>Transylvania County</td>
<td>212</td>
</tr>
<tr>
<td>Tyrrell County</td>
<td>485</td>
</tr>
<tr>
<td>Union County</td>
<td>214</td>
</tr>
<tr>
<td>Union County</td>
<td>277</td>
</tr>
<tr>
<td>Warren County</td>
<td>606</td>
</tr>
<tr>
<td>Warren County, foxes</td>
<td>627</td>
</tr>
<tr>
<td>Watauga County, foxes</td>
<td>209</td>
</tr>
<tr>
<td>Washington County, squirrel and quail</td>
<td>587</td>
</tr>
<tr>
<td>Yancey County</td>
<td>556</td>
</tr>
</tbody>
</table>

Gardner and Ebb's store to Redmond, road ordered ........................................ 60

Gaston County, bonds ......................................................................................... 247

Gaston Township, schools for Portuguese ......................................................... 686

Gaston, Graham, Rutherford, and Cherokee counties, sales of flour and meal ................................................................................................................................. 498

Gates, Hertford, Northampton, and Bertie counties, game law ......................... 489

Graded schools, Youngsville, listing and collection of taxes ............................. 685

Graham County, funds for current expenses, bonds for Yellow Creek Township .... 308

fees of justices ....................................................................................................... 546

road law .................................................................................................................. 560

pay of commissioners ............................................................................................. 94

Robbinsville and Cheoah School, waterworks ...................................................... 170

Cheoah School and Robbinsville, supplement ..................................................... 421

Graham and Cherokee counties, attendance of Indians on schools ................. 70

Graham, Gaston, Rutherford, and Cherokee counties, sale of flour and meal .... 498

Granville County, road law .................................................................................. 504

salary of sheriff ...................................................................................................... 484

carnivals forbidden ............................................................................................... 197

appointment of road commissioners .................................................................... 354

bonds ....................................................................................................................... 428

landlord and tenant ............................................................................................... 163

Graveyards, pasturing hogs on, forbidden in Tyrrell County ......................... 559

Grassy Creek Township, bonds ............................................................................ 415

Greene County, annual report of board of education .......................................... 454

special tax ............................................................................................................... 100

Guilford County, protection of plats and maps ............................................... 197

laws equalizing school advantages reënacted, and bond issue for execution authorized ................................................................. 256

registration of chattel mortgages and conditional sale agreements .......... 165

probates, registration validated ........................................................................... 36

court stenographer ................................................................................................. 589

enforcement of game laws .................................................................................... 654

tramps defined and punished ................................................................................ 632
Halifax County, game law ................................................................. 453
Hamilton Township, road law ......................................................... 249
Harnett County, rural policemen ....................................................... 602
road law .................................................................................. 669
pay of officers .......................................................................... 1
protection of deer ................................................................. 214
Harnett County, rural policemen ....................................................... 602
game law, quails ...................................................................... 358
Harnett, Sampson, and Cumberland counties, fishing .................. 605
Haywood County, game law ........................................................... 567
school districts and bond issues validated .................................. 512
convict force ........................................................................ 592
auditor .................................................................................. 353
to assume debts of Beaver Dam and East Fork townships .......... 128
road law .................................................................................. 123
pay and duties of commissioners ............................................... 76
to build certain bridges ............................................................ 324
county hospital ................................................................. 326
road law amended .................................................................. 329
limiting bond issue and providing for payment ......................... 447
pay of sheriff and treasurer ...................................................... 455
prohibition of sale of deer meat ................................................ 455
Haywood, Mitchell, and Yancey counties, rights of way of public service
 Corporations ........................................................................ 494
Hazel Creek Road District abolished ........................................... 656
Henderson County, fees of surveyor ............................................ 556
salary of sheriff and clerk of court ............................................. 552
retirement of officers ............................................................... 461
promotion of fish industry ......................................................... 594
prohibition of sale of deer meat ................................................ 455
cooperation with State Highway Commission .......................... 549
distribution of milk .................................................................. 173
bonds for floating debt ............................................................. 32
bonds for refunding ................................................................. 33
bonds for roads validated .......................................................... 34
Hertford County, better government .............................................. 83
supplement to better government act and amendment to road law 590
Hertford, Northampton, Bertie, and Gates counties, game law .... 489
High schools, Southport, Brunswick County, and city of Southport to
  cancel part of debt ................................................................ 378
Westfield, service of process in district ...................................... 81
Hoke County, collection of taxes ................................................... 505
pay of jurors ........................................................................ 605
Hospitals, Community Hospital Association, appropriation to ..... 82
Hospital-Homes, joint establishment of, by counties .................. 695
<table>
<thead>
<tr>
<th>Hospitals, Haywood County</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>McDowell County</td>
<td>329</td>
</tr>
<tr>
<td>Mecklenburg County General Hospital, relating to</td>
<td>680</td>
</tr>
<tr>
<td>Moore County</td>
<td>661</td>
</tr>
<tr>
<td>in Number 6 Township, Cleveland County</td>
<td>282</td>
</tr>
<tr>
<td>Pasquotank Municipal Hospital Association, aid from Pasquotank County and Elizabeth City</td>
<td>544</td>
</tr>
<tr>
<td>Horsepen, Buffalo, and Reedy Fork creeks, fishing</td>
<td>346</td>
</tr>
<tr>
<td>Hot Springs and Spring Creek townships, road district</td>
<td>114</td>
</tr>
<tr>
<td>Hunters Mill Township, road laws</td>
<td>397</td>
</tr>
<tr>
<td>Hyde County, abolition of treasurer</td>
<td>410</td>
</tr>
<tr>
<td>bonds must be voted on</td>
<td>199</td>
</tr>
<tr>
<td>compensation of sheriff</td>
<td>174</td>
</tr>
<tr>
<td>promotion of education and relief of taxpayers</td>
<td>39</td>
</tr>
<tr>
<td>drainage</td>
<td>86</td>
</tr>
<tr>
<td>election under law of 1923 for promotion of education and relief of taxpayers</td>
<td>464</td>
</tr>
<tr>
<td>modification of boundaries of drainage districts</td>
<td>502</td>
</tr>
<tr>
<td>game law</td>
<td>564</td>
</tr>
<tr>
<td>road supervisors</td>
<td>630</td>
</tr>
</tbody>
</table>

I

| Indian children, attendance on school                         | 70   |
| Insurance on school buildings                                 | 498  |
| Iredell County, automobiles for hire                          | 201  |
| bonds                                                         | 350  |
| auditor and tax commissioner, treasurer abolished             | 457  |
| superintendent of roads                                       | 109  |
| working convicts on farm                                     | 508  |
| Iredell and McDowell counties, tax penalties                  | 685  |
| Itinerant merchants or peddlers, Stanly County                | 421  |

J

| Jackson County, prohibition of sale of deer meat               | 455  |
| game laws                                                     | 208  |
| special tax                                                   | 216  |
| terms of recorders' courts                                    | 216  |
| treasurer, auditor, and tax collector                         | 163  |
| road law amended                                              | 57   |
| recorders' courts                                             | 111  |
| Johnston County, election for all bonds and special taxes     | 660  |
| county treasurer restored                                     | 580  |
| equalization of school advantages                              | 580  |
| game law, opossum and squirrel                                | 298  |
| acts of assistants to register of deeds validated              | 144  |
| Johnston's Mill Pond and Phillips Creek, close season for three years | 434  |
| Jones County, game law                                        | 601  |
1923—Index

Jurors, pay of, in Camden County................................................................. 325
   Columbus County, fees of................................................................. 224
Jurors, Hoke County, pay of................................................................. 605
   Nash County, tales jurors................................................................. 453
   Wake County, fees for serving summons on........................................... 624
Jury tax: Catawba, Cherokee, Washington, and Anson counties................. 62
   Graham County, fees......................................................................... 546
   Surry County, fees........................................................................... 467

