STATE OF NORTH CAROLINA

PUBLIC-LOCAL LAWS

ENACTED BY THE

GENERAL ASSEMBLY

AT ITS

SESSION OF 1933

BEGUN AND HELD IN THE CITY OF RALEIGH
ON
WEDNESDAY, THE FOURTH DAY OF JANUARY, A. D. 1933

PUBLISHED BY AUTHORITY

RALEIGH, N. C.
1933
1. An Act to repeal chapter 176 of the Public-Local Laws of 1925, regarding compensation of jurors in Buncombe County................. 1
2. An Act to repeal chapter 212, Public-Local Laws 1929, creating the office of tax collector of Haywood County, and to provide for the collection of the taxes of said county........................................ 1
3. An Act to amend the law relating to the recorder's court for the County of Carteret ................................................................. 2
4. An Act to give the commissioners of Cleveland County the power to abolish and consolidate all unnecessary offices in Cleveland County and to give the commissioners of said county the right to fix the salaries of all county officers........................................... 3
5. An Act to provide for the office of tax collector, and to fix the salaries of officers and validate tax sales of land in Wayne County ................................................................. 4
6. An Act to limit the powers of justices of the peace and constables of Mecklenburg County in the exercise of their offices........... 6
7. An Act to repeal chapter 199 of the Public Laws of one thousand eight hundred and ninety-three, relating to the meetings of the Board of County Commissioners of Mecklenburg County.... 7
8. An Act to amend chapter 212, Public-Local Laws of 1929, relating to the salary of tax collector in Haywood County.................. 7
9. An Act to repeal chapter 461 of the Public-Local Laws of 1931, being an Act to appoint Edward D. Davis special enforcement officer for Warren County for a term of two years.......................... 8
10. An Act to authorize the Board of Commissioners of Robeson County to fix, raise, lower or adjust salaries of county officials and subordinates in accordance with changing economic conditions and for efficiency ................................................................. 8
11. An Act to consolidate the collection of current and delinquent taxes now collected by the sheriff and register of deeds of Robeson County by the appointment of a revenue and tax assistant to the County Manager ........................................................................ 11
12. An Act to authorize, empower, and direct the sheriff and/or tax collector of Cumberland County to accept county vouchers in payment of taxes ................................................................. 13
13. An act to establish a law library in Haywood County................... 13
<table>
<thead>
<tr>
<th>Chap.</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>14.</td>
<td>An Act to authorize County Commissioners of Clay County, Town Council of the Town of Hayesville, North Carolina, and W. L. Matheson, ex-clerk Clay County Superior Court, to write off their deposits an equal amount to all other depositors of the Clay County Bank</td>
</tr>
<tr>
<td>15.</td>
<td>An Act to authorize, empower, and direct the Sheriff and/or Tax Collector of Cumberland County to accept county vouchers in payment of taxes</td>
</tr>
<tr>
<td>16.</td>
<td>An Act to amend chapter twenty-five of Public-Local Laws of one thousand nine hundred and twenty-nine relating to the office of Auditor of Rutherford County</td>
</tr>
<tr>
<td>17.</td>
<td>An Act to provide for the filling of vacancies occurring in the Board of County Commissioners of Randolph County</td>
</tr>
<tr>
<td>18.</td>
<td>An Act to validate the official acts of Miss Margaret Carpenter, a notary public of Catawba County</td>
</tr>
<tr>
<td>19.</td>
<td>An Act to validate certain conveyances executed in Surry County, prior to January 1, 1933</td>
</tr>
<tr>
<td>20.</td>
<td>An Act to provide for the establishment of a Civil Service Board for the rural policemen of Mecklenburg County</td>
</tr>
<tr>
<td>21.</td>
<td>An Act to amend chapter 697 of the Public-Local Laws of 1913, relating to the term of office of the judge of the County Court of Wayne County</td>
</tr>
<tr>
<td>22.</td>
<td>An Act relating to the Superintendent of the County Convict Farm of Hertford County</td>
</tr>
<tr>
<td>23.</td>
<td>An Act to repeal chapter 398 of the Public-Local Laws of 1931, relative to the holding of elections in Caswell County</td>
</tr>
<tr>
<td>24.</td>
<td>An Act to repeal chapter three hundred and fifty-seven of the Public-Local Laws of one thousand nine hundred and twenty-seven, relating to the Jury Commission of Transylvania County and providing that nonpayment of taxes shall not prevent service on jury in said county</td>
</tr>
<tr>
<td>25.</td>
<td>An Act to validate the official acts of George W. Hardison, a notary public of Washington County</td>
</tr>
<tr>
<td>26.</td>
<td>An Act to repeal chapter 430 of the Public-Local Laws of one thousand nine hundred and thirty-one, relating to Tax Commission in Yancey County</td>
</tr>
<tr>
<td>27.</td>
<td>An Act to provide for the better collection of dog and poll taxes in Currituck County</td>
</tr>
<tr>
<td>28.</td>
<td>An Act to limit the liability of Cleveland County for court costs</td>
</tr>
<tr>
<td>29.</td>
<td>An Act to amend chapter 212, Public-Local laws of 1929, relating to bond of tax collector in Haywood County</td>
</tr>
</tbody>
</table>
### Captions of the Public-Local Laws

<table>
<thead>
<tr>
<th>Chap.</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>30</td>
<td>An Act to amend chapter 279, Public-Local Laws of 1929, relative to the collection of taxes in Transylvania County</td>
<td>28</td>
</tr>
<tr>
<td>31</td>
<td>An Act to amend chapter four hundred and sixty-three of the Public-Local Laws one thousand nine hundred and thirty-one, relating to the salary of the Auditor of Cleveland County</td>
<td>29</td>
</tr>
<tr>
<td>32</td>
<td>An Act to validate the acts of A. L. Woolard performed by him as justice of the peace, since April seven, one thousand nine hundred and thirty-one, and to appoint said A. L. Woolard a justice of the peace for Carolina Township, Pitt County</td>
<td>30</td>
</tr>
<tr>
<td>33</td>
<td>An Act fixing the salaries and certain procedure with respect to the Recorder’s Court of Rutherford County, and appointment of Recorder and election of solicitor</td>
<td>30</td>
</tr>
<tr>
<td>34</td>
<td>An Act to place the Sheriff and Tax Collector of the County of Swain upon a commission basis and to place the Chairman of the Board of County Commissioners of the County of Swain upon a per diem</td>
<td>32</td>
</tr>
<tr>
<td>35</td>
<td>An Act to repeal chapter twenty-three Public-Local Laws, extra session, 1924, relating to rural policemen in Currituck County</td>
<td>33</td>
</tr>
<tr>
<td>36</td>
<td>An Act to fill two vacancies on the Board of Leaksville Township Railroad Trustees</td>
<td>34</td>
</tr>
<tr>
<td>37</td>
<td>An Act to authorize the issuance and sale of $110,000.00 refunding bonds of the County of Wayne, to validate the issuance and sale of $65,000.00 Wayne County school refunding bonds</td>
<td>34</td>
</tr>
<tr>
<td>38</td>
<td>An Act to validate the acts of the Board of County Commissioners of Martin County in postponing the sale of land for taxes in said County</td>
<td>36</td>
</tr>
<tr>
<td>39</td>
<td>An Act to authorize the Commissioners of Hertford County to appoint an agent or agents for the collection of taxes in said County</td>
<td>37</td>
</tr>
<tr>
<td>40</td>
<td>An Act to empower the Board of Commissioners of Burke County to reduce the salaries of county officers</td>
<td>37</td>
</tr>
<tr>
<td>41</td>
<td>An Act to require the Sheriff, and Tax Collector, the Clerk of the Superior Court, the Register of Deeds, and the County Accountant of Swain County to give bond in some surety company doing business in the State of North Carolina</td>
<td>38</td>
</tr>
<tr>
<td>42</td>
<td>An Act to amend chapter 37 Public-Local Laws of 1931 relating to tax collector for Brunswick County</td>
<td>39</td>
</tr>
<tr>
<td>43</td>
<td>An Act to amend chapter 411 Public-Local Laws of 1923 relating to payment of premiums on bonds of officials of Brunswick County</td>
<td>40</td>
</tr>
<tr>
<td>44</td>
<td>An Act giving the Board of County Commissioners of Gaston County authority to fix the salaries of county officers of Gaston County</td>
<td>40</td>
</tr>
<tr>
<td>Chap.</td>
<td>Description</td>
<td>Page</td>
</tr>
<tr>
<td>-------</td>
<td>--------------------------------------------------------------------------------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>45.</td>
<td>An Act to authorize, empower, and direct the Sheriff and/or Tax Collector of Caswell County to accept county vouchers in payment of taxes</td>
<td>41</td>
</tr>
<tr>
<td>46.</td>
<td>An Act to repeal chapter one hundred twelve of Public-Local Laws of one thousand nine hundred thirty-one relating to the bond of County Treasurer of Currituck County</td>
<td>41</td>
</tr>
<tr>
<td>47.</td>
<td>An Act to provide further economy in collection of delinquent taxes in Brunswick County</td>
<td>42</td>
</tr>
<tr>
<td>48.</td>
<td>An Act to authorize, empower, and direct the Sheriff and/or Tax Collector, of Jones County to accept county vouchers in payment of taxes</td>
<td>42</td>
</tr>
<tr>
<td>49.</td>
<td>An Act relating to the salaries of the county officers of Hertford County</td>
<td>43</td>
</tr>
<tr>
<td>50.</td>
<td>An Act to prohibit the sale of cold drinks, ice cream, lemonade, cigars, cigarettes, or any other kind of merchandising, as picture making or fortune telling during the three days session of the Upper Country Line Primitive Baptist Association within a distance closer than five hundred yards of said meeting</td>
<td>43</td>
</tr>
<tr>
<td>51.</td>
<td>An Act to regulate the selection of a County Commissioner from each township in Hertford County</td>
<td>45</td>
</tr>
<tr>
<td>52.</td>
<td>An Act relating to the nomination and election of Commissioners of Bladen County</td>
<td>45</td>
</tr>
<tr>
<td>53.</td>
<td>An Act to provide for the improvement of rural cemeteries in Alamance County</td>
<td>46</td>
</tr>
<tr>
<td>54.</td>
<td>An Act to amend section 2 of chapter 28 of the Public-Local Laws regular session of the General Assembly of North Carolina, ratified the 10th day of February, 1931, relative to pay the Clerk of the Superior Court, etc.</td>
<td>46</td>
</tr>
<tr>
<td>55.</td>
<td>An Act to amend chapter ninety of the Public-Local Laws of one thousand nine hundred and thirty-one, relating to the fees of the Recorder's Court of Monroe and Union County</td>
<td>47</td>
</tr>
<tr>
<td>56.</td>
<td>An Act to repeal chapter 220 Public-Local Laws session of 1931 authorizing the Board of County Commissioners of Columbus County to appoint rural policemen for Columbus County</td>
<td>48</td>
</tr>
<tr>
<td>57.</td>
<td>An Act authorizing the Board of Commissioners of Martin County to grant a moratorium for two years in foreclosing deeds of trust and mortgages held in the sinking fund of the county</td>
<td>48</td>
</tr>
<tr>
<td>58.</td>
<td>An Act to regulate salaries of the public officers of Northampton County</td>
<td>49</td>
</tr>
<tr>
<td>59.</td>
<td>An Act to amend chapter 532, Public-Local Laws of 1917, being &quot;An Act to prevent the sale of certain commodities at the annual meeting of the Lower Country Line Primitive Baptist Association, and to otherwise protect said Association.&quot;</td>
<td>51</td>
</tr>
<tr>
<td>CHAP.</td>
<td>PAGE</td>
<td></td>
</tr>
<tr>
<td>-------</td>
<td>------</td>
<td></td>
</tr>
<tr>
<td>60. An Act to amend chapter 234 of the Public-Local Laws of 1921, fixing the salaries of the assistant clerk and deputy clerk of the Superior Court of Alamance County.</td>
<td>51</td>
<td></td>
</tr>
<tr>
<td>61. An Act to repeal chapter six hundred one of Public-Local Laws one thousand nine hundred twenty-five relative to relief of person or persons summoned to serve as jurors or jurors, either civil or criminal courts of Guilford County.</td>
<td>52</td>
<td></td>
</tr>
<tr>
<td>62. An Act for the relief of ex-sheriff C. E. Moxley of Yadkin County.</td>
<td>52</td>
<td></td>
</tr>
<tr>
<td>63. An Act to repeal chapter 243 of the Public-Local Laws of 1925, relating to the sale and use of fireworks and toy pistols in Mitchell, Madison, Yancey, Avery and Macon Counties.</td>
<td>53</td>
<td></td>
</tr>
<tr>
<td>64. An Act to regulate public drunkenness in Haywood County by amending chapter 477 Public-Local Laws of 1931.</td>
<td>59</td>
<td></td>
</tr>
<tr>
<td>65. An Act to amend section one of chapter three hundred and seventeen of the Public-Local Laws of 1931, being an Act to make it unlawful to operate a filling station in Wilkes County and Stokes County on Sunday between the hours of ten A.M. and twelve P.M.</td>
<td>54</td>
<td></td>
</tr>
<tr>
<td>66. An Act to provide for the election of the chairman of the Board of County Commissioners and the Farm Demonstration Agent of Macon County by a vote of the people.</td>
<td>54</td>
<td></td>
</tr>
<tr>
<td>67. An Act to authorize the commissioners of Greene County to appoint a tax collector and fix his compensation.</td>
<td>55</td>
<td></td>
</tr>
<tr>
<td>68. An Act to authorize Hyde County to use certain funds to pay judgments.</td>
<td>56</td>
<td></td>
</tr>
<tr>
<td>69. An Act to establish the office of public cotton weigher for Township One of Edgecombe County.</td>
<td>57</td>
<td></td>
</tr>
<tr>
<td>70. An Act to amend the law in regard to the General County Court of Alamance County.</td>
<td>58</td>
<td></td>
</tr>
<tr>
<td>71. An Act to exempt Wilkes and Yadkin Counties from the provisions of chapter 348, Public-Local Laws, one thousand nine hundred and thirty-one, relating to the territorial jurisdiction of the Recorder's Court of Elkin, Surry County.</td>
<td>59</td>
<td></td>
</tr>
<tr>
<td>72. An Act relating to the general fund of Rutherford County.</td>
<td>60</td>
<td></td>
</tr>
<tr>
<td>73. An Act to prohibit the County of Ashe or any incorporated town or municipality therein from incurring any additional bonded indebted.</td>
<td>60</td>
<td></td>
</tr>
<tr>
<td>74. An Act relating to foreclosures of mortgages or deeds of trust in Macon County.</td>
<td>61</td>
<td></td>
</tr>
<tr>
<td>75. An Act increasing the number of commissioners of Rutherford County, fixing their compensation, and creating five districts for the nomination of said commissioners.</td>
<td>61</td>
<td></td>
</tr>
</tbody>
</table>
76. An Act to validate the official acts of T. F. Jarman, a Justice of the Peace of Indian Springs Township, Wayne County........................................ 63
77. An Act to make the office of the solicitor of the Recorder's Court of Lincoln County elective................................................................. 63
78. An Act relating to official bonds of public officers in Gaston County... 64
79. An Act to fix the salaries of the officers of Bladen County..................... 64
80. An Act to permanently exempt firemen from jury duty in Pasquotank County after ten years service as a regular fireman.......................... 65
81. An Act to validate the acts of certain justices of the peace of Transylvania County .................................................................................... 66
82. 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 .................................................................................................................. 66
83. An Act to amend House Bill No. 560 which was "An Act to amend chapter 276 of the Public-Local Laws of 1913, and all subsequent amendments thereto relative to the Recorder's Court of Lexington." 73
84. An Act to repeal chapter seventy-six of Public-Local Laws of the extra session of one thousand nine hundred twenty-four relating to the appointment of special constables in Wilson County......................................................... 73
85. An Act to prohibit fishing and hunting in and on the waters of Lake Summit and Green River in Henderson County.................................................. 74
86. An Act to validate and authorize the sale of lands for taxes by municipalities in Haywood, Graham, Swain, Jones, Jackson and Cherokee Counties .............................................................................................................. 74
87. An Act to amend chapter 111 Public-Local Laws of 1929 relative to tax collector of Rutherford County............................................................... 75
88. An Act to authorize, empower, and direct the Sheriff and/or Tax Collector of Bladen County to accept county vouchers in payment of taxes .................................................................................................................. 76
89. An Act authorizing the County of Franklin to accept vouchers issued by said county in payment of taxes and other obligations due the county ............................................................................................................ 76
90. An Act to place the collection of dog taxes in Pasquotank County under the direct and immediate supervision of the sheriff.................................. 77
91. An Act to better protect the revenues and public funds of Cherokee County ........................................................................................................... 77
92. An Act to abolish the office of farm demonstration agent for New Hanover County ............................................................................................... 79
93. An Act regulating the compensation of the public officers of Scotland County ......................................................................................................... 79
94. An Act to establish a consolidated governing body for the City of Wilmington and the County of New Hanover................................................................. 81
95. An Act to amend chapter 183 of the Public-Local Laws of 1931 being an Act to create a county sinking fund commission for Madison County and provide the duties thereof requiring the chairman of the sinking fund commission to give bond and the chairman of the Board of County Commissioners to sign vouchers ........................................ 103

96. An Act to fix the compensation of the members of the Board of County Commissioners of Macon County ................................................................. 104

97. An act to provide for jury trials in the Recorder's Court of Cleveland County sitting at King's Mountain ................................................................. 104

98. An Act making the Register of Deeds of Macon County, North Carolina, public accountant for said county ................................................................. 105

99. An Act amending chapter 381 of the Public-Local Laws of North Carolina, session 1923, providing for the appointment of financial agents for the County of Scotland ................................................................. 105

100. An Act to amend chapter 19, Public-Local Laws nineteen hundred thirty-one, relating to the drawing of jurors in Jackson County ...... 106

101. An Act to fix the fees to be collected by the Clerk of the Superior Court of Jackson County ................................................................. 106

102. An Act to validate the official acts of Mrs. Rose McNeill Jones, a notary public, and Mrs. Irene Dimmette Barker, a notary public, both of Wilkes County ................................................................. 111

103. An Act to permit the Commissioners of Graham County to purchase an automobile for use of said county ................................................................. 111

104. An Act to amend chapter eighty of the Public-Local Laws of one thousand nine hundred and thirty-one, regarding the office of tax collector of Union County ................................................................. 112

105. An Act applying to the collection of taxes in Brunswick County ...... 114

106. An Act to confer civil jurisdiction upon the County Recorder's Court of Watauga County ................................................................. 115

107. An Act to amend Senate Bill No. 11, ratified January 17, 1933, it being an Act to repeal chapter 212, Public-Local Laws, 1929, abolishing the office of tax collector in Haywood County and providing for the collection of the taxes in said County ................................................................. 116

108. An Act to amend chapter 115 of the Public-Local Laws of 1913, entitled “An Act to establish a criminal court to be called a criminal court for the County of Scotland.” ................................................................. 116

109. An Act to amend the law relating to the Recorder's Court for the County of Brunswick ................................................................. 117

110. An Act to amend chapter 442, Public-Local Laws 1931, relative to issuance and filing of pleadings in claim and delivery actions .......... 117