K

Keels Creek and Currituck Bay, fishing...................................................... 400

L

Landers’ Chapel, Sunday sales................................................................. 260

Laws amended:
   1907, ch. 138, Private ........................................................................ 97
   1909, ch. 184, Public-Local ............................................................... 691
   1909, ch. 336, Public ........................................................................ 589
   1909, ch. 646, Public ........................................................................ 263
   1911, ch. 218, Public-Local ............................................................... 34
   1913, ch. 114, Public-Local ............................................................... 487
   1913, ch. 146, Public-Local ............................................................... 249
   1913, ch. 168, Public-Local ............................................................... 95
   1913, ch. 276, Public-Local ............................................................... 103
   1913, ch. 348, Public-Local ............................................................... 277
   1913, ch. 549, Public-Local ............................................................... 311
   1913, ch. 613, Public-Local ............................................................... 626
   1913, ch. 692, Public-Local ............................................................... 573
   1913, ch. 737, sec. 1, Public-Local.................................................... 687
   1915, ch. 126, Public-Local ............................................................... 303
   1915, ch. 172, sec. 12, Public-Local.................................................. 194
   1915, ch. 215, Public-Local ............................................................... 57
   1915, ch. 262, Public-Local ............................................................... 373
   1915, ch. 415, Public-Local ............................................................... 81
   1915, ch. 437, Public-Local ............................................................... 446
   1915, ch. 451, Public-Local ............................................................... 578
   1915, ch. 520, sec. 16, Public-Local.................................................. 486
   1915, ch. 594, Public ........................................................................ 54
   1915, ch. 596, sec. 9, Public-Local.................................................... 80
   1915, ch. 653, Public-Local ............................................................... 358
   1915, ch. 684, Public-Local ............................................................... 271
   1915, ch. 681, Public-Local ............................................................... 400
   1915, ch. 681, Public-Local (supplement)........................................... 225
   1917, ch. 62, Public-Local ............................................................... 425
Laws amended—Continued:

<table>
<thead>
<tr>
<th>Year</th>
<th>Number</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1917</td>
<td>ch. 129</td>
<td>Public-Local</td>
<td>113</td>
</tr>
<tr>
<td>1917</td>
<td>ch. 152</td>
<td>Public</td>
<td>617</td>
</tr>
<tr>
<td>1917</td>
<td>ch. 179</td>
<td>Public-Local</td>
<td>39</td>
</tr>
<tr>
<td>1917</td>
<td>ch. 179</td>
<td>Public-Local</td>
<td>415</td>
</tr>
<tr>
<td>1917</td>
<td>ch. 275</td>
<td>Public-Local</td>
<td>250</td>
</tr>
<tr>
<td>1917</td>
<td>ch. 276</td>
<td>Public-Local</td>
<td>388</td>
</tr>
<tr>
<td>1917</td>
<td>ch. 477</td>
<td>Public-Local</td>
<td>294</td>
</tr>
<tr>
<td>1917</td>
<td>ch. 555</td>
<td>Public-Local</td>
<td>545</td>
</tr>
<tr>
<td>1917</td>
<td>ch. 605</td>
<td>Public-Local</td>
<td>526</td>
</tr>
<tr>
<td>1917</td>
<td>ch. 606</td>
<td>Public-Local</td>
<td>59</td>
</tr>
<tr>
<td>1917</td>
<td>ch. 606</td>
<td>Public-Local</td>
<td>462</td>
</tr>
<tr>
<td>1917</td>
<td>ch. 606</td>
<td>Public-Local</td>
<td>595</td>
</tr>
<tr>
<td>1917</td>
<td>ch. 606</td>
<td>Public-Local</td>
<td>703</td>
</tr>
<tr>
<td>1917</td>
<td>ch. 649</td>
<td>Public-Local</td>
<td>653</td>
</tr>
<tr>
<td>1917</td>
<td>ch. 659</td>
<td>Public-Local, and ch. 465 of the Public-Local Laws 1919</td>
<td>653</td>
</tr>
<tr>
<td>1919</td>
<td>ch. 24</td>
<td>Public-Local</td>
<td>526</td>
</tr>
<tr>
<td>1919</td>
<td>ch. 37</td>
<td>Public-Local</td>
<td>310</td>
</tr>
<tr>
<td>1919</td>
<td>ch. 102</td>
<td>Public-Local</td>
<td>484</td>
</tr>
<tr>
<td>1919</td>
<td>ch. 116</td>
<td>Public</td>
<td>627</td>
</tr>
<tr>
<td>1919</td>
<td>ch. 184</td>
<td>Public-Local, and ch. 185, Public Laws of 1921</td>
<td>387</td>
</tr>
<tr>
<td>1919</td>
<td>ch. 214</td>
<td>Public-Local</td>
<td>638</td>
</tr>
<tr>
<td>1919</td>
<td>ch. 221</td>
<td>Public-Local</td>
<td>601</td>
</tr>
<tr>
<td>1919</td>
<td>ch. 235</td>
<td>Public-Local</td>
<td>96</td>
</tr>
<tr>
<td>1919</td>
<td>ch. 278</td>
<td>Public-Local</td>
<td>174</td>
</tr>
<tr>
<td>1919</td>
<td>ch. 328</td>
<td>Public-Local</td>
<td>551</td>
</tr>
<tr>
<td>1919</td>
<td>ch. 455</td>
<td>Public-Local</td>
<td>64</td>
</tr>
<tr>
<td>1919</td>
<td>ch. 465</td>
<td>Public-Local, and ch. 659 of the Public-Local Laws 1917</td>
<td>653</td>
</tr>
<tr>
<td>1919</td>
<td>ch. 467</td>
<td>Public-Local</td>
<td>172</td>
</tr>
<tr>
<td>1919</td>
<td>ch. 469</td>
<td>Public-Local</td>
<td>563</td>
</tr>
<tr>
<td>1919</td>
<td>ch. 469</td>
<td>Public-Local</td>
<td>642</td>
</tr>
<tr>
<td>1919</td>
<td>ch. 502</td>
<td>Public-Local</td>
<td>682</td>
</tr>
<tr>
<td>1919</td>
<td>ch. 553</td>
<td>Public-Local</td>
<td>486</td>
</tr>
<tr>
<td>1919</td>
<td>ch. 576</td>
<td>Public-Local</td>
<td>600</td>
</tr>
<tr>
<td>1919</td>
<td>ch. 592</td>
<td>Public-Local, and ch. 505 of the Public-Local Laws 1921</td>
<td>689</td>
</tr>
<tr>
<td>1920</td>
<td>ch. 103</td>
<td>Public-Local</td>
<td>243</td>
</tr>
<tr>
<td>1920</td>
<td>ch. 191</td>
<td>Public-Local</td>
<td>158</td>
</tr>
<tr>
<td>1921</td>
<td>ch. 22</td>
<td>Public-Local</td>
<td>581</td>
</tr>
<tr>
<td>1921</td>
<td>ch. 26</td>
<td>Public-Local</td>
<td>1</td>
</tr>
<tr>
<td>1921</td>
<td>ch. 64</td>
<td>Public-Local</td>
<td>320</td>
</tr>
<tr>
<td>1921</td>
<td>ch. 69</td>
<td>Private</td>
<td>292</td>
</tr>
<tr>
<td>1921</td>
<td>ch. 73</td>
<td>Public-Local</td>
<td>92</td>
</tr>
<tr>
<td>1921</td>
<td>ch. 84</td>
<td>Public-Local</td>
<td>408</td>
</tr>
<tr>
<td>1921</td>
<td>ch. 96</td>
<td>Public-Local</td>
<td>102</td>
</tr>
<tr>
<td>1921</td>
<td>ch. 113</td>
<td>sec. 2, Public</td>
<td>544</td>
</tr>
<tr>
<td>1921</td>
<td>ch. 125</td>
<td>Public-Local</td>
<td>246</td>
</tr>
<tr>
<td>1921</td>
<td>ch. 128</td>
<td>sec. 19, Public-Local</td>
<td>219</td>
</tr>
<tr>
<td>1921</td>
<td>ch. 151</td>
<td>Public-Local</td>
<td>427</td>
</tr>
</tbody>
</table>
Laws amended—Continued:  

<table>
<thead>
<tr>
<th>Year</th>
<th>Ch.</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1921</td>
<td>164</td>
<td>Public-Local</td>
<td>164</td>
</tr>
<tr>
<td>1921</td>
<td>179</td>
<td>Public-Local</td>
<td>215</td>
</tr>
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<td>185</td>
<td>Public, and ch. 184, Public-Local Laws of 1919</td>
<td>357</td>
</tr>
<tr>
<td>1921</td>
<td>234</td>
<td>Public-Local</td>
<td>203</td>
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<td>246</td>
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<td>285</td>
<td>Public-Local</td>
<td>198</td>
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<td>334</td>
<td>Public-Local</td>
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<td>347</td>
<td>Public-Local</td>
<td>590</td>
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<td>350</td>
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<td>175</td>
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<td>354</td>
<td>(355) Public-Local</td>
<td>504</td>
</tr>
<tr>
<td>1921</td>
<td>358</td>
<td>sec. 1, Public-Local</td>
<td>211</td>
</tr>
<tr>
<td>1921</td>
<td>369</td>
<td>Public-Local</td>
<td>96</td>
</tr>
<tr>
<td>1921</td>
<td>382</td>
<td>Public-Local</td>
<td>248</td>
</tr>
<tr>
<td>1921</td>
<td>385</td>
<td>Public-Local</td>
<td>588</td>
</tr>
<tr>
<td>1921</td>
<td>403</td>
<td>sec. 12, Public-Local</td>
<td>464</td>
</tr>
<tr>
<td>1921</td>
<td>442</td>
<td>Public-Local</td>
<td>180</td>
</tr>
<tr>
<td>1921</td>
<td>480</td>
<td>Public-Local</td>
<td>607</td>
</tr>
<tr>
<td>1921</td>
<td>487</td>
<td>Public-Local</td>
<td>588</td>
</tr>
<tr>
<td>1921</td>
<td>492</td>
<td>sec. 2, Public-Local</td>
<td>606</td>
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<td>505</td>
<td>Public-Local, and ch. 592 of the Public-Local Laws 1919</td>
<td>689</td>
</tr>
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<td>520</td>
<td>Public-Local</td>
<td>214</td>
</tr>
<tr>
<td>1921</td>
<td>523</td>
<td>Public-Local</td>
<td>242</td>
</tr>
<tr>
<td>1921</td>
<td>563</td>
<td>Public-Local</td>
<td>204</td>
</tr>
<tr>
<td>1921</td>
<td>570</td>
<td>Public-Local</td>
<td>623</td>
</tr>
<tr>
<td>1921</td>
<td>571</td>
<td>Public-Local</td>
<td>167</td>
</tr>
<tr>
<td>1921</td>
<td>578</td>
<td>Public-Local</td>
<td>56</td>
</tr>
<tr>
<td>1921</td>
<td>578</td>
<td>sec. 2, Public-Local</td>
<td>172</td>
</tr>
<tr>
<td>1921</td>
<td>578</td>
<td>Public-Local</td>
<td>239</td>
</tr>
<tr>
<td>1921</td>
<td>578</td>
<td>Public-Local, and sec. 3908 Consolidated Statutes</td>
<td>623</td>
</tr>
<tr>
<td>1921</td>
<td>extra session, ch. 32</td>
<td>Public-Local</td>
<td>210</td>
</tr>
<tr>
<td>1921</td>
<td>extra session, ch. 39</td>
<td>Public-Local</td>
<td>52</td>
</tr>
<tr>
<td>1921</td>
<td>extra session, ch. 56</td>
<td>Public-Local</td>
<td>1</td>
</tr>
<tr>
<td>1921</td>
<td>extra session, ch. 64</td>
<td>Public-Local</td>
<td>247</td>
</tr>
<tr>
<td>1921</td>
<td>extra session, ch. 105</td>
<td>sec. 1</td>
<td>623</td>
</tr>
<tr>
<td>1921</td>
<td>extra session, ch. 105</td>
<td>sec. 1, Public-Local</td>
<td>695</td>
</tr>
<tr>
<td>1921</td>
<td>extra session, ch. 117</td>
<td>Public-Local</td>
<td>180</td>
</tr>
<tr>
<td>1921</td>
<td>extra session, ch. 126</td>
<td>Public-Local</td>
<td>220</td>
</tr>
<tr>
<td>1921</td>
<td>extra session, ch. 158</td>
<td>Public-Local</td>
<td>137</td>
</tr>
<tr>
<td>1921</td>
<td>extra session, ch. 169</td>
<td>Public-Local</td>
<td>17</td>
</tr>
<tr>
<td>1921</td>
<td>extra session, ch. 169</td>
<td>Public-Local</td>
<td>249</td>
</tr>
<tr>
<td>1921</td>
<td>extra session, ch. 169</td>
<td>Public-Local</td>
<td>665</td>
</tr>
<tr>
<td>1921</td>
<td>extra session, ch. 175</td>
<td>Public-Local</td>
<td>680</td>
</tr>
<tr>
<td>1921</td>
<td>extra session, ch. 203</td>
<td>Public-Local</td>
<td>686</td>
</tr>
<tr>
<td>1921</td>
<td>extra session, ch. 220</td>
<td>Public-Local</td>
<td>179</td>
</tr>
<tr>
<td>1921</td>
<td>extra session, ch. 235</td>
<td>Public-Local</td>
<td>642</td>
</tr>
<tr>
<td>1921</td>
<td>extra session, ch. 247</td>
<td>Public-Local</td>
<td>641</td>
</tr>
</tbody>
</table>
Laws repealed:

1905, ch. 260, Public .................................................. 283
1907, ch. 348, Public .................................................. 656
1909, ch. 305, Public .................................................. 298
1911, ch. 234, Public-Local, and ch. 50 of Public-Local Laws of 1919 .... 99
1913, ch. 433, Public-Local, and ch. 436, Public Laws of 1905, and ch. 504, Public-Local Laws of 1921 ........................................ 79
1915, ch. 16, Public-Local ............................................ 298
1915, ch. 172, secs. 8, 9, 10, Public-Local ................................ 303
1915, ch. 410, Public-Local, and ch. 15, Public-Local Laws of 1921, extra session, repealed .................................................. 42
1917, ch. 26, Public-Local ............................................ 298
1917, ch. 131, Public-Local ............................................ 298
1919, ch. 50, Public-Local, and ch. 234, Public-Local Laws of 1911 .... 99
1919, ch. 51, Public-Local ............................................ 277
1919, ch. 63, Public-Local ............................................ 8
1919, ch. 151, Public-Local ............................................ 251
1919, ch. 413, Public-Local (partially) ................................ 450
1919, ch. 485, Public-Local ............................................ 298
1919, ch. 563, Private .................................................. 188
1919, ch. 568, Public-Local ............................................ 40
1919, ch. 613, Public-Local ............................................ 690
1920, ch. 22, Public-Local ............................................ 591
1921, ch. 51, Public-Local ............................................ 408
1921, ch. 101, Public-Local ............................................ 50
1921, ch. 128, Public-Local, sec. 8 .................................... 53
1921, ch. 205, Public-Local ............................................ 7
1921, ch. 221, Public-Local ............................................ 209
1921, ch. 247, Public-Local ............................................ 629
1921, ch. 265, Public-Local ............................................ 306
1921, ch. 274, Public-Local ............................................ 183
1921, ch. 297, Public-Local ............................................ 298
1921, ch. 312, Public-Local ............................................ 298
1921, ch. 326, Public-Local ............................................ 303
1921, ch. 358, sec. 1, Public-Local .................................... 211
1921, ch. 363, Public-Local ............................................ 178
1921, ch. 374, Public-Local ............................................ 136
1921, ch. 439, Public-Local ............................................ 22
1921, ch. 462, Public-Local ............................................ 500
1921, ch. 504, Public-Local, and ch. 436, Public Laws of 1905, and ch. 43, Public-Local Laws of 1913 ........................................ 79
1921, ch. 523, Public-Local ............................................ 129
1921, extra session, ch. 1, Public-Local ................................ 242
1921, extra session, ch. 15, Public-Local, and ch. 410, Public-Local Laws of 1915, reënacted ........................................ 42
1921, extra session, ch. 34, Public-Local ................................ 39
1923—Index