111. An Act to amend chapter 316, Public-Local Laws of 1929, and chapter 451, Public-Local Laws of 1931, relative to delinquent taxpayers in Craven County, and to re-enact the same as amended .......... 118
<table>
<thead>
<tr>
<th>CHAP.</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>112.</td>
<td>An Act providing for the appointment of a special deputy sheriff for the village of Caraleigh, Raleigh Township</td>
</tr>
<tr>
<td>113.</td>
<td>An Act to amend chapter 168 of the Public-Local Laws, session of 1931, being &quot;An Act to create a jury commission for the County of Yancey.&quot;</td>
</tr>
<tr>
<td>114.</td>
<td>An Act for the relief of W. C. Rape</td>
</tr>
<tr>
<td>115.</td>
<td>An Act to amend chapter three hundred seventy-eight of the Public-Local Laws of one thousand nine hundred and thirty-one, relating to appointment of deputy sheriffs in Union County</td>
</tr>
<tr>
<td>116.</td>
<td>An Act relating to road district bonds heretofore issued by Swain Road District in Swain County and township road bonds heretofore issued by Forney's Creek Township in Swain County</td>
</tr>
<tr>
<td>117.</td>
<td>An Act relating to payment of township highway bonds in McDowell County</td>
</tr>
<tr>
<td>118.</td>
<td>An Act to allow the commissioners of Union County to extend time of paying 1932 taxes by citizens of Marvin, where crops were destroyed by hail</td>
</tr>
<tr>
<td>119.</td>
<td>An Act to amend chapter one hundred fifty-eight of the Public-Local Laws of one thousand nine hundred eleven and chapter three hundred fifty-three of the Public-Local Laws of one thousand nine hundred thirty-one relative to the Recorder's Court in Vance County</td>
</tr>
<tr>
<td>120.</td>
<td>An Act to consolidate Charleston and Oconaluftee Townships in Swain County into one township to be known as Charleston Township</td>
</tr>
<tr>
<td>121.</td>
<td>An Act to repeal chapter three hundred ninety-six Public-Local Laws, one thousand nine hundred thirty-one relating to place of meeting of Board of Education in Currituck County</td>
</tr>
<tr>
<td>122.</td>
<td>An Act to repeal chapter 425 of the Public-Local Laws of 1931 relative to the boundary line between the County of Ashe and the County of Wilkes</td>
</tr>
<tr>
<td>123.</td>
<td>An Act to authorize the County Commissioners of Greene and Hertford Counties to employ some person to administer hog cholera serum and virus in Greene and Hertford Counties</td>
</tr>
<tr>
<td>124.</td>
<td>An Act to fix the salary of the Recorder of the Recorder's Court of Camden County</td>
</tr>
<tr>
<td>125.</td>
<td>An Act to repeal chapter 109, Public-Local Laws, 1929, relating to salaries of county officers of Rutherford County, and fixing salaries of Clerk Superior Court, Register of Deeds, and Treasurer of said County</td>
</tr>
<tr>
<td>126.</td>
<td>An Act relating to the compensation of the Register of Deeds of Yancey County</td>
</tr>
<tr>
<td>127.</td>
<td>An Act to fix and determine the salary or compensation of the Sheriff of Alleghany County and other officers thereof</td>
</tr>
<tr>
<td>CHAP.</td>
<td>PAGE</td>
</tr>
<tr>
<td>-------</td>
<td>------</td>
</tr>
<tr>
<td>128. An Act to limit the pay of jurors in Pasquotank County</td>
<td>128</td>
</tr>
<tr>
<td>129. An Act to amend chapter 489, Public-Local Laws 1929, exempting Cleveland County from the real estate commission law</td>
<td>129</td>
</tr>
<tr>
<td>130. An Act relating to the Municipal-County Court of Lenoir County</td>
<td>130</td>
</tr>
<tr>
<td>131. An Act to abolish the office of treasurer of Lincoln County and to designate a depository for county funds</td>
<td>131</td>
</tr>
<tr>
<td>132. An Act requiring the Board of County Commissioners of Rutherford County to pay the premiums on the official bonds of the Register of Deeds, Clerk of Superior Court, and County Treasurer of Rutherford County</td>
<td>132</td>
</tr>
<tr>
<td>133. An Act to permit the County of Robeson and any municipality of Robeson County to accept United States government bonds, North Carolina State bonds and such other obligations of governing agencies as may be approved by local government commission as securities for deposits in lieu of surety bonds</td>
<td>133</td>
</tr>
<tr>
<td>134. An Act regulating the compensation of the Sheriff of Bladen County</td>
<td>134</td>
</tr>
<tr>
<td>135. An Act providing for the continuance of farm and home demonstration work in Bladen County</td>
<td>135</td>
</tr>
<tr>
<td>136. An Act to place a bounty upon the scalps of coyotes, wild cats and crows killed in Macon County</td>
<td>136</td>
</tr>
<tr>
<td>137. An Act relating to the election of justices of the peace for the County of Wayne</td>
<td>137</td>
</tr>
<tr>
<td>138. An Act to amend chapter 775 of Public-Local Laws of one thousand nine hundred thirteen relating to disorderly conduct and public drunkenness in Mitchell County</td>
<td>138</td>
</tr>
<tr>
<td>139. An Act to repeal chapter one hundred seventy-six of the Public-Local Laws of one thousand nine hundred twenty-seven relative to sale of fireworks or other explosives in Vance County</td>
<td>139</td>
</tr>
<tr>
<td>140. An Act for the relief of certain citizens of House Creek, Leesville, Barton’s Creek and New Light Townships in the County of Wake</td>
<td>140</td>
</tr>
<tr>
<td>141. An Act to validate process and proceedings by L. S. Thompson, a justice of the peace of Beaufort County, from August first, one thousand nine hundred and thirty, to January fifteenth, one thousand nine hundred and thirty-three</td>
<td>141</td>
</tr>
<tr>
<td>142. An Act to repeal chapter 123, Public-Local Laws 1921, and chapter 28, Public-Local Laws 1929, relating to fees of sheriff for capturing illicit distilleries in Mitchell County</td>
<td>142</td>
</tr>
<tr>
<td>143. An Act to repeal chapter 283 Public-Local Laws, session of 1931, relating to pay of County Commissioners of Columbus County</td>
<td>143</td>
</tr>
<tr>
<td>144. An Act to amend chapter 498, Public-Local Laws of 1923, relating to salaries of Brunswick County officials</td>
<td>144</td>
</tr>
<tr>
<td>CHAP.</td>
<td>PAGE</td>
</tr>
<tr>
<td>-------</td>
<td>------</td>
</tr>
<tr>
<td>145.</td>
<td>An Act to authorize and empower the Board of County Commissioners of Graham County to purchase the Graham County Bank building and take over all other real estate and assets of said bank, collect same and apply the proceeds thereof to the indebtedness due by Graham County Bank to Graham County..........................</td>
</tr>
<tr>
<td>146.</td>
<td>An Act to create the office of deputy township constable for Waynesville Township, Haywood County..................................................</td>
</tr>
<tr>
<td>147.</td>
<td>An Act to repeal sections 7, 8, 9, and 10 of chapter 415, Public-Local Laws 1927, relating to salaries of the officers of Martin County</td>
</tr>
<tr>
<td>148.</td>
<td>An Act to appoint the County Accountant of Catawba County as Tax Collector .................................................................</td>
</tr>
<tr>
<td>149.</td>
<td>An Act relating to the salaries of the officers of Bertie County.......</td>
</tr>
<tr>
<td>150.</td>
<td>An Act to repeal chapter 99 of Public-Local Laws of one thousand nine hundred twenty-one, relative to the manufacture and sale of intoxicating liquors in Avery, Mitchell, and Yancey counties...........</td>
</tr>
<tr>
<td>151.</td>
<td>An Act increasing the number of commissioners of Northampton County, and creating five districts for the nomination of said commissioners ..................................................</td>
</tr>
<tr>
<td>152.</td>
<td>An Act to authorize, empower and direct the Sheriff and other tax collectors in Randolph County and municipalities in said county to establish a partial payment plan for the collection of taxes........</td>
</tr>
<tr>
<td>153.</td>
<td>An Act to repeal chapter 38 of the Public-Local Laws of 1929 relating to the capture of stills in Yancey County..................................................</td>
</tr>
<tr>
<td>154.</td>
<td>An Act to repeal chapter 15 of the Public-Local and Private Laws of 1923, being an Act to prohibit the sale or use of fireworks in Currituck and Cherokee Counties, in so far as the same applies to Cherokee County ..................................................</td>
</tr>
<tr>
<td>155.</td>
<td>An Act requiring the store-room keeper of Buncombe County to file a report of all disbursements in the office of the Clerk of the Superior Court ..................................................</td>
</tr>
<tr>
<td>156.</td>
<td>An Act relating to the duties of State farm demonstration agent in Northampton County ..................................................</td>
</tr>
<tr>
<td>157.</td>
<td>An Act repealing chapter 183 of the Public-Local Laws of North Carolina, extra session of 1924, and regulating the fees of the Clerk of the Superior Court of Scotland County..................................................</td>
</tr>
<tr>
<td>158.</td>
<td>An Act fixing the fees of the justices of the peace of Caswell County</td>
</tr>
<tr>
<td>159.</td>
<td>An Act to repeal chapter 799 of the Public-Local Laws of North Carolina relating to costs in the courts of the Justices of the peace of Buncombe County..................................................</td>
</tr>
<tr>
<td>160.</td>
<td>An Act to amend chapter 42, Public Laws 1927, relating to rewards for the capture of stills in Union County..........................</td>
</tr>
<tr>
<td>Chap.</td>
<td>Title</td>
</tr>
<tr>
<td>-------</td>
<td>----------------------------------------------------------------------</td>
</tr>
<tr>
<td>161.</td>
<td>An Act to amend chapter 157 of the Public-Local Laws of 1929, relating to the salaries of the officers of Pamlico County</td>
</tr>
<tr>
<td>162.</td>
<td>An Act to amend chapter eighty-two, Public-Local Laws one thousand nine hundred and thirty-one, relating to the salary of the County accountant of Union County</td>
</tr>
<tr>
<td>163.</td>
<td>An Act fixing the salaries and fees of the officers of Alexander County, abolishing the office of tax collector and the recorder's court of said county</td>
</tr>
<tr>
<td>164.</td>
<td>An Act to suspend the collection of special school taxes in the Peachtree Public School District of Cherokee County for the period of two years</td>
</tr>
<tr>
<td>165.</td>
<td>An Act to provide for the completion of the extended term in the various special tax school districts in Beaufort County</td>
</tr>
<tr>
<td>166.</td>
<td>An Act creating the office of tax collector in Cumberland County</td>
</tr>
<tr>
<td>167.</td>
<td>An Act relating to and providing for extension of time for the payment of taxes and interest charges upon delinquent taxes in Macon County</td>
</tr>
<tr>
<td>168.</td>
<td>An Act to prohibit the carrying or exploding dynamite cartridges and bombs, except for mechanical purposes, in Cherokee County</td>
</tr>
<tr>
<td>169.</td>
<td>An Act to regulate the speed of boats on White Lake in Bladen County</td>
</tr>
<tr>
<td>170.</td>
<td>An Act to repeal chapter one forty-seven of the Public-Local Laws of one thousand nine hundred thirty-one and establishing the office of tax collector and re-defining the duties of the Sheriff of Polk County and fixing his salary</td>
</tr>
<tr>
<td>171.</td>
<td>An Act authorizing the commissioners of Sampson County to retire sinking fund loans with county bonds</td>
</tr>
<tr>
<td>172.</td>
<td>An Act relating to payment of indebtedness of special and special charter school districts incurred in erecting and equipping school buildings necessary for the constitutional six months school term in McDowell County</td>
</tr>
<tr>
<td>173.</td>
<td>An Act to authorize, empower and direct the sheriff and/or tax collector of Craven County to accept county vouchers in payment of taxes</td>
</tr>
<tr>
<td>174.</td>
<td>An Act to authorize, empower and direct the tax collector of Carteret County to accept county vouchers in payment of taxes</td>
</tr>
<tr>
<td>175.</td>
<td>An Act to allow certain discounts in the payment of delinquent taxes in Morehead City and the County of Carteret</td>
</tr>
<tr>
<td>176.</td>
<td>An Act to empower the County Commissioners of Nash County to fix the salaries of officers of Nash County</td>
</tr>
<tr>
<td>177.</td>
<td>An Act requiring the Register of Deeds of Jackson County to prepare the tax list and providing the compensation therefor</td>
</tr>
<tr>
<td>Chap.</td>
<td>Description</td>
</tr>
<tr>
<td>-------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>178.</td>
<td>An Act authorizing the commissioners of Currituck County to appoint a prosecuting attorney for said county</td>
</tr>
<tr>
<td>179.</td>
<td>An Act to consolidate the office of superintendent of public welfare with the office of county superintendent of schools in Cleveland County</td>
</tr>
<tr>
<td>180.</td>
<td>An Act to amend chapter 520 of the Public-Local Laws of 1915, being an Act to establish a special court for Forsyth County, with civil jurisdiction, to be known as Forsyth County Court, and the amendments thereto, relating to terms of court</td>
</tr>
<tr>
<td>181.</td>
<td>An Act to authorize elections to be held in school districts in Rowan County for the purpose of submitting to the voters the question of revoking special school taxes</td>
</tr>
<tr>
<td>182.</td>
<td>An Act to prevent the taking and catching of game and wild animals in steel traps in Sampson County</td>
</tr>
<tr>
<td>183.</td>
<td>An Act to amend chapter two hundred forty-one, Public-Local Laws one thousand nine hundred twenty-seven, relative to the real estate commission exempting Wake County from the provisions thereof</td>
</tr>
<tr>
<td>184.</td>
<td>An Act validating official acts of F. N. Roup, Justice of the Peace of Gap Civil Township, Alleghany County, North Carolina</td>
</tr>
<tr>
<td>185.</td>
<td>An Act to amend chapter 179, Public-Local Laws 1931, relating to the salary of the judge and solicitor of the General County Court in Wilson County</td>
</tr>
<tr>
<td>186.</td>
<td>An Act to authorize Buncombe County Authorities to revalue property for taxation in certain cases</td>
</tr>
<tr>
<td>187.</td>
<td>An Act to amend chapter 60 of the Public-Local Laws of 1929, relating to the nomination of members of the board of education of Camden County</td>
</tr>
<tr>
<td>188.</td>
<td>An Act to fix fees and commissions to be charged by the Clerk of the Superior Court of Forsyth County and the Clerk of the Forsyth County Court</td>
</tr>
<tr>
<td>189.</td>
<td>An Act to amend chapter 253, Public-Local Laws of 1931, creating a board of financial control for Buncombe County and the City of Asheville</td>
</tr>
<tr>
<td>190.</td>
<td>An Act to repeal chapter one hundred fourteen Public-Local Laws of nineteen hundred and twenty-five relative to the enforcement of prohibition law in certain counties</td>
</tr>
<tr>
<td>191.</td>
<td>An Act to provide for the collection of taxes in the City of Wilmington, Town of Carolina Beach and County of New Hanover</td>
</tr>
<tr>
<td>192.</td>
<td>An Act validating acts of the Clerk of the Superior Court of Alamance County in taxing costs in criminal actions, as provided in chapter 302, Public-Local Laws of 1929, and repealing said chapter 302, Public-Local Laws of 1929</td>
</tr>
<tr>
<td>CHAP.</td>
<td>PAGE</td>
</tr>
<tr>
<td>-------</td>
<td>------</td>
</tr>
<tr>
<td>193. An Act to authorize Wayne County to assume certain school building and equipment bonds of school districts in said county</td>
<td>187</td>
</tr>
<tr>
<td>194. An Act to repeal chapter 134, Public-Local Laws 1927, relating to enforcement of the prohibition law in Cherokee County</td>
<td>188</td>
</tr>
<tr>
<td>195. An Act to amend chapter 358, Public-Local Laws of 1927, as amended by chapter 133, Public-Local Laws of 1931, relative to the enforcement of the Burlington Act in Franklin County</td>
<td>188</td>
</tr>
<tr>
<td>196. An Act authorizing the Board of County Commissioners of Jackson County to assume certain bonded indebtedness of Dillsboro Township</td>
<td>189</td>
</tr>
<tr>
<td>197. An Act to fix the compensation of jurors in Durham County</td>
<td>190</td>
</tr>
<tr>
<td>198. An Act to extend the time for beginning actions against A. J. Fagg, former clerk of Superior Court of Stokes County, and his official bond</td>
<td>190</td>
</tr>
<tr>
<td>199. An Act to establish a consolidated governing body for the City of Durham and Durham County</td>
<td>191</td>
</tr>
<tr>
<td>200. An Act to repeal chapter 532, Public-Local and Private Laws of 1927, the same being an act to provide for better enforcement of the prohibition law in Polk and Transylvania Counties</td>
<td>204</td>
</tr>
<tr>
<td>201. An Act to amend chapter three hundred seventy-two, Public-Local Laws of one thousand nine hundred thirty-one, relating to notices of public sales and foreclosure sales in Hyde County and Gates County</td>
<td>204</td>
</tr>
<tr>
<td>202. An Act to authorize the commissioners of Caswell County to levy a special tax for the support of the poor, the maintenance of county health work, and for running the courts of said county</td>
<td>204</td>
</tr>
<tr>
<td>203. An Act to fix the amount of the official bond of the Clerk of the Superior Court of Yancey County</td>
<td>205</td>
</tr>
<tr>
<td>204. An Act to amend chapter 109, Public-Local Laws of 1931, relating to a jury commission for Cherokee County</td>
<td>205</td>
</tr>
<tr>
<td>205. An Act to amend chapter 667 of the Public-Local Laws of 1913, relative to conferring appellate jurisdiction upon the Recorder's Court of Cumberland County</td>
<td>206</td>
</tr>
<tr>
<td>206. An Act to repeal chapter 415 of the Public-Local Laws of the General Assembly of North Carolina of 1929 entitled, &quot;An Act to restore full ballot rights to voters entitled to participate in municipal primaries,&quot; in so far as said act applies to the City of Fayetteville in Cumberland County, North Carolina, so that the candidate for alderman for each ward shall be nominated by the electors of such ward</td>
<td>207</td>
</tr>
<tr>
<td>207. An Act to require the sheriff, clerk of court and register of deeds for Richmond County to keep a permanent record of receipts and expenditures of their offices</td>
<td>208</td>
</tr>
</tbody>
</table>
# Captions of the Public-Local Laws