Laws repealed—Continued:
1921, extra session, ch. 67 .................................................. 298
1921, extra session, ch. 157, Public-Local .................................. 400
1921, extra session, ch. 183, Public-Local .................................. 298
1921, extra session, ch. 206, Public-Local .................................. 380
1921, extra session, ch. 242, Public-Local .................................. 339

Laws reënacted:
1915, ch. 410, Public-Local; ch. 15, Public-Local Laws, extra session 1921, repealed ................................................................. 42
equalizing school advantages in Guilford County, and act amendatory thereof .......................................................... 256
Lee County, fox hunting .......................................................... 655
bonds ................................................................. 20
bonds ................................................................. 530
bonds ................................................................. 533
Lenoir County, tax receipts and vital statistics ................................ 684
bonds ................................................................. 318
game law ........................................................... 601
Lexington, recorder's court law amended ........................................ 95
Lincoln County, appointment of superintendent of roads ................. 526
bonds ................................................................. 315
Lovelady Township, bonds for .................................................. 650

M

McDowell County, construction of highway .................................... 64
traveling shows ........................................................... 599
game law, foxes ......................................................... 389
bonds for hospital ....................................................... 320
game law, foxes ........................................................ 297
salaries of clerk of court and register of deeds ............................... 160

McDowell and Iredell counties, tax penalties .................................. 685
Macon County, Australian ballot .................................................. 59
bonuses for wildcats ........................................................ 19
road laws ................................................................. 26
road law, supplement ....................................................... 127

Madison County, board of health ................................................. 704
road work ................................................................. 91
required to build road ...................................................... 60
bonds for convicts and road work .......................................... 33
tax collector and other officers ........................................... 23
prohibition enforcement officers ............................................. 166
carnivals prohibited ......................................................... 270
game law ................................................................. 284
building of road ordered ..................................................... 280
sale of veal calves ........................................................ 430
salary of register of deeds ................................................. 421
protection of fish ........................................................ 440
relief of board of education ................................................ 483

47—Public-Local
<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Madison County—Continued:</td>
<td></td>
</tr>
<tr>
<td>traffic regulations</td>
<td>631</td>
</tr>
<tr>
<td>special road district</td>
<td>114</td>
</tr>
<tr>
<td>tax collector</td>
<td>23</td>
</tr>
<tr>
<td>Madison and Buncombe counties, driving automobiles</td>
<td>22</td>
</tr>
<tr>
<td>Madison and Yancey counties, road across Paint Gap</td>
<td>9</td>
</tr>
<tr>
<td>Maps and plats, Buncombe County, record of</td>
<td>207</td>
</tr>
<tr>
<td>Maps, plats, and tracings, protection in Durham County</td>
<td>106</td>
</tr>
<tr>
<td>Maps and plats, protection of, Guilford County</td>
<td>197</td>
</tr>
<tr>
<td>protection in Moore County</td>
<td>346</td>
</tr>
<tr>
<td>Marriage record on failure of officiating officers to certify, Inquiry as to license not returned</td>
<td>547</td>
</tr>
<tr>
<td>Martin County, fees of register of deeds</td>
<td>655</td>
</tr>
<tr>
<td>selection of county commissioners and board of education</td>
<td>591</td>
</tr>
<tr>
<td>election of school committeemen in local tax districts</td>
<td>572</td>
</tr>
<tr>
<td>school districts and bond issues validated</td>
<td>512</td>
</tr>
<tr>
<td>road trustees in Williamston Township</td>
<td>655</td>
</tr>
<tr>
<td>Mattamuskeet Drainage District, sale of lands</td>
<td>10</td>
</tr>
<tr>
<td>Mattamuskeet Lake Drainage District, in Hyde County, collection of maintenance tax</td>
<td>547</td>
</tr>
<tr>
<td>Meadows Township, road law</td>
<td>145</td>
</tr>
<tr>
<td>Meal and flour, standard packages</td>
<td>498</td>
</tr>
<tr>
<td>Mecklenburg County, fees of register of deeds</td>
<td>682</td>
</tr>
<tr>
<td>relating to General Hospital</td>
<td>680</td>
</tr>
<tr>
<td>highway commission, A. J. Draper appointed member of</td>
<td>427</td>
</tr>
<tr>
<td>Mecklenburg and Beaufort, time for acceptance of dedications</td>
<td>541</td>
</tr>
<tr>
<td>Mecklenburg County and Charlotte joint courthouse and municipal building</td>
<td>446</td>
</tr>
<tr>
<td>Milk, distribution in Henderson County</td>
<td>173</td>
</tr>
<tr>
<td>Miller, Edith, for relief of</td>
<td>36</td>
</tr>
<tr>
<td>Mitchell County, salary of clerk Superior Court</td>
<td>589</td>
</tr>
<tr>
<td>game laws</td>
<td>376</td>
</tr>
<tr>
<td>superintendent of public welfare</td>
<td>552</td>
</tr>
<tr>
<td>bonds for Grassy Creek Township</td>
<td>415</td>
</tr>
<tr>
<td>change location of roads in Poplar Township</td>
<td>317</td>
</tr>
<tr>
<td>road law</td>
<td>303</td>
</tr>
<tr>
<td>salary of sheriff</td>
<td>293</td>
</tr>
<tr>
<td>compulsory school attendance</td>
<td>288</td>
</tr>
<tr>
<td>grades on roads</td>
<td>19</td>
</tr>
<tr>
<td>road laws amended</td>
<td>247</td>
</tr>
<tr>
<td>treasurer abolished</td>
<td>242</td>
</tr>
<tr>
<td>Mitchell and Cherokee counties, game law</td>
<td>545</td>
</tr>
<tr>
<td>Mitchell, Haywood, and Yancey counties, rights of way of public service corporations</td>
<td>494</td>
</tr>
<tr>
<td>Mitchell, Watauga, and Avery counties, bear trapping</td>
<td>387</td>
</tr>
<tr>
<td>Montgomery County, fishing</td>
<td>183</td>
</tr>
<tr>
<td>election of attorney</td>
<td>272</td>
</tr>
<tr>
<td>bonds</td>
<td>281</td>
</tr>
</tbody>
</table>
Montgomery County—Continued:

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>protection of partridges</td>
<td>450</td>
</tr>
<tr>
<td>protection of roads</td>
<td>503</td>
</tr>
<tr>
<td>Moore County, bonds</td>
<td>155</td>
</tr>
<tr>
<td>fees of clerk</td>
<td>94</td>
</tr>
<tr>
<td>live-stock raising</td>
<td>56</td>
</tr>
<tr>
<td>planning boards</td>
<td>249</td>
</tr>
<tr>
<td>protection of maps or plats</td>
<td>346</td>
</tr>
<tr>
<td>game law</td>
<td>468</td>
</tr>
<tr>
<td>bonds</td>
<td>535</td>
</tr>
<tr>
<td>regulation of traffic</td>
<td>583</td>
</tr>
<tr>
<td>hospital</td>
<td>661</td>
</tr>
</tbody>
</table>

Mooresville, recorder’s court.................. 311
Mount Airy Township, recorder’s court........ 626
Mount Beulah Baptist Church, Sunday sales forbidden 260
Mount Hermon Township, appointment of constable 624
Muddy Creek and South Muddy Creek, drainage... 103

Municipalities and counties, to strike from tax books taxes impossible of collection 487
Murphy Township, bonds for railroad........... 258

N

Nantahala Township, road in.................... 62
Nash County, salaries of officers............. 463
  salaries of officers.......................... 158
  pay of tales jurors........................... 453
  drainage....................................... 86
Nash, Franklin, and Edgecombe counties, game law 466
New Bern and Craven counties, bonds submitted to vote 692
New Hanover County, Australian ballot......... 595
  Australian ballot.............................. 703
  conditional sale agreements.................. 194
  appropriation to Wrightsville Beach........ 287
  matron for recorder’s court................... 681
  relative to school funds...................... 294
  fees of officers................................ 639
  bonds, county home............................. 411
  bonds, annex to courthouse.................... 412
  salary of clerk of commissioners............. 40
  term of county solicitor...................... 487
  pensions for teachers.......................... 588
  attendance of children on places of amusement 628
New Hanover County and Wilmington, salary of meter adjuster 689
  extension of library facilities............. 269
  appropriation to Community Hospital Association 82
New River, North East Prong of, or Northeast, use of haul-seines 144
Northampton County, salary of clerk of Superior Court 486
Northampton, Bertie, Gates, and Hertford counties, game law 489
Northeast, or Northeast Prong, of New River, use of haul-seines ........................................ 144
Notes in anticipation of bond sales, issued by State Treasurer ........................................ 268
No. 6 Township, Cleveland County, public hospital .................................................. 282

O

Olin Township, depredations of fowls .................................................................................... 188
depredation of fowls ................................................................................................................ 486
Old Ford Christian Church, Sunday sales .............................................................................. 3
Onslow County, road bonds .................................................................................................. 644
game law ................................................................................................................................. 618
bonds, county home ................................................................................................................ 62
Orange County, fees for serving process ............................................................................. 307
salaries of officers .................................................................................................................... 310

P

Pamlico County, appointment of highway commissioner ...................................................... 152
bonds .......................................................................................................................................... 93
chain-gang .................................................................................................................................. 167
game law ..................................................................................................................................... 317
game law, deer ............................................................................................................................ 545
county-wide tax for schools ........................................................................................................ 659
Pasquotank County, Highway Commission ......................................................................... 687
transfer of dog tax ..................................................................................................................... 556
game law ..................................................................................................................................... 450
dog-tax collectors ....................................................................................................................... 434
drainage bonds validated .......................................................................................................... 196
compensation to E. R. Ferrell ...................................................................................................... 178
Pasquotank County and Elizabeth City, appropriation to chamber of commerce ............. 250
to aid Pasquotank Municipal Hospital Association .............................................................. 544
Pasquotank and Pitt counties, profane language on roads ................................................... 189
Pasquotank Municipal Hospital Association, aid from Pasquotank County and Elizabeth City ........................................................................................................................................... 250
Peddlers or itinerant merchants, Stanly County .................................................................... 421
Pender County, auditor ............................................................................................................ 607
game law ..................................................................................................................................... 620
fishing ........................................................................................................................................ 407
to widen roads ........................................................................................................................... 338
constable for Burgaw Township .............................................................................................. 201
bond law repealed ...................................................................................................................... 690
Perquimans County, game law ............................................................................................... 409
fees of clerk of court .................................................................................................................. 318
fees of sheriff .............................................................................................................................. 239
Person County, county home .................................................................................................. 200
salaries of officers, audit of accounts ...................................................................................... 191
bonds .......................................................................................................................................... 248
Person County—Continued:

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>game law</td>
<td>419</td>
</tr>
<tr>
<td>fees of sheriff</td>
<td>56</td>
</tr>
<tr>
<td>Phillips' Creek and Johnson's Mill Pond, close season for three years</td>
<td>434</td>
</tr>
<tr>
<td>Pine Level Township, election on tax or bonds</td>
<td>360</td>
</tr>
<tr>
<td>Pitt County, board of education</td>
<td>423</td>
</tr>
<tr>
<td>board of education to file annual statements</td>
<td>177</td>
</tr>
<tr>
<td>Pitt and Pasquotank counties, profane language on roads</td>
<td>189</td>
</tr>
<tr>
<td>Planning boards, subdivisions and developments submitted to</td>
<td>17</td>
</tr>
<tr>
<td>Planning boards for cities and towns, Moore County</td>
<td>249</td>
</tr>
<tr>
<td>Plats, maps, and tracings, protection in Durham County</td>
<td>106</td>
</tr>
<tr>
<td>Plats and maps, Buncombe County, record of</td>
<td>197</td>
</tr>
<tr>
<td>protection of, Guilford County</td>
<td>207</td>
</tr>
<tr>
<td>protection in Moore County</td>
<td>346</td>
</tr>
<tr>
<td>Plats and subdivisions validated in Duplin County</td>
<td>376</td>
</tr>
<tr>
<td>Polk County, pay of road commissioners</td>
<td>629</td>
</tr>
<tr>
<td>payment of coupons on road bonds</td>
<td>437</td>
</tr>
<tr>
<td>special tax</td>
<td>217</td>
</tr>
<tr>
<td>Poplar Township, change in location of roads</td>
<td>317</td>
</tr>
<tr>
<td>Portuguese, schools for</td>
<td>686</td>
</tr>
<tr>
<td>Potts Creek, redredging</td>
<td>263</td>
</tr>
<tr>
<td>Probates and registration, certain deeds, and other conveyances</td>
<td>36</td>
</tr>
<tr>
<td>Public service corporations, rights of way in Yancey, Mitchell, and Haywood counties</td>
<td>494</td>
</tr>
<tr>
<td>Pungo River, fish protected</td>
<td>624</td>
</tr>
</tbody>
</table>

R

Ramsey, Craig, and L. E. Farester, prohibition enforcement officers.......... 166
Randolph County, terms of court................................................................. 591
<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>bonds for debt of board of education</td>
<td>512</td>
</tr>
<tr>
<td>bonds</td>
<td>777</td>
</tr>
<tr>
<td>chairman of commissioners</td>
<td>22</td>
</tr>
<tr>
<td>game law</td>
<td>296</td>
</tr>
<tr>
<td>county commissioners and road trustees</td>
<td>53</td>
</tr>
<tr>
<td>county treasurer</td>
<td>111</td>
</tr>
<tr>
<td>treasurer abolished</td>
<td>7</td>
</tr>
<tr>
<td>Real estate, advertisement of sale in Township of Edgecombe County</td>
<td>59</td>
</tr>
<tr>
<td>Recorders' courts, Columbus County</td>
<td>621</td>
</tr>
<tr>
<td>Jackson County</td>
<td>111</td>
</tr>
<tr>
<td>Jackson County, terms</td>
<td>216</td>
</tr>
<tr>
<td>Leaksville Township, jurisdiction</td>
<td>373</td>
</tr>
<tr>
<td>Lexington, law amended</td>
<td>95</td>
</tr>
<tr>
<td>Mooresville</td>
<td>311</td>
</tr>
<tr>
<td>Mount Airy Township</td>
<td>626</td>
</tr>
<tr>
<td>New Hanover County, matron</td>
<td>681</td>
</tr>
<tr>
<td>Redmon to Gardner and Ebb's store, road ordered</td>
<td>60</td>
</tr>
<tr>
<td>Reedy Fork, Horsepen, and Buffalo creeks, fishing in</td>
<td>346</td>
</tr>
</tbody>
</table>
Reynoldson Township, road law .................................................. 81
Richmond County School District, and bond issues validated .......... 512
Rivers and creeks, Black River, fishing ..................................... 605
  Boone Fork Creek, fishing .................................................. 433
  Cape Fear, ferries in Bladen County ..................................... 306
  Keel’s Creek and Currituck Bay, fishing ................................. 400
  Johnson's Mill Pond and Phillips Creek, close season for three years.. 434
  Muddy Creek and South Muddy Creek, drainage ......................... 103
Northeast or Northeast prong of New River, fishing ...................... 144
  Potts Creek, redredging .................................................... 263
  Pungo River, fishing ....................................................... 624
  Reedy Fork, Horsepen, and Buffalo creeks, fishing ................... 346