<table>
<thead>
<tr>
<th>Chap.</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>208. An Act relating to costs, and to trial by jury, in criminal actions tried in the county recorder's court of Mecklenburg County</td>
<td>200</td>
</tr>
<tr>
<td>209. An Act to prohibit the setting of steel traps in Greene County</td>
<td>210</td>
</tr>
<tr>
<td>210. An Act relating to hunting wild hogs, raccoon and opossum in Graham County</td>
<td>211</td>
</tr>
<tr>
<td>211. An Act to amend chapter 291 of the Public-Local Laws of 1931, relative to the salary of the tax collector and the expense of the collection of taxes in Franklin County</td>
<td>211</td>
</tr>
<tr>
<td>212. An Act to regulate the fees of the various justices of the peace of Mecklenburg County</td>
<td>212</td>
</tr>
<tr>
<td>213. An Act to amend chapter 431 of Public-Local Laws of 1927 and chapter 234 of Public-Local Laws of 1931 relating to migratory wild fowl in Currituck County and providing for election of game commissioners</td>
<td>214</td>
</tr>
<tr>
<td>214. An Act to amend chapter 255 of the Public-Local Laws of 1923, as amended by chapter 347 of the Public-Local Laws of 1923, relating to the salaries of the register of deeds and the clerk of the court of Franklin County</td>
<td>215</td>
</tr>
<tr>
<td>215. An Act to amend chapter 291 of the Public-Local Laws of 1931 for the reduction of the salary of the Sheriff of Franklin County</td>
<td>216</td>
</tr>
<tr>
<td>216. An Act to prevent hunting of wild animals or other game by firelighting on the rivers, creeks, streams and other bodies of water in the counties of Bertie, Martin, Washington, and Beaufort</td>
<td>216</td>
</tr>
<tr>
<td>217. An Act to validate the official acts performed between July twenty-fourth, one thousand nine hundred thirty, and April twenty-ninth, one thousand nine hundred thirty-two, by H. K. Ogburn, Notary Public for Forsyth County, appointed by his Excellency the Governor of North Carolina, O. Max Gardner, July twenty-fourth, one thousand nine hundred thirty</td>
<td>217</td>
</tr>
<tr>
<td>218. An Act to prohibit the setting of steel traps in Northampton County</td>
<td>218</td>
</tr>
<tr>
<td>219. An Act to protect sheep and other domestic animals from dogs</td>
<td>218</td>
</tr>
<tr>
<td>220. An Act relating to the employment of a court stenographer in Lincoln County</td>
<td>219</td>
</tr>
<tr>
<td>221. An Act to appoint a board of revaluation and review in Yancey County</td>
<td>220</td>
</tr>
<tr>
<td>222. An Act to reduce the salaries of certain officers of Chowan County</td>
<td>220</td>
</tr>
<tr>
<td>223. An Act regulating the fee for capturing stills in Sampson County</td>
<td>221</td>
</tr>
<tr>
<td>224. An Act to amend chapter 61, Public-Local Laws 1929, relating to the salaries of the officers of Moore County</td>
<td>221</td>
</tr>
<tr>
<td>Chap.</td>
<td>Title</td>
</tr>
<tr>
<td>-------</td>
<td>---------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>225.</td>
<td>An Act to place the officers of New Hanover County upon a salary basis and to fix the salaries of the city commissioners, including the mayor</td>
</tr>
<tr>
<td>226.</td>
<td>An Act repealing and re-enacting House Bill No. 723, ratified March 6, 1933, being “An Act relating to road district bonds heretofore issued by Swain Road District in Swain County and township road bonds heretofore issued by Forney’s Creek Township in Swain County”</td>
</tr>
<tr>
<td>227.</td>
<td>An Act to repeal chapter 188, Public-Local Laws 1929, and to amend chapter 521, Public-Local Laws 1921, relating to fees of justices of the peace in Pitt County</td>
</tr>
<tr>
<td>228.</td>
<td>An Act to authorize the commissioners of Haywood County to appoint a tax supervisor and to prescribe his duties and fix his salary</td>
</tr>
<tr>
<td>229.</td>
<td>An Act to authorize the commissioners of Haywood County to appoint a tax supervisor and to prescribe his duties and fix his salary</td>
</tr>
<tr>
<td>230.</td>
<td>An Act to relieve certain property in Rowan County to be used for a charitable hospital from taxes and assessments</td>
</tr>
<tr>
<td>231.</td>
<td>An Act to provide for an election on what shall constitute a lawful fence in Graham County</td>
</tr>
<tr>
<td>232.</td>
<td>An Act repealing section 3, chapter 48, Public-Local Laws of 1931, placing the Sheriff of Madison County on fees</td>
</tr>
<tr>
<td>233.</td>
<td>An Act to provide for the redemption of real estate purchased by Hertford, Hyde, or Bertie County and towns therein at tax sales and to provide an extension of time within which to pay delinquent taxes. (Applicable also to Gates, Pasquotank and Chowan Counties)</td>
</tr>
<tr>
<td>234.</td>
<td>An Act authorizing partial payments on taxes in Sampson County</td>
</tr>
<tr>
<td>235.</td>
<td>An Act to exempt Brunswick County from paying for livestock killed by dogs.</td>
</tr>
<tr>
<td>236.</td>
<td>An Act to repeal chapter 598, Public-Local Laws of 1923, relating to making out of tax receipts by the Register of Deeds of Lenoir County</td>
</tr>
<tr>
<td>237.</td>
<td>An Act fixing the salary of the court stenographer of Catawba County</td>
</tr>
<tr>
<td>238.</td>
<td>An Act reducing the fees of certain officers of Gates County</td>
</tr>
<tr>
<td>239.</td>
<td>An Act concerning the sale of land and other property for taxes in Transylvania County</td>
</tr>
<tr>
<td>240.</td>
<td>An Act to create a tax commission for Cherokee County</td>
</tr>
<tr>
<td>241.</td>
<td>An Act relating to the quadrennial assessment of property for taxation in Macon County</td>
</tr>
<tr>
<td>242.</td>
<td>An Act to prohibit the use of long haul or drag nets in certain waters in Beaufort, Hyde and Onslow Counties</td>
</tr>
</tbody>
</table>
C A P T I O N S  O F  T H E  P U B L I C - L O C A L  L A W S

<table>
<thead>
<tr>
<th>Chap.</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>242.</td>
<td>An Act relating to the payment of township highway bonds in McDowell County</td>
<td>243</td>
</tr>
<tr>
<td>243.</td>
<td>An Act to repeal chapter 107 of the Public-Local Laws, Extra Session of 1924, and to fix the compensation of the Sheriff of Richmond County and to provide for the time of payment thereof.</td>
<td>244</td>
</tr>
<tr>
<td>244.</td>
<td>An Act to constitute the commissioners of Robeson County Drainage District Number Two trustees for the funds belonging to said district, and giving said trustees certain powers with reference thereto</td>
<td>245</td>
</tr>
<tr>
<td>245.</td>
<td>An Act to amend chapter six hundred and forty-seven (647) of the Public-Local Laws of one thousand nine hundred eleven (1911) relating to the Recorder’s Court of Thomasville.</td>
<td>246</td>
</tr>
<tr>
<td>246.</td>
<td>An Act authorizing the Commissioners of Wake County, in their discretion, to defer for two years the foreclosures under deeds of trust and mortgages held in the sinking fund of said county.</td>
<td>250</td>
</tr>
<tr>
<td>247.</td>
<td>An Act to protect game and fur-bearing animals in Beaufort County and prevent the extermination thereof.</td>
<td>250</td>
</tr>
<tr>
<td>248.</td>
<td>An Act relative to costs in certain criminal cases in the courts of Pasquotank County.</td>
<td>251</td>
</tr>
<tr>
<td>249.</td>
<td>An Act to validate certain sales of land for taxes and certificates issued in pursuance thereof in Pasquotank County and Elizabeth City.</td>
<td>252</td>
</tr>
<tr>
<td>250.</td>
<td>An Act to fix the compensation of jurors in Yancey County.</td>
<td>253</td>
</tr>
<tr>
<td>251.</td>
<td>An Act to authorize Guilford County and one or more cities therein to consolidate, create and establish agencies, departments and offices to administer jointly tax collecting duties of each body as may be agreed upon by the participants.</td>
<td>253</td>
</tr>
<tr>
<td>252.</td>
<td>An Act to regulate and control the business of transporting passengers for hire by motor vehicles over the public roads of the county of Buncombe and cities and towns in said county.</td>
<td>254</td>
</tr>
<tr>
<td>253.</td>
<td>An Act to validate certain official acts of J. C. Kennedy, Notary Public of Sampson County.</td>
<td>255</td>
</tr>
<tr>
<td>254.</td>
<td>An Act to create the office of tax collector of Watauga County.</td>
<td>256</td>
</tr>
<tr>
<td>255.</td>
<td>An Act regulating the pay of jurors in Johnston County.</td>
<td>257</td>
</tr>
<tr>
<td>256.</td>
<td>An Act to authorize the creation of the office of tax collector for the county of Jones.</td>
<td>258</td>
</tr>
<tr>
<td>257.</td>
<td>An Act relating to licensing shows outside of incorporated towns in Caldwell County.</td>
<td>259</td>
</tr>
<tr>
<td>258.</td>
<td>An Act to regulate duties of Sheriff of Edgecombe County and establish office of tax collector of Edgecombe County.</td>
<td>260</td>
</tr>
<tr>
<td>259.</td>
<td>An Act relating to the appointment of tax collectors for Hertford County.</td>
<td>261</td>
</tr>
</tbody>
</table>
260. An Act to amend chapter 466 of the Public-Local Laws of North Carolina, Session 1929

261. An Act relating to the use of the proceeds from the collection of certain delinquent taxes in Tyrrell County

262. An Act providing for renewal of notes and mortgages due Columbus County

263. An Act to validate certain sales of property under foreclosure sales, etc., in Stanly County

264. An Act to amend chapter 344 and chapter 350, Public-Local Laws 1931, relating to certain fees of the Clerk of Superior Court and Register of Deeds of Granville County

265. An Act to fix salaries for public officers and their assistants, deputies and stenographers in Granville County

266. An Act to divide the Board of County Commissioners of Johnston County in three classes

267. An Act to authorize the issuance of scrip by Tyrrell County

268. An Act to allow certain discounts in the payment of delinquent taxes in the town of Beaufort

269. An Act to fix the salaries of the judge and prosecuting attorney of the Recorder's Court for Richmond County

270. An Act to validate appointment of registrars and poll-holders for the Leaksville Township Recorder's Court election

271. An Act to authorize the Board of Commissioners of Lenoir County and the governing bodies of the cities and towns in Lenoir County to acquire evidences of indebtedness and make settlement thereof, and to further extend the powers of said boards and validate acts thereof

272. An Act to authorize the Board of Commissioners of Transylvania County to purchase the building known as the Brevard Banking Company building in the town of Brevard

273. An Act to suspend the collection of special school taxes in Local Tax District No. 1, Beavardam Township, Cherokee County, for the period of two years

274. An Act to amend local government law relating to issuing and selling bonds for construction of courthouse in Alleghany County

275. An Act amending chapter 117 of the Public-Local Laws of North Carolina, Session 1921, regulating the fees of the Sheriff of Scotland County

276. An Act to create the offices of treasurer-tax collector of Mecklenburg County, and collector of revenue for the city of Charlotte, prescribing their duties and setting forth the manner of taking judgment against delinquent taxpayers
<table>
<thead>
<tr>
<th>CHAP.</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>277. An Act relating to certain bonds of Henderson County</td>
<td>286</td>
</tr>
<tr>
<td>278. An Act to allow J. F. Martin, former Sheriff of Anson County, to collect back taxes</td>
<td>287</td>
</tr>
<tr>
<td>279. An Act amending chapter 213, Private Laws of 1929, relating to the cotton weigher in Raleigh Township, Wake County, North Carolina</td>
<td>287</td>
</tr>
<tr>
<td>280. An Act to regulate the sale of milk bottles and containers in Mecklenburg County</td>
<td>288</td>
</tr>
<tr>
<td>281. An Act to allow J. F. Martin, former Sheriff of Anson County, to collect back taxes</td>
<td>289</td>
</tr>
<tr>
<td>282. An Act for the relief of a portion of the special road bonded indebtedness of certain townships of Madison County by general levy</td>
<td>289</td>
</tr>
<tr>
<td>283. An Act to divert such moneys of the county of Pasquotank yet remaining under the Game Commission fund to the general fund</td>
<td>290</td>
</tr>
<tr>
<td>284. An Act relating to payment of indebtedness of special and/or special charter school districts incurred in erecting and equipping school buildings necessary for the constitutional six months school term in Rutherford County</td>
<td>290</td>
</tr>
<tr>
<td>285. An Act to regulate the drawing of grand jurors in Halifax County</td>
<td>291</td>
</tr>
<tr>
<td>286. An Act to amend sections six, seven and ten, chapter 435, of Public-Local Laws of 1913, relating to the fees of officers of Catawba County</td>
<td>292</td>
</tr>
<tr>
<td>287. An Act creating a central board of assessors for Forsyth County</td>
<td>293</td>
</tr>
<tr>
<td>288. An Act validating certain agreements made by the Board of Commissioners of Haywood County, and the Board of Aldermen of the town of Waynesville relating to the reorganization of the Citizens Bank and Trust Company of Waynesville, and to authorize further agreements relating thereto</td>
<td>294</td>
</tr>
<tr>
<td>289. An Act to amend chapter 426 of the Public-Local Laws of 1919, as amended, relative to the meter adjuster of the county of New Hanover</td>
<td>295</td>
</tr>
<tr>
<td>290. An Act to allow fishing in the streams of Catawba County with trot lines and baskets</td>
<td>296</td>
</tr>
<tr>
<td>291. An Act to repeal chapter 399, Public-Local Laws 1929, relating to hunting of foxes in Person County</td>
<td>296</td>
</tr>
<tr>
<td>292. An Act to extend the powers of the police officers of the various incorporated towns in Rutherford County</td>
<td>297</td>
</tr>
<tr>
<td>293. An Act to amend House Bill Number 376, Public-Local Laws of 1933, relating to constable fees in Union County</td>
<td>297</td>
</tr>
</tbody>
</table>
CHAP.

294. An Act relating to rate of interest on unpaid taxes in Hyde County for the year 1932 and thereafter................................................................. 298

295. An Act to amend chapter 676 of the Public-Local Laws of 1913, an act creating a Recorder's Court for the town of Denton and Emmons Township so as to increase the jurisdiction of said court ................................................................. 298

296. An Act supplemental to Senate Bill 175, the same being "A bill to be entitled an act to create the offices of treasurer-tax collector of Mecklenburg County, and collector of revenue for the city of Charlotte, prescribing their duties and setting forth the manner of taking judgment against delinquent taxpayers, ratified on the third day of April, nineteen hundred and thirty-three".................... 299

297. An Act to provide for the payment of taxes in monthly installments in Wake County........................................................................................................ 300

298. An Act providing for an official court reporter for the Superior Court of Buncombe County.................................................................................................. 300

299. An Act to reduce the membership of the Board of Commissioners of Brunswick County.................................................................................................. 302

300. An Act to repeal section 17 of chapter 142 of Public-Local Laws 1927, the same being an act regulating justices of the peace in Buncombe County ................................................................. 302

301. An Act authorizing the County Commissioners of Graham County, North Carolina, to pay a reward for evidence to convict any person who violates the provisions or any provision of sections 4309, 4311 or 4312 of Consolidated Statutes of North Carolina.... 303

302. An Act authorizing and empowering the Commissioners of Gaston County, in their discretion, to defer for three years the foreclosure under deeds of trust and mortgages held in the sinking fund of said county and to authorize and empower said commissioners to sell real estate now or hereafter held by them for the sinking fund of said county upon such terms as, in their discretion, they think proper, but in no case for a period longer than five years........................................................................................................ 303

303. An Act to allow the Commissioners of Transylvania County to accept county bonds in payment of certain taxes......................................................... 304

304. An Act to amend the fishing laws as to Cherokee County.................. 305

305. An Act to amend chapter 176, Public-Local Laws of 1911, relating to the Recorder's Court of Nash County................................................................. 305

306. An Act to regulate the sale of milk bottles and containers in Mecklenburg County ........................................................................................................ 307

307. An Act to divide the Board of County Commissioners of Johnston County into two classes................................................................. 307
308. An Act to authorize fishing in the French Broad River from the point where it enters Buncombe County to the point where it enters Madison County without first procuring a license to fish therein ................................................................. 308

309. An Act to amend chapter 450, Public-Local Laws, Regular Session of General Assembly 1931, relating to fishing in Tennessee River 308

310. An Act to prohibit seining and trapping fish in the Dan, Mayo and Smith rivers in Rockingham and Stokes counties......................... 309

311. An Act to regulate seining in Caswell County........................................ 309

312. An Act to provide for jury trials in the general county court of Bertie County, and for regulating appeals in criminal causes from said court, and providing for waiver of jurisdiction by defendants in criminal causes and offenses less than capital..... 310

313. An Act to provide for a calendar in the criminal courts of Columbus County ................................................................. 311

314. An Act to amend chapter 301 of the Public-Local Laws of 1927 relating to the salary of the assistant clerk of the Superior Court of Wake County ................................................................. 311

315. An Act for the protection of Mount Pleasant Church and Samaria Church, in Ferralls Township, Nash County, and Macedonia Church, in Coopers Township, Nash County........................................ 312

316. An Act to allow fishing in the Tennessee River and certain tributaries thereof in Macon County.................................................. 313

317. An Act to prevent the killing, selling and shipping calves for veal in Macon County.......................................................... 313

318. An Act to regulate fishing in the various swamps, marshes and creeks in Columbus County................................................. 314

319. An Act to repeal chapter 407, Public-Local Laws of 1911, relating to hunting foxes in Duplin County........................................ 314

320. An Act to amend chapter one hundred four, Public Laws of 1909, and chapter one hundred fifty-six, Public-Local Laws of 1911, and chapter three hundred twenty-four, Public-Local Laws of 1915, and chapter twenty-four, Public-Local Laws of 1931, relative to the Recorder's Court of Reidsville Township, fixing the salaries, respectively, of the recorder and solicitor of said court.... 315

321. An Act to repeal chapter 301, Public-Local Laws of 1927, relative to slot machines in Bladen County........................................ 316

322. An Act validating certain deeds and deeds of trust registered in the office of the Register of Deeds for Vance County.................... 316

323. An Act to amend Senate Bill No. 175 relating to the office of treasurer-tax collector of Mecklenburg County................................. 317
324. An Act to authorize the governing agencies in Wayne County to acquire their own obligations.......................... 317
325. An Act to fix and regulate the court costs and witness' fees in the Recorder's Court of Iredell County.......................... 318
326. An Act to amend Senate Bill 175, the same being "A bill to be entitled an act to create the office of treasurer-tax collector of Mecklenburg County, and collector of revenue for the city of Charlotte, prescribing their duties and setting forth the manner of taking judgment against delinquent taxpayers," ratified April 3, 1933 ........................................ 319
327. An Act to appoint a member of the Board of Education of Jones County .................................................. 320
328. An Act supplemental to House Bill 787, ratified March 15, 1933, the same being "An act to repeal chapter 147 of the Public-Local Laws of 1931 and establishing the office of tax collector and redefining the duties of the Sheriff of Polk County and fixing his salary" ........................................................................ 320
329. An Act to validate sales of real estate for taxes in Caldwell County .......................................................... 321
330. An Act governing the nomination and election of County Commissioners of Pamlico County .................. 321
331. An Act to authorize the County Commissioners of Robeson County to make regulations for the prevention of hydrophobia in Robeson County ........................................... 322
332. An Act relating to the closing of certain stores and filling stations in Pitt County ........................................ 323
333. An Act supplemental to and amending an act ratified March 20th, 1933, it being House Bill No. 698 and entitled "An act to amend chapter 431 of Public-Local Laws of 1927, and chapter 234 of Public-Local Laws of 1931, relating to migratory wild fowl in Currituck County and providing for election of game commissioners" ........................................................................ 323
334. An Act validating the action of the Commissioners of Macon County in postponing the sale of land for taxes in said county 324
335. An Act providing for special levy for special purposes in Warren County .................................................. 324
336. An Act to authorize the issuance of scrip by Lee County .......................................................... 325
337. An Act to empower the Board of Aldermen of the city of Statesville and the Board of Commissioners of Iredell County to confer upon the Recorder's Court of Iredell County the jurisdiction of the Mayor's Court of the city of Statesville .................. 328
338. An Act for the relief of property owners in the Mattamuskeet Drainage District ........................................ 328
<table>
<thead>
<tr>
<th>CHAP.</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>339. An Act to amend the official regulations governing the sale of fresh meats in the city of Raleigh and Wake County</td>
<td>330</td>
</tr>
<tr>
<td>340. An Act to amend House Bill 997, being “An act to appoint a board of revaluation and review in Yancey County”</td>
<td>330</td>
</tr>
<tr>
<td>341. An Act to correct some uncertainty in the location of the line between the counties of Wilkes and Alleghany</td>
<td>331</td>
</tr>
<tr>
<td>342. An Act to regulate the costs in criminal actions in courts of justices of the peace for Richmond County</td>
<td>331</td>
</tr>
<tr>
<td>343. An Act to fix the compensation of the Sheriff of Anson County for the collection of taxes</td>
<td>332</td>
</tr>
<tr>
<td>344. An Act to allow persons having deposits in closed banks in Buncombe County to sell same and permit purchasers of same to apply such deposits in payment of any debts or obligations which such purchasers may owe to such closed banks</td>
<td>333</td>
</tr>
<tr>
<td>345. An Act relating to the payment of township highway bonds in Rutherford County</td>
<td>334</td>
</tr>
<tr>
<td>346. An Act to provide for the issuance of revenue anticipation notes of the county of Guilford and for the execution of said notes by facsimile signatures of the officers of said county</td>
<td>334</td>
</tr>
<tr>
<td>347. An Act supplemental to and amendatory of Senate Bill 332, being “An Act to authorize, empower and direct the sheriff and other tax collectors in Randolph County, and municipalities in said county, to establish a partial payment plan for the collection of taxes,” ratified March 13, 1933</td>
<td>335</td>
</tr>
<tr>
<td>348. An Act to authorize and empower the Board of Commissioners of Surry County to fix and reduce the salaries of certain officers in said county in accordance with the current standard of prices, wages, and salaries</td>
<td>336</td>
</tr>
<tr>
<td>349. An Act to repeal chapter eighty-three of the Public-Local Laws of one thousand nine hundred twenty-nine, relating to the nomination and election of county commissioners in Columbus County</td>
<td>337</td>
</tr>
<tr>
<td>350. An Act relating to court procedure in Cherokee, Clay and Macon counties</td>
<td>337</td>
</tr>
<tr>
<td>351. An Act to repeal certain sections of chapter 64, Public-Local Laws of North Carolina, Session 1931, relating to publication of legal advertisements</td>
<td>338</td>
</tr>
<tr>
<td>352. An Act to fix the compensation of the Board of Commissioners of Harnett County and to require a publication of expenditures by said board</td>
<td>339</td>
</tr>
<tr>
<td>353. An Act to place the Clerk of the Superior Court, the Register of Deeds and the Judge of the Recorder’s Court of Harnett County on a salary and to fix the compensation of the said officers</td>
<td>340</td>
</tr>
<tr>
<td>CHAP.</td>
<td>PAGE</td>
</tr>
<tr>
<td>-------</td>
<td>------</td>
</tr>
<tr>
<td>354. An Act to validate the acts of E. D. Gooch as a justice of the peace in and for Granville County</td>
<td>342</td>
</tr>
<tr>
<td>355. An Act to allow the counties, municipalities, and other governing agencies to refund tax sales certificates</td>
<td>342</td>
</tr>
<tr>
<td>356. An Act relating to election of school teachers in Cherokee, Clay, Graham, Macon and Swain counties</td>
<td>347</td>
</tr>
<tr>
<td>357. An Act for the relief of J. F. Martin, former Sheriff of Anson County</td>
<td>347</td>
</tr>
<tr>
<td>358. An Act allowing and directing the tax collecting authorities in the city of Asheboro to accept bonds in the payment of street assessments and certain taxes</td>
<td>348</td>
</tr>
<tr>
<td>359. An Act relating to the revaluation of property in Vance County</td>
<td>349</td>
</tr>
<tr>
<td>360. An Act to authorize the County Commissioners of Bladen County to make regulations for the prevention of hydrophobia in Bladen County</td>
<td>350</td>
</tr>
<tr>
<td>361. An Act to amend House Bill 507, entitled “An Act to authorize, empower and direct the sheriff and/or tax collector of Bladen County to accept county vouchers in payment of taxes,” ratified February 28th, 1933</td>
<td>351</td>
</tr>
<tr>
<td>362. An Act to authorize the Board of Commissioners of Buncombe County to refund certain license taxes erroneously collected</td>
<td>351</td>
</tr>
<tr>
<td>363. An Act to permit the fishing with more than one hook, line and pole, but not more than three, at the same time in the water courses of Durham County</td>
<td>352</td>
</tr>
<tr>
<td>364. An Act to authorize the Board of Commissioners of Lenoir County to fix the salaries of the county officers of Lenoir County</td>
<td>352</td>
</tr>
<tr>
<td>365. An Act fixing the salary as a coroner of Johnston County</td>
<td>353</td>
</tr>
<tr>
<td>366. An Act to regulate the compensation of the Sheriff of Brunswick County with reference to tax suits</td>
<td>353</td>
</tr>
<tr>
<td>367. An Act for the relief of the sheriffs and tax collectors in the collection of drainage assessments in Alexander County</td>
<td>354</td>
</tr>
<tr>
<td>368. An Act to provide for the suspension of the levy and collection of special school taxes in Iota School District, Macon County, for a period of two years</td>
<td>354</td>
</tr>
<tr>
<td>369. An Act abolishing tax penalties in Macon County</td>
<td>355</td>
</tr>
<tr>
<td>370. An Act to promote the listing and collection of taxes on unlisted property in Wake County</td>
<td>355</td>
</tr>
<tr>
<td>371. An Act to allow the Commissioners of Henderson County to accept bonds in payment of certain taxes</td>
<td>356</td>
</tr>
<tr>
<td>372. An Act to repeal chapter two hundred and seventy-three of Public-Local Laws of one thousand nine hundred and thirty-one relating to certain public funds in Currituck County</td>
<td>357</td>
</tr>
</tbody>
</table>
373. An Act to amend section 1 of chapter 471 of the Public-Local Laws of 1931, relating to fees paid ex officio game wardens in Buncombe County. (Applicable also to Madison County) ........................................ 357
374. An Act to repeal chapter 20, Public-Local Laws of 1927, relating to the sale and transportation of fireworks in Jackson County .......................... 358
375. An Act to regulate fox hunting in Macon County .................................. 358
376. An Act to amend chapter 282, Public-Local Laws, Session 1919, relating to foxes in Granville County ........................................... 358
377. An Act to validate the acts of certain justices of the peace in Macon County ........................................................................ 359
378. An Act to prevent drunkenness and disorderly conduct in public places in Orange County .......................................................... 360
379. An Act to authorize the Board of Education of Buncombe County to pay to Mrs. Helen Creaseman Whittemore for services rendered in the years 1931-1932 ...................................................... 360
380. An Act supplemental to and amendatory of Senate Bill No. 135, entitled "An Act relating to foreclosures of mortgages or deeds of trust in Macon County," ratified February 27, 1933 .................................................. 361
381. An Act to regulate the sanitary conditions of seine beaches in Beaufort County ................................................................. 361
382. An Act to validate tax sale in Chatham County ....................................... 362
383. An Act regulating the fees of jurors and witnesses in the courts of Catawba County ................................................................. 363
384. An Act to repeal chapter 181, Public-Local Laws, Extra Session 1920, relating to hunting squirrels, foxes, o'possums and coons in Wilson County and to provide an open season for foxes ........................................... 363
385. An Act to regulate the operation of dance and recreation halls in Buncombe County ................................................................ 364
386. An Act to regulate the salaries of public officials in Transylvania County and for other purposes .................................................. 364
387. An Act to fix the compensation of the county attorney for the county of Harnett ................................................................. 366
388. An Act to amend chapter 318, Public-Local Laws of 1931, for the relief of Iredell-Rowan County Drainage District Number One.. 367
389. An Act to authorize the committeemen of Green Hope High School District, Wake County, to use unexpended funds derived from special school taxes in past years ........................................... 367
390. An Act to authorize, empower and direct the Board of Commissioners of Madison County to levy special tax for the payment of certain indebtedness due to Yancey County ........................................... 368
<table>
<thead>
<tr>
<th>CHAP.</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>391.</td>
<td>An Act to repeal section 5 of chapter 691 of the Public-Local Laws of 1915, relative to fees for serving summons and other processes in Louisburg Township, Franklin County</td>
</tr>
<tr>
<td>392.</td>
<td>An Act to amend Senate Bill No. 334, ratified the 27th day of March, 1933, the same being an act amending the Recorder's Court for Thomasville</td>
</tr>
<tr>
<td>393.</td>
<td>An Act relating to the disposition of witness fees and officers' fees in the office of the Clerk of the Superior Court of Wilkes County</td>
</tr>
<tr>
<td>394.</td>
<td>An Act to authorize the Board of County Commissioners of Mecklenburg County to levy additional tax for the support and maintenance of the County Tubercular Hospital</td>
</tr>
<tr>
<td>395.</td>
<td>An Act to divest and terminate the criminal jurisdiction of the Mayor of Wilson and confer upon the general county court of said county the jurisdiction of the mayor's court of the city of Wilson, and to amend the general county court acts as relate to Wilson County in order to dispense with juries in criminal cases, to change the return date of warrants, to abolish jury tax and stenographer fees in criminal cases, to change solicitor's fees, and to empower the Clerk of the Superior Court of Wilson County to appoint deputy general county court clerks and temporary emergency judges and solicitors for said court</td>
</tr>
<tr>
<td>396.</td>
<td>An Act to authorize and empower the Board of Commissioners of Ashe County to levy taxes for debt service in proportion to the ability of the taxpayers to pay</td>
</tr>
<tr>
<td>397.</td>
<td>An Act to repeal Senate Bill 466, Ratified April 3, 1933, entitled &quot;An Act to regulate the sale of milk bottles and containers in Mecklenburg County&quot;</td>
</tr>
<tr>
<td>398.</td>
<td>An Act to fix the salaries and compensation of certain officers of Bladen County</td>
</tr>
<tr>
<td>399.</td>
<td>An Act to regulate charges made by the city of Asheville for water consumed in Buncombe County water districts</td>
</tr>
<tr>
<td>400.</td>
<td>An Act to regulate the building of dams across creeks, bays, and river estuaries. (Applicable only to Carteret County)</td>
</tr>
<tr>
<td>401.</td>
<td>An Act to regulate the sale of lubricating oil, benzine, naphtha, gasoline and other products by wholesale in Mecklenburg County</td>
</tr>
<tr>
<td>402.</td>
<td>An Act to impose a privilege tax on persons and corporations receiving compensation for permission to fish in streams stocked by the State</td>
</tr>
<tr>
<td>403.</td>
<td>An Act fixing the fees of jurors in Clay and Macon counties</td>
</tr>
<tr>
<td>404.</td>
<td>An Act to repeal Senate Bill 149, ratified February 28, 1933, entitled &quot;An Act to prohibit fishing and hunting in and on the waters of Lake Summit and Green River, in Henderson County&quot;</td>
</tr>
<tr>
<td>Chap.</td>
<td>Description</td>
</tr>
<tr>
<td>-------</td>
<td>-----------------------------------------------------------------------------</td>
</tr>
<tr>
<td>405</td>
<td>An Act providing for certain special tax in Jackson County. (Applicable also to the counties of Alamance, Alleghany, Currituck, Graham, Jones, McDowell and Tyrrell)</td>
</tr>
<tr>
<td>406</td>
<td>An Act to regulate the sale of milk bottles and containers in Pitt County</td>
</tr>
<tr>
<td>407</td>
<td>An Act to postpone tax sales in Yancey County</td>
</tr>
<tr>
<td>408</td>
<td>An Act relating to remission of penalties on 1932 taxes in Pitt County</td>
</tr>
<tr>
<td>409</td>
<td>An Act to provide for the redemption of property sold for taxes in Yancey County or in any municipality therein</td>
</tr>
<tr>
<td>410</td>
<td>An Act to amend the primary law for Mitchell County</td>
</tr>
<tr>
<td>411</td>
<td>An Act supplemental to House Bill 1033, the same being “A bill to be entitled an act relating to payment of indebtedness of special and/or special charter school districts incurred in erecting and equipping school buildings necessary for the constitutional six months school term in Rutherford County,” ratified on the third day of April, 1933</td>
</tr>
<tr>
<td>412</td>
<td>An Act to allow fishing in the streams of Yadkin County with trot lines, baskets and seines</td>
</tr>
<tr>
<td>413</td>
<td>An Act to regulate the grand jury of Mecklenburg County</td>
</tr>
<tr>
<td>414</td>
<td>An Act to amend House Bill No. 1217, entitled “An Act to amend the fishing laws as to Cherokee County,” ratified April 10, 1933</td>
</tr>
<tr>
<td>415</td>
<td>An Act to protect vendors of personal property upon installment payment plan. (Applies to Wake County only)</td>
</tr>
<tr>
<td>416</td>
<td>An Act to allow fishing in the streams of Alexander, Davie and Wilkes counties with trot lines or baskets</td>
</tr>
<tr>
<td>417</td>
<td>An Act to provide for the expenses of revaluation of property in Yancey County</td>
</tr>
<tr>
<td>418</td>
<td>An Act to amend section four of chapter twenty-five of the Public-Local Laws of one thousand nine hundred and nineteen, relating to collection of taxes in Gates County</td>
</tr>
<tr>
<td>419</td>
<td>An Act to regulate license or franchise taxes on building and loan associations in Mecklenburg County</td>
</tr>
<tr>
<td>420</td>
<td>An Act to provide for a more efficient auditing of the books and accounts of the officers of Columbus County</td>
</tr>
<tr>
<td>421</td>
<td>An Act relating to disposition and use of back taxes collected in Carver’s Creek Township Special School Tax District, Bladen County</td>
</tr>
<tr>
<td>422</td>
<td>An Act to create a game commission for Burke County and to regulate fishing in certain waters of said county</td>
</tr>
<tr>
<td>423</td>
<td>An Act to repeal chapter 88, Public-Local Laws 1929, relating to pool and billiard rooms in Caldwell County</td>
</tr>
<tr>
<td>Chap.</td>
<td>Page</td>
</tr>
<tr>
<td>-------</td>
<td>------</td>
</tr>
<tr>
<td>424. An Act to amend House Bill 565, same being &quot;A bill to be entitled an act to amend chapter 520 of the Public-Local Laws of 1915, being an act to establish a special court for Forsyth County with civil jurisdiction to be known as Forsyth County Court and the amendments thereto, relating to terms of court,&quot; ratified March 16th, 1933</td>
<td>390</td>
</tr>
<tr>
<td>425. An Act to allow Haywood and Jackson counties to come under the provisions of House Bill Number 1308 of the 1933 Session of the General Assembly of North Carolina, relating to court procedure in Cherokee, Clay and Macon counties</td>
<td>391</td>
</tr>
<tr>
<td>426. An Act to prohibit any person from entering any place of amusement other than by the regular entrance provided therefor</td>
<td>391</td>
</tr>
<tr>
<td>427. An Act to amend House Bill 135, ratified April 11, 1933, entitled &quot;An act to authorize fishing in the French Broad River from the point where it enters Buncombe County to the point where it enters Madison County without first procuring a license to fish therein&quot;</td>
<td>392</td>
</tr>
<tr>
<td>428. An Act to amend House Bill No. 880, ratified March 28, 1933, being &quot;An Act providing for renewal of notes and mortgages due Columbus County&quot;</td>
<td>392</td>
</tr>
<tr>
<td>429. An Act to create the office of tax collector for Montgomery County and to fix the salary of the sheriff of said county</td>
<td>394</td>
</tr>
<tr>
<td>430. An Act to amend chapter 61 of the Public-Local Laws of 1931, relative to the election of commissioners of Franklin County</td>
<td>395</td>
</tr>
<tr>
<td>431. An Act to allow the County Commissioners of Franklin County to levy an additional tax for operating the Superior Courts of said county</td>
<td>395</td>
</tr>
<tr>
<td>432. An Act relating to the duties of the sheriff and county accountant of Caswell County</td>
<td>396</td>
</tr>
<tr>
<td>433. An Act to validate settlement between Board of Commissioners of Brunswick County and Board of Education</td>
<td>396</td>
</tr>
<tr>
<td>434. An Act to authorize the Board of County Commissioners of Mitchell County to levy special taxes for jail</td>
<td>397</td>
</tr>
<tr>
<td>435. An Act to regulate the sale of unginned or seed cotton in Wilson County</td>
<td>398</td>
</tr>
<tr>
<td>436. An Act to provide for the redemption of property sold for taxes in Mitchell and Madison counties</td>
<td>399</td>
</tr>
<tr>
<td>437. An Act to authorize the board of commissioners for the county of Forsyth to convey to the city of Winston-Salem an easement for street and sidewalk purposes of a portion of the courthouse property and to provide for the improvement of the same and the assessment of benefits resulting therefrom</td>
<td>399</td>
</tr>
<tr>
<td>438. An Act to appoint a boxing commission for the county of Cabarrus</td>
<td>403</td>
</tr>
</tbody>
</table>
CHAP. 439. An Act to regulate the hunting of foxes in Caswell County. 

PAGE 404

440. An Act to validate the foreclosure of tax certificates in Polk County

405

441. An Act to authorize the Board of Commissioners of Watauga County, in their discretion, to abolish the Recorder's Court of said county

406

442. An Act to amend chapter 576 of the Public-Local Laws of nineteen hundred and nineteen, relative to fees to the Clerk of Superior Court of Guilford County

406

443. An Act to protect pheasants in the county of Iredell

407

444. An Act providing for a special tax levy in Alexander County for special purposes

407

445. An Act to regulate the fees of the Sheriff of Surry County for capturing stills used in the manufacture of intoxicating liquors

408

446. An Act to permit the discharge of the grand jury in Surry County when it has completed the business of the term

408

447. An Act to regulate and prohibit the possession and use of slot machines and other devices in Pasquotank County

409

448. An Act authorizing the transfer of certain criminal cases from the Superior Court of Guilford County to the Municipal Court of the city of Greensboro

410

449. An Act regulating the costs in the criminal court for the county of Scotland

410

450. An Act to rearrange and establish the terms of office of the members of the Board of Commissioners of Polk County

411

451. An Act to provide for the reduction of indebtedness in Cherokee County

413

452. An Act to amend Senate Bill 451, ratified April 24, 1933, same being entitled "An Act allowing and directing the tax collecting authorities in the city of Asheboro to accept bonds in the payment of street assessments and certain taxes"

413

453. An Act authorizing the issuance of notes in exchange for outstanding school vouchers by Sampson County

414

454. An Act to place the Sheriff of Wilson County on a salary and to authorize the board of county commissioners to fix the amount thereof

414

455. An Act to provide conditions under which a farm agent or farm demonstrator may be employed in Yancey County

415

456. An Act to provide for the collection of delinquent taxes on real estate in Polk County

416
<table>
<thead>
<tr>
<th>CHAP.</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>457.</td>
<td>An Act to amend House Bill Number 763, Public-Local Laws of 1933, ratified on March 20, 1933, reducing the salary of the Clerk of the Superior Court of Franklin County</td>
</tr>
<tr>
<td>458.</td>
<td>An Act to fix the salary of the Clerk of the Superior Court of Columbus County</td>
</tr>
<tr>
<td>459.</td>
<td>An Act relating to teachers of vocational education in Columbus County</td>
</tr>
<tr>
<td>460.</td>
<td>An Act to provide for the nomination of candidates for the office of county commissioner of Pasquotank County by the qualified voters of the entire county</td>
</tr>
<tr>
<td>461.</td>
<td>An Act supplemental to and amendatory of House Bill 900, it being &quot;An Act to authorize the Board of Commissioners of Transylvania County to purchase the building known as the Brevard Banking Company building in the town of Brevard,&quot; ratified March 30th, 1933</td>
</tr>
<tr>
<td>462.</td>
<td>An Act to amend chapter 227 of the Public-Local Laws of one thousand nine hundred and thirty-one, creating five districts in Bertie County for the selection of county commissioners</td>
</tr>
<tr>
<td>463.</td>
<td>An Act to encourage the enforcement of the Turlington Act in Franklin County</td>
</tr>
<tr>
<td>464.</td>
<td>An Act to make certain photostatic copies of map books in Harnett County admissible as evidence in all courts for the said county</td>
</tr>
<tr>
<td>465.</td>
<td>An Act to consolidate the townships of Hatteras and Kennakeet in Dare County, and to provide for the election of one member of the county board of commissioners and one member of the county board of education from such consolidated township</td>
</tr>
<tr>
<td>466.</td>
<td>An Act to repeal chapter 171, Private Laws of 1923, appointing trustees for school district number 8, Waynesville Township, Haywood County, N. C., and to authorize the Clerk of the Superior Court of Haywood County to convey title to a certain lot of land in said township</td>
</tr>
<tr>
<td>467.</td>
<td>An Act to regulate the issuance of criminal processes out of the justice of the peace courts for Richmond County</td>
</tr>
<tr>
<td>468.</td>
<td>An Act to provide for the appointment of a court stenographer for Pitt County</td>
</tr>
<tr>
<td>469.</td>
<td>An Act to amend House Bill No. 1022, ratified March 27, 1933, entitled &quot;An Act to regulate the duties of Sheriff of Edgecombe County and establish office of tax collector of Edgecombe County&quot;</td>
</tr>
</tbody>
</table>
470. An Act to amend chapter 441 of Public Laws of 1931 regarding levying of special taxes in certain counties so as to include Union ................................................................. 429
471. An Act to amend chapter 228, Public-Local Laws of 1917, relating to the office of county treasurer of Yadkin County ................................................................. 429
472. An Act to define the powers and duties of the board of revaluation and review of Yancey County ................................................................. 430
473. An Act to amend chapter 454 of the Public-Local Laws of 1931 relating to the duties of the Clerk of the Recorder's Court of Cleveland County ................................................................. 430
474. An Act to fix the salary of the Register of Deeds of Yancey County ................................................................. 431
475. An Act relating to official bonds for county or municipal officers in Haywood County ................................................................. 431
476. An Act to amend chapter 415, Public-Local Laws 1915, relative to the Recorder's Court of Leavsville Township, Rockingham County ................................................................. 432
477. An Act to approve postponement of date of tax sales ................................................................. 433
478. An Act to require the Board of Education of Swain County to pay Mrs. Roy Beard for services rendered in the year 1931 ................................................................. 433
479. An Act to provide for certain special taxes in Rutherford County ................................................................. 434
480. An Act to regulate appeals from courts of justices of the peace in civil actions in Martin County ................................................................. 434
481. An Act authorizing the Board of Commissioners of Transylvania County to accept county bonds in payment of certain notes held as additional collateral for county deposits in the now defunct Brevard Banking Company ................................................................. 435
482. An Act to appoint an auditor for Columbus County ................................................................. 435
483. An Act to regulate the sale of unginned or seed cotton in Beaufort County ................................................................. 436
484. An Act to amend House Bill No. 889, entitled "An Act to place the officers of New Hanover County upon a salary basis and to fix the salaries of the city commissioners, including the mayor," enrolled and ratified March 22, 1933 ................................................................. 437
485. An Act to amend chapter 527 of the Public-Local Laws of 1921, amending chapter 800, Public-Local Laws of 1913, relating to salary of court stenographer for Hoke and Bladen counties ................................................................. 438
486. An Act to validate the acts of J. S. McRae, a justice of the peace for the county of Robeson ................................................................. 438
487. An Act to fix the terms of office of the Board of Education in Mitchell County ................................................................. 439
<table>
<thead>
<tr>
<th>Chap.</th>
<th>Act</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>488.</td>
<td>An Act relating to tax penalties in the county of Cumberland.</td>
<td>439</td>
</tr>
<tr>
<td>489.</td>
<td>An Act to allocate Union Township, Robeson County, to the proper</td>
<td>439</td>
</tr>
<tr>
<td></td>
<td>recorder's court and commissioner's districts.</td>
<td></td>
</tr>
<tr>
<td>490.</td>
<td>An Act to prohibit the exhibition of any free medicine show or</td>
<td>440</td>
</tr>
<tr>
<td></td>
<td>like performance in Catawba County.</td>
<td></td>
</tr>
<tr>
<td>491.</td>
<td>An Act to authorize the auditor or accountant of Brunswick</td>
<td>441</td>
</tr>
<tr>
<td></td>
<td>County to employ assistance when deemed necessary.</td>
<td></td>
</tr>
<tr>
<td>492.</td>
<td>An Act relating to the public officers of Northampton County.</td>
<td>441</td>
</tr>
<tr>
<td>493.</td>
<td>An Act to authorize the Board of Commissioners of Yancey County</td>
<td>443</td>
</tr>
<tr>
<td></td>
<td>to include the expenses of building gymnasium in the general</td>
<td></td>
</tr>
<tr>
<td></td>
<td>emergency fund.</td>
<td></td>
</tr>
<tr>
<td>494.</td>
<td>An Act to appoint a tax collector for Columbus County.</td>
<td>443</td>
</tr>
<tr>
<td>495.</td>
<td>An Act validating certain tax sales in Mitchell County.</td>
<td>444</td>
</tr>
<tr>
<td>496.</td>
<td>An Act to amend House Bill 1066, ratified April 11, 1933, entitled</td>
<td>444</td>
</tr>
<tr>
<td></td>
<td>&quot;An Act to allow fishing in the Tennessee River and certain</td>
<td></td>
</tr>
<tr>
<td></td>
<td>tributaries in Macon County&quot;.</td>
<td></td>
</tr>
<tr>
<td>497.</td>
<td>An Act to repeal section 2, chapter 238, Public-Local Laws 1929,</td>
<td>445</td>
</tr>
<tr>
<td></td>
<td>and to authorize the commissioners of Haywood County to designate</td>
<td></td>
</tr>
<tr>
<td></td>
<td>a depository for public funds in Haywood County.</td>
<td></td>
</tr>
<tr>
<td>498.</td>
<td>An Act regulating the collection of delinquent taxes in Sampson</td>
<td>446</td>
</tr>
<tr>
<td></td>
<td>County.</td>
<td></td>
</tr>
<tr>
<td>499.</td>
<td>An Act to abolish the office of the treasurer of McDowell County,</td>
<td>446</td>
</tr>
<tr>
<td></td>
<td>North Carolina, and to regulate the fees and salaries of officers</td>
<td></td>
</tr>
<tr>
<td></td>
<td>in said county.</td>
<td></td>
</tr>
<tr>
<td>500.</td>
<td>An Act to prohibit the commissioners of the County of Macon from</td>
<td>448</td>
</tr>
<tr>
<td></td>
<td>levying any special tax to pay township bonds except in the</td>
<td></td>
</tr>
<tr>
<td></td>
<td>townships where said bonds are voted and issued.</td>
<td></td>
</tr>
<tr>
<td>501.</td>
<td>An Act to regulate the operation of bathing beaches or resorts in</td>
<td>448</td>
</tr>
<tr>
<td></td>
<td>sections of Beaufort County.</td>
<td></td>
</tr>
<tr>
<td>502.</td>
<td>An Act to fix the open season for hunting game in Catawba County</td>
<td>449</td>
</tr>
<tr>
<td></td>
<td>and to provide a closed season for hunting pheasants and quail</td>
<td></td>
</tr>
<tr>
<td></td>
<td>in said county.</td>
<td></td>
</tr>
<tr>
<td>503.</td>
<td>An Act to create the Caswell County Historical Commission.</td>
<td>450</td>
</tr>
<tr>
<td>504.</td>
<td>An Act to abolish the office of auditor of Stokes County and to</td>
<td>450</td>
</tr>
<tr>
<td></td>
<td>amend chapter 483, Public-Local Laws 1931, relating to clerk hire</td>
<td></td>
</tr>
<tr>
<td></td>
<td>for the Clerk of the Superior Court of said county.</td>
<td></td>
</tr>
<tr>
<td>505.</td>
<td>An Act to authorize and empower the Board of County Commissioners</td>
<td>451</td>
</tr>
<tr>
<td></td>
<td>of Mecklenburg County to refund certain taxes erroneously paid</td>
<td></td>
</tr>
<tr>
<td>Chap.</td>
<td>Act</td>
<td>Page</td>
</tr>
<tr>
<td>-------</td>
<td>-----------------------------------------------------------------------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>506</td>
<td>An Act to amend committee substitute for Senate Bill 451, same being “An Act allowing and directing the tax collecting authorities in the City of Asheboro to accept bonds in the payment of street assessments and certain taxes,” as ratified on April 24, 1933</td>
<td>452</td>
</tr>
<tr>
<td>507</td>
<td>An Act for the relief of the Sheriff of Surry County, and to provide for the sale of real estate for unpaid taxes of the years 1930 and 1931</td>
<td>452</td>
</tr>
<tr>
<td>508</td>
<td>An Act to authorize the issuance of scrip in Iredell County</td>
<td>453</td>
</tr>
<tr>
<td>509</td>
<td>An Act to give the county commissioners the right to postpone the sale of land for delinquent 1932 taxes</td>
<td>456</td>
</tr>
<tr>
<td>510</td>
<td>An Act to amend chapter 86 of the Public-Local Laws of one thousand nine hundred and thirty-one, being an act to place the officers of Mecklenburg County on salaries</td>
<td>457</td>
</tr>
<tr>
<td>511</td>
<td>An Act to authorize the creation of the office of tax collector for the County of Alamance</td>
<td>458</td>
</tr>
<tr>
<td>512</td>
<td>An Act to fix the salary of the Register of Deeds of Columbus County</td>
<td>459</td>
</tr>
<tr>
<td>513</td>
<td>An Act to authorize the Board of County Commissioners of Swain County to purchase the building known as the Citizens Bank Building in the town of Bryson City</td>
<td>460</td>
</tr>
<tr>
<td>514</td>
<td>An Act to fix the punishment for unlawful fishing and trespass at Moore’s Pond in Franklin County</td>
<td>461</td>
</tr>
<tr>
<td>515</td>
<td>An Act to repeal House Bill 1146, entitled an act to amend chapter 426 of the Public Laws of 1919, as amended, relative to the meter adjuster of the County of New Hanover, enrolled and ratified April 5th, 1933</td>
<td>461</td>
</tr>
<tr>
<td>516</td>
<td>An Act to re-enact chapter 430 of the Public-Local Laws of 1925 and to require the Clerk of the Superior Court and the Register of Deeds to keep their offices open during office hours, relating to Caswell County</td>
<td>462</td>
</tr>
<tr>
<td>517</td>
<td>An Act to amend chapter 296 of the Public-Local Laws of 1927, relating to the collection of taxes in Avery County</td>
<td>462</td>
</tr>
<tr>
<td>518</td>
<td>An Act permitting and authorizing the use of glasses at soda fountains and at public drinking places in Robeson County</td>
<td>463</td>
</tr>
<tr>
<td>519</td>
<td>An Act supplemental to and amending House Bill Number 924, a bill to be entitled an act to empower the county commissioners of Nash County to fix the salaries of officers of Nash County, Ratified March 15, 1933</td>
<td>463</td>
</tr>
<tr>
<td>520</td>
<td>An Act to abolish the recorder’s court of Elkin, Surry County</td>
<td>464</td>
</tr>
<tr>
<td>521</td>
<td>An Act to prohibit the setting of steel traps in Robeson County</td>
<td>464</td>
</tr>
<tr>
<td>CAPTIONS OF THE PUBLIC-LOCAL LAWS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>-----------------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>CHAP. 522. An Act to amend House Bill 1405 entitled “An Act to fix the salaries and compensation of certain officers of Bladen County,” ratified April 28th, 1933 .................................................................</td>
<td>PAGE 465</td>
<td></td>
</tr>
<tr>
<td>523. An Act to authorize, empower and direct the sheriff and other tax collectors in Randolph County and municipalities in said county to establish a partial payment plan for the collection of taxes, levied for the year 1933, and thereafter .................................................................</td>
<td>463</td>
<td></td>
</tr>
<tr>
<td>524. An Act to amend chapter four hundred thirty-one of Public-Local Laws of one thousand nine hundred twenty-seven reducing the shooting license for residents of North Carolina in Currituck County as to migratory fowl, from five dollars to one dollar ..............</td>
<td>467</td>
<td></td>
</tr>
<tr>
<td>525. An Act Supplemental to and amendatory of Senate Bill No. 135, it being, “An Act relating to foreclosures of mortgages or deeds of trust in Macon County,” ratified, February 27, 1933 ..................</td>
<td>467</td>
<td></td>
</tr>
<tr>
<td>526. An Act to prohibit the setting of steel traps in Scotland County ....</td>
<td>468</td>
<td></td>
</tr>
<tr>
<td>527. An Act to authorize the Board of Commissioners of Craven County to transfer to the general fund certain assets ...........................................................................</td>
<td>468</td>
<td></td>
</tr>
<tr>
<td>528. An Act regulating the salary of the deputy sheriff of Columbus County ..................................................................................</td>
<td>469</td>
<td></td>
</tr>
<tr>
<td>529. An Act to amend an act of the General Assembly of North Carolina session 1933, entitled “An Act to authorize the governing agencies in Wayne County to acquire their own obligations” and known as Senate Bill No. 475 ..........</td>
<td>460</td>
<td></td>
</tr>
<tr>
<td>530. An Act to amend Senate Bill Number 631, relating to tax penalties in Cumberland County, ratified May 9, 1933 .................................................................</td>
<td>470</td>
<td></td>
</tr>
<tr>
<td>531. An Act to district Washington County for the purpose of the nomination and election of members of the Board of County Commissioners ........................................................................</td>
<td>470</td>
<td></td>
</tr>
<tr>
<td>532. An Act to amend Senate Bill 665, being entitled “An Act to prohibit the exhibition of any free medicine shows or like performances in Catawba County” ........................................................................</td>
<td>471</td>
<td></td>
</tr>
<tr>
<td>533. An Act to amend Senate Bill No. 334, ratified the 27th day of March, 1933, the same being entitled “An Act to amend chapter 647 of the Public-Local Laws of 1911, relating to the recorder’s court of Thomasville” ........................................................................</td>
<td>472</td>
<td></td>
</tr>
<tr>
<td>534. An Act regulating hunting license in Hyde County ..........................................................................................</td>
<td>472</td>
<td></td>
</tr>
<tr>
<td>535. An Act to validate the official acts of W. A. Brame, a justice of the peace for Marks Creek Township, Wake County, North Carolina, from April 1, 1931, until April 21, 1932 ........................................................................</td>
<td>473</td>
<td></td>
</tr>
<tr>
<td>536. An Act to provide the regulation and taxation of peddlers in the counties of Cabarrus and Davidson ..................................................................................</td>
<td>473</td>
<td></td>
</tr>
</tbody>
</table>
CHAP. 537. An Act to authorize the commissioners of Johnston County to retire sinking fund loans with county bonds ......................................................... 474
538. An Act to amend chapter 427, Public-Local Laws 1927, relating to the salary of the Sheriff of Guilford County .............................................................. 474
539. An Act to protect hunting and fishing, and timber reservations in Yancey County .................................................................................................................. 475
540. An Act to provide for six months service of grand juries in Columbus County ...................................................................................................................... 475
541. An Act authorizing the Board of County Commissioners of Washington County to place the sheriff on a salary ............................................................................... 476
542. An Act to postpone and defer the sale of land for delinquent taxes for the year one thousand nine hundred and thirty-two, in Cumberland County .................................................................................................................. 477
543. An Act to validate certain tax sales in Cumberland County and the City of Fayetteville ........................................................................................................ 478
544. An Act to authorize the commissioners of Johnston County, in their discretion, to establish, erect and maintain an institution for the care of female prisoners .................................................................................. 478
545. An Act to postpone and defer the sale of land for delinquent taxes for the year one thousand nine hundred and thirty-two, in Hoke County ...................................................................................................................... 479
546. An Act regulating the open season for game and providing for certain license fees in the County of Ashe .................................................................................. 479
547. An Act relating to a moratorium on foreclosures of mortgages and deeds of trust .................................................................................................................. 480
548. An Act to provide for the appointment of justices of the peace for High Point Township in Guilford County, and to limit the number thereof, and to fix the terms of the incumbents of said offices in High Point Township ............................................................................. 481
549. An Act relating to tax collector and auditor of Columbus County ................................................................................................................................. 481
550. An Act to amend chapter 210, Public-Local Laws of 1931, relative to the Bladen County game laws ......................................................................................... 482
551. An Act to amend House Bill 1405, being "An Act to fix the salaries and compensation of certain officers of Bladen County," ratified April 28, 1933 ........................................................................................................ 483
552. An Act amending the Act creating the office of tax collector in Cumberland County ........................................................................................................ 483
553. An Act authorizing the Sheriff of Wilson County to accept county vouchers in payment of taxes .................................................................................................. 484
554. An Act to reduce and remit part of the tax penalties heretofore imposed by the counties of Catawba and Iredell and all municipalities in said counties.................................................................................................................. 484
555. An Act to provide for a close season for four years for hunting quail or partridge in Yadkin County........................................ 485
556. An Act to provide additional safeguards in the creation, establishment and reorganization of drainage districts in Hyde County 486
557. An Act authorizing the Board of Commissioners of Columbus County to accept settlement for past due indebtedness .......... 487
558. An Act to amend House Bill 1274, it being “An Act to amend chapter 86, Public-Local Laws of 1931, being an act to place officers of Mecklenburg County on salaries.”............................ 488
559. An Act to authorize the Board of Commissioners of Lee County and the municipalities therein to accept certain bonds in the payment of taxes ................................................................. 488
560. An Act to repeal chapter 160 of the Public-Local Laws of 1931, same being “An Act to reduce the fee allowed for seizure of illicit stills in Yadkin County from twenty dollars to ten dollars”........... 489
561. An Act regulating the salaries of certain officers of Wake County .................. 489
562. An Act to amend Senate Bill 681, ratified May 11, 1933, amending House Bill 1066, ratified April 11, 1933, relating to license for fishing in certain waters in Macon and Cherokee counties................. 490
563. An Act giving the county commissioners of Cumberland County the authority to fix the salaries of the officers and employees of said county ............................................................... 490
564. An Act to authorize the tax collector of Macon County and his successors to collect back taxes in Macon County.................. 491
565. An Act to prohibit the setting of steel traps in Perquimans County for a period of two years.............................................. 491
566. An Act to authorize the Board of Commissioners of Jackson County to retire their bonded indebtedness.................................. 492
567. An Act to authorize the town of Maxton to accept its obligations in payment of taxes and assessments..................................... 493
568. An Act relating to certain fees of Clerk Superior Court Gates County ................................................................. 493
569. An Act to appoint E. H. Ballentine a justice of the peace for Middle Creek Township, Wake County, and to validate the official acts heretofore performed by him............................................. 494
570. An Act relating to the advertisement of delinquent taxes in Montgomery County ........................................................... 494
571. An Act to provide for the collection of court costs in suits now pending in the Edgecombe County Superior Court.................. 495
<table>
<thead>
<tr>
<th>Chap.</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>572.</td>
<td>An Act conferring additional powers upon the County Board of Health of Columbus County, with respect to sanitation and prevention of disease</td>
<td>495</td>
</tr>
<tr>
<td>573.</td>
<td>An Act to allow the Board of County Commissioners of Edgecombe County to appoint a bank or trust company, not located in Edgecombe County, as its financial agent</td>
<td>496</td>
</tr>
<tr>
<td>574.</td>
<td>An Act to repeal House Bill No. 1320, the same being “An Act regulating the collection of delinquent taxes in Sampson County,” ratified the 11th day of May, 1933</td>
<td>496</td>
</tr>
<tr>
<td>575.</td>
<td>An Act to prohibit fishing with stake nets between the hours of sunset and sunrise</td>
<td>497</td>
</tr>
<tr>
<td>576.</td>
<td>An Act to exempting the Wesley Ellis Post, American Legion, from paying special or privilege tax to town corporation or Mitchell County for sponsoring picture shows or other forms