Road laws:
  Alamance County .................................................................. 102
  Anson County ........................................................................ 251
  Ashe County .......................................................................... 220
  Ashe County .......................................................................... 172
  Avery County .......................................................................... 423
  Banner's Elk to Elk Park, law repealed ................................... 136
  Beaufort County .................................................................... 243
  Bertie County ......................................................................... 551
  Bladen County ........................................................................ 532
  Buncombe, and special tax ................................................... 361
  Buncombe County, paving by county on petition of landowners .. 380
  Burke County .......................................................................... 320
  Cabarrus County .................................................................... 329
  Caldwell County ....................................................................... 435
  Camden County ....................................................................... 225
  Caswell County ....................................................................... 298
  Catawba County ...................................................................... 563
  Cheoah Township .................................................................... 244
  Cherokee County ...................................................................... 230
  Clay County ........................................................................... 219
  Columbus County ..................................................................... 531
  Forney's Creek Township ...................................................... 99
  Graham County ........................................................................ 560
  Granville County ..................................................................... 504
  Harnett County ....................................................................... 666
  Hyde County, supervisors ...................................................... 630
  Hamilton Township ................................................................... 240
  Hayslett Township ................................................................... 388
  Haywood County ...................................................................... 123
  Haywood County ...................................................................... 329
  Hunters Mill Township .......................................................... 390
  Iredell County ......................................................................... 109
  Jackson County ....................................................................... 57
  McDowell County .................................................................... 64
### Road laws—Continued:

<table>
<thead>
<tr>
<th>County</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Macon County</td>
<td>26</td>
</tr>
<tr>
<td>supplement</td>
<td>127</td>
</tr>
<tr>
<td>Madison County, building of road required</td>
<td>60</td>
</tr>
<tr>
<td>building of road required</td>
<td>91</td>
</tr>
<tr>
<td>Mitchell County</td>
<td>303</td>
</tr>
<tr>
<td>grades</td>
<td>19</td>
</tr>
<tr>
<td>Mitchell County</td>
<td>247</td>
</tr>
<tr>
<td>Pamlico County, chain-gang</td>
<td>167</td>
</tr>
<tr>
<td>Pasquotank County</td>
<td>687</td>
</tr>
<tr>
<td>Pender County, to widen and clear roads</td>
<td>358</td>
</tr>
<tr>
<td>Reynoldson Township</td>
<td>81</td>
</tr>
<tr>
<td>Sauratown, Meadows and Danbury townships</td>
<td>145</td>
</tr>
<tr>
<td>Scotland County</td>
<td>52</td>
</tr>
<tr>
<td>Stanly County</td>
<td>40</td>
</tr>
<tr>
<td>cartways</td>
<td>375</td>
</tr>
<tr>
<td>Stanly County</td>
<td>464</td>
</tr>
<tr>
<td>Stokes County</td>
<td>145</td>
</tr>
<tr>
<td>Surry County</td>
<td>96</td>
</tr>
<tr>
<td>Swain County</td>
<td>96</td>
</tr>
<tr>
<td>Transylvania County</td>
<td>495</td>
</tr>
<tr>
<td>Tyrrell County</td>
<td>337</td>
</tr>
<tr>
<td>Watauga County</td>
<td>340</td>
</tr>
<tr>
<td>Yancey County</td>
<td>130</td>
</tr>
<tr>
<td>Road supervisors, Clay County</td>
<td>53</td>
</tr>
</tbody>
</table>

### Road districts:

- Hot Springs and Spring Creek townships | 114
- Hazel Creek, abolished | 636

### Road trustees, Randolph County:
- Gaddys Township | 53

### Robeson County, game law:
- fees of sheriff | 175
- fishing | 306
- loan for Gaddys Township | 419
- salary and election of superintendent of schools | 451
- election of drainage commissioner | 540
- bonds for county home | 527
- pay of members of boards | 562
- salary of superintendent of roads, employment, care of bridges | 563
- election of drainage commissioner | 617
- game law | 653
- road bonds for townships | 638
- salaries of recorders and sheriff | 675
- fees of prosecuting attorneys | 636
- notice of appointment of auditor | 600

### Rockingham County, carnivals forbidden
- bonds | 194
- | 265
Rockingham County—Continued:

<table>
<thead>
<tr>
<th>Allowance to sheriff for deputies</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>602</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Bonus to officers seizing liquor carriers</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>176</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Deputy clerk</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>78</td>
<td></td>
</tr>
</tbody>
</table>

Rocky Point Township, election on special road tax | 313

Rowan County, county court | 691
taxes stricken from list | 487

Rural policemen, Anson County | 446

<table>
<thead>
<tr>
<th>Buncombe County</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>205</td>
<td></td>
</tr>
</tbody>
</table>

Cumberland County | 646

Harnett County | 602

Scotland County | 53

Russell, Robert J., appointed constable | 624

Rutherford County, transfer of funds | 181
to pay township bonds | 181
county solicitor | 43

special police for mills | 97

Rutherford, Cherokee, Gaston and Graham counties, sale of flour and meal | 498

Salaries and fees:

<table>
<thead>
<tr>
<th>Alamance County, deputy sheriffs</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>203</td>
<td></td>
</tr>
</tbody>
</table>

Alexander County, sheriff, clerk and register | 657

Anson County, commissioners | 159

Avery County, sheriff for capture of stills | 83

justices | 544

Bladen County, county officers | 184

Brunswick County, fees of clerk | 227
county officers | 578

Buncombe County, tax collector | 348
treasurer allowed assistance | 204
deputy sheriffs | 108

Cabarrus County, sheriff and treasurer | 167

Camden County, pay of jurors | 325

Caswell County, officers, auditor | 286

sheriff | 349

Catawba County, treasurer | 641

highway commission | 642

Cherokee County, officers and commissioners, treasurer abolished | 141

Chowan County, treasurer | 415
clerk Superior Court | 39

clerk Superior Court commissioners, road commissions, and board of education | 101

Clay County, road superintendent | 53

Columbus County, jurors | 224
county officers | 175
Salaries and fees—Continued:

Cumberland County, fees of clerk of Superior Court........................................ 600
fees in insolvent cases......................................................................................... 601
register of deeds................................................................................................. 599
Currituck County, superintendent of public instruction........................................ 555
Dare County, sheriff and treasurer..................................................................... 550
Davie County........................................................................................................ 408
Davidson County, coroner................................................................................... 453
Duplin County, county officers........................................................................... 250
county officers .................................................................................................... 606
Durham County, constables................................................................................ 158
Edgecombe County, sheriff................................................................................ 190
Forsyth County, county officers.......................................................................... 79
jailer and assistant.............................................................................................. 80
sheriff's salary...................................................................................................... 67
sheriff .................................................................................................................... 679
register of deeds................................................................................................. 78
Forsyth County, court stenographer.................................................................... 573
Franklin County, sheriff, deputy, register of deeds, and clerk of court.............. 271
county officers, supplement................................................................................. 400
Graham County, justices..................................................................................... 546
commissioners..................................................................................................... 94
Granville County, sheriff.................................................................................... 484
Harnett County, officers...................................................................................... 1
Haywood County, sheriff and treasurer............................................................... 447
pay of commissioners.......................................................................................... 76
Henderson County, sheriff and clerk of Superior Court...................................... 552
surveyor................................................................................................................ 556
Hoke County, jurors............................................................................................. 605
Hyde County, sheriff........................................................................................... 174
Jackson County, tax collector............................................................................ 168
Lenoir County, for recording tax receipts and vital statistics............................ 684
McDowell County, clerk of court and register of deeds...................................... 160
Madison County, register of deeds..................................................................... 427
Martin County, register of deeds......................................................................... 655
Mecklenburg County, register of deeds............................................................... 682
Mitchell County, sheriff.................................................................................... 293
clerk Superior Court............................................................................................ 559
Moore County, clerk Superior Court................................................................. 94
Nash County, county officers............................................................................. 468
county commissioners......................................................................................... 158
New Hanover County, county officers............................................................... 699
clerk of commissioners....................................................................................... 40
Northampton County, clerk of Superior Court................................................ 486
Orange County, fees for serving process............................................................. 307
salaries of officers............................................................................................... 310
Perquimans County, fees of clerk of Superior Court.......................................... 318
sheriff.................................................................................................................... 239
Salaries and fees—Continued:

<table>
<thead>
<tr>
<th>Person County, sheriff</th>
<th>56</th>
</tr>
</thead>
<tbody>
<tr>
<td>county officers</td>
<td>191</td>
</tr>
<tr>
<td>Rockingham County, allowance to sheriff for deputies</td>
<td>602</td>
</tr>
<tr>
<td>deputy clerk</td>
<td>78</td>
</tr>
<tr>
<td>Robeson County, salary of recorders and sheriff</td>
<td>675</td>
</tr>
<tr>
<td>prosecuting attorney</td>
<td>656</td>
</tr>
<tr>
<td>members of boards</td>
<td>562</td>
</tr>
<tr>
<td>superintendent of roads</td>
<td>563</td>
</tr>
<tr>
<td>superintendent of schools</td>
<td>451</td>
</tr>
<tr>
<td>sheriff</td>
<td>175</td>
</tr>
<tr>
<td>Sampson County, county officers</td>
<td>491</td>
</tr>
<tr>
<td>chairman of commissioners</td>
<td>50</td>
</tr>
<tr>
<td>sheriff</td>
<td>623</td>
</tr>
<tr>
<td>Stanly County, sheriff</td>
<td>494</td>
</tr>
<tr>
<td>judge and prosecuting attorney</td>
<td>347</td>
</tr>
<tr>
<td>Surry County, register of deeds</td>
<td>526</td>
</tr>
<tr>
<td>judge of juvenile</td>
<td>587</td>
</tr>
<tr>
<td>justices</td>
<td>467</td>
</tr>
<tr>
<td>sheriff</td>
<td>273</td>
</tr>
<tr>
<td>Swain County, chairman of commissioners</td>
<td>179</td>
</tr>
<tr>
<td>sheriff</td>
<td>180</td>
</tr>
<tr>
<td>treasurer</td>
<td>180</td>
</tr>
<tr>
<td>Transylvania County, county officers</td>
<td>275</td>
</tr>
<tr>
<td>sheriff and treasurer</td>
<td>98</td>
</tr>
<tr>
<td>Tyrrell County, sheriff, clerk Superior Court and register of deeds</td>
<td>574</td>
</tr>
<tr>
<td>Union County, county officers</td>
<td>622</td>
</tr>
<tr>
<td>Wake County, sheriff, commissions on foreign corporation tax</td>
<td>623</td>
</tr>
<tr>
<td>fees of coroner</td>
<td>654</td>
</tr>
<tr>
<td>sheriff</td>
<td>623</td>
</tr>
<tr>
<td>sheriff, summoning jurors</td>
<td>624</td>
</tr>
<tr>
<td>Warren County, pay of deputy clerk</td>
<td>457</td>
</tr>
<tr>
<td>Watauga County, sheriff</td>
<td>159</td>
</tr>
<tr>
<td>Wayne County, sheriff</td>
<td>172</td>
</tr>
<tr>
<td>Wilmington Township, constable</td>
<td>690</td>
</tr>
<tr>
<td>Wilson County, commissioners</td>
<td>204</td>
</tr>
<tr>
<td>Yancey County, commissioners</td>
<td>138</td>
</tr>
<tr>
<td>Sampson County, chairman of commissioners</td>
<td>50</td>
</tr>
<tr>
<td>to place officers on salary</td>
<td>491</td>
</tr>
<tr>
<td>fees of sheriff</td>
<td>623</td>
</tr>
<tr>
<td>game law</td>
<td>548</td>
</tr>
<tr>
<td>Sampson County, game law</td>
<td>399</td>
</tr>
<tr>
<td>Sampson, Cumberland, and Harnett counties, fishing</td>
<td>605</td>
</tr>
<tr>
<td>Sanford, charter amended</td>
<td>292</td>
</tr>
<tr>
<td>Sauratown, Meadows and Danbury townships, road law</td>
<td>145</td>
</tr>
<tr>
<td>Schools and colleges:</td>
<td></td>
</tr>
<tr>
<td>Cheoah School, Graham County, and Robbinsville, waterworks</td>
<td>110</td>
</tr>
<tr>
<td>supplement</td>
<td>421</td>
</tr>
</tbody>
</table>
School districts:

<table>
<thead>
<tr>
<th>School districts</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Battleboro, bonds for</td>
<td>65</td>
</tr>
<tr>
<td>Scotland County, authority and duties of constables and</td>
<td>195</td>
</tr>
<tr>
<td>policemen</td>
<td></td>
</tr>
<tr>
<td>financial agents</td>
<td>430</td>
</tr>
<tr>
<td>rural policemen</td>
<td>34</td>
</tr>
<tr>
<td>maintenance of roads</td>
<td>52</td>
</tr>
<tr>
<td>school districts and bond issues validated</td>
<td>512</td>
</tr>
<tr>
<td>Seed cotton, sales in Cumberland County</td>
<td>653</td>
</tr>
<tr>
<td>Shipman, W. E., for relief of</td>
<td>196</td>
</tr>
<tr>
<td>South Muddy Creek and Muddy Creek, drainage</td>
<td>103</td>
</tr>
<tr>
<td>Southport (city), Southport High School, and Brunswick,</td>
<td>378</td>
</tr>
<tr>
<td>to cancel part of debt</td>
<td></td>
</tr>
<tr>
<td>Southport High School, Southport City, and Brunswick</td>
<td>378</td>
</tr>
<tr>
<td>County, to cancel part of debt</td>
<td></td>
</tr>
<tr>
<td>Special policemen, Farmer's Mill</td>
<td>55</td>
</tr>
<tr>
<td>for mills in Rutherford County</td>
<td>97</td>
</tr>
<tr>
<td>Special tax, Beaufort County</td>
<td>215</td>
</tr>
<tr>
<td>Buncombe County, and road law</td>
<td>361</td>
</tr>
<tr>
<td>Brunswick County</td>
<td>431</td>
</tr>
<tr>
<td>Caswell County</td>
<td>163</td>
</tr>
<tr>
<td>Caswell County</td>
<td></td>
</tr>
<tr>
<td>Cherokee County</td>
<td>347</td>
</tr>
<tr>
<td>Columbus County</td>
<td>399</td>
</tr>
<tr>
<td>Greene County</td>
<td>100</td>
</tr>
<tr>
<td>Jackson County</td>
<td>216</td>
</tr>
<tr>
<td>Polk County</td>
<td>217</td>
</tr>
<tr>
<td>Transylvania County</td>
<td>495</td>
</tr>
<tr>
<td>Watauga County</td>
<td>246</td>
</tr>
</tbody>
</table>

Spring Creek and Hot Springs townships, road district  114

Standard weight packages of meal and flour  498

Stanly County, appointment of treasurer  210

open muffler, cut-outs  293

cartways, road law  375

Australian ballot  462

damage for location of roads  464

improvement of roads  40

bonds  89

sheriff, placed on salary  494

itinerant merchants or peddlers  421

salary of judge and prosecuting attorney of county court  347

State Treasurer, to borrow money in anticipation of bond sales  268

Stecoah, Cheoah and Yellow Creek townships, bonds  433

Stokes County, transfer of funds  200

fees allowed sheriff  198

annual audit  176

auditor abolished  7

bonds and road law  145

Stokes and Surry counties, service of process in Westfield High School District  81

District

747
Subdivisions and development, to be submitted to planning boards........ 17
Subdivisions and plats validated in Duplin County.......................... 376
Sunday sales, Cumberland County.............................................. 588
Durham County ........................................................................... 456
Old Ford Christian Church............................................................. 3
Superior Court, Randolph County.................................................. 591
Surry County, protection of fish by prohibiting throwing sawdust in
creeks, and use of explosives.......................................................... 467
salary of register of deeds............................................................... 526
fees of justices............................................................................... 467
pay of judge of juvenile court.......................................................... 587
witness fees .................................................................................. 432
bonds ............................................................................................ 416
killing and shipping heifer calves..................................................... 251
game law ...................................................................................... 273
fees of sheriff................................................................................. 311
road law amended.......................................................................... 96
bridges ........................................................................................... 50
bonds .............................................................................................. 98
collection of taxes.......................................................................... 2
Surry and Stokes counties, service of process in Westfield High School
District ........................................................................................... 81
Swain County, bonds, special tax........................................................ 219
road law amended.......................................................................... 96
fish protected ................................................................................. 602
bonds .............................................................................................. 129
salary of chairman of commissioners.............................................. 179
salary of sheriff............................................................................... 180
salary of treasurer.......................................................................... 180
Forney’s Creek, road law.................................................................. 99
Hazel Creek, road district abolished................................................ 656

Taxes, impossible of collection stricken from books............................ 487
Townships:
  Asheville, deputy constable............................................................ 482
  Beaver Dam and East Fork, debts assumed by Haywood County........ 128
  Burgaw, election on special road tax............................................... 314
    constable appointed .................................................................... 201
  Cheoah, payment of road debt, regulation of payment and road work 244
  Cheoah, Stecoah and Yellow Creek bonds...................................... 433
  Crawford, election ratified................................................................. 218
  Dunn, bonds validated...................................................................... 698
  Forney’s Creek, road laws................................................................. 99
  Gaddy’s, loan for............................................................................. 419
  Gaston Schools for Portuguese......................................................... 636
  Grassy Creek, bonds....................................................................... 415
Townships—Continued:

Hamilton, road law ........................................... 249
Hayslett, road law .............................................. 388
Hot Springs and Spring Creek townships, road district ....... 114
Hunter's Mill, road law ........................................ 397
Lovelyddy, bonds for ........................................... 650
Leaksville, jurisdiction of recorder's court ...................... 373
Mount Airy, recorder's court .................................... 626
Mount Hermon, appointment of constable ......................... 624
Murphy, bonds for railroads ..................................... 258
Nantahala, road in ............................................... 62
No. 6, Cleveland County Hospital ................................ 282
Nos. 6, 7, 12, 13, and 14, of Edgecombe County, advertisement of real estate ........................................ 55
Olin, depredation of fowls ...................................... 188
depredation of fowls ............................................ 486
Pine Level, election on tax or bonds ............................. 360
Poplar, change in location of roads .............................. 317
Rocky Point, election on special road tax ....................... 313
Sauratown, Meadows, and Danbury townships .................... 145
Waynesville, better school advantages, bonds ................... 402
Williamston, road trustees ..................................... 690
Wilmington, pay of constable ................................... 655
Yellow Creek, bonds for by Graham County ..................... 308
Youngsville, graded school tax .................................. 685

Transylvania County, Australian ballot .......................... 59
pay of sheriff and treasurer ..................................... 98
game and fish law ............................................... 212
relief of sheriff and tax collector ................................ 196
salaries of officers .............................................. 275
prohibition of sale of deer meat ................................ 455
board of education .............................................. 3
relief of treasurer .............................................. 484
work on roads, special tax ...................................... 495

Treasurer of State, to borrow money in anticipation of bond sales .................................... 268

Tyrrell County, road law ....................................... 337
game law ...................................................... 485
sheriff, clerk, and register on salaries .......................... 574
pasturing hogs on graveyards forbidden .......................... 550

U

Union County, bonds of officers .................................. 101
game law ...................................................... 214
bonds ......................................................... 239
game law ...................................................... 277
duty of register of deeds ....................................... 242
Union County—Continued:

- Election on abolition of road commission ........................................... 452
- Operation of cotton warehouses .......................................................... 593
- Salaries of officers .............................................................................. 622

V

Vance County, settlements by officers ........................................................................ 174
- Dog tax collectors .................................................................................. 590
- School bonds validated ........................................................................... 637

W

Wake County, bonds (old courthouse) .................................................................. 354
- Bonds (floating debt) ............................................................................... 351
- Fees for collection of taxes ..................................................................... 623
- Fees for summons of jurors ..................................................................... 624
- Fees of coroner ........................................................................................ 654
- Commission on foreign corporation tax .................................................. 695
- Work on streets of towns ........................................................................ 349

Warren County, pay of deputy clerk ................................................................. 457
- Game law ................................................................................................ 606
- Game laws ............................................................................................... 627
- Superintendent of public welfare ............................................................. 629

Washington County, jury tax ............................................................................. 62
- Game law, quail and squirrel ................................................................... 587

Watang County, salary of sheriff .............................................................. 159
- Game law, foxes ....................................................................................... 209
- Road law .................................................................................................. 340
- Special tax and bonds .............................................................................. 246
- Treasurer abolished .................................................................................. 422
- Protection of fish ....................................................................................... 429

Watang and Ashe counties, bridge construction .............................................. 21

Watang and Avery counties, game laws .............................................................. 386

Watang, Avery, and Mitchell counties, bear trapping ......................................... 387

Wayne County, school districts and bond issues validated .................................. 512
- Sheriff's fees ............................................................................................ 172

Waynesville Township, better school advantages, bonds ..................................... 402

Webb's Chapel Baptist Church, sales on Sunday forbidden .............................. 260

Westfield High School District, service of process ............................................. 81

Wildcats, bonus for scalps of ........................................................................ 19

Williamston Township, road trustees ............................................................. 655

Wilkes County, discounts and penalties ............................................................. 682
- Calf law repealed ...................................................................................... 8

Wilmington and New Hanover County, salary of meter adjuster ....................... 689
- Extension of library facilities .................................................................... 269

Wilmington City and New Hanover County, appropriation to Community Hospital Association .................................................................................................................. 82

Wilmington Township, pay of constable ............................................................. 690
Wilson County, salaries of commissioners .......................................................... 204
drainage .............................................................................................................. 86
Woodruff, W. D., for relief of ............................................................................ 643
Wrightsville Beach, appropriation from New Hanover County ...................... 287

<table>
<thead>
<tr>
<th>X</th>
</tr>
</thead>
</table>
| Yancey County, Australian ballot ................................................................. 59
| pay and duty of commissioners ................................................................. 138
| road law ..................................................................................................... 130
| cooperation with State Highway Commission in road work ...................... 343
| game laws .................................................................................................. 556
| Yancey, Mitchell, and Haywood counties, rights of way of public service 494
| corporations ..............................................................................................
| Yancey and Madison counties, road across Paint Gap ................................ 9
| Yellow Creek Township, bonds for, by Graham County ............................. 308
| bonds for by Graham County ..................................................................... 433
| Youngsville Township Graded School, listing and collection of tax .......... 685 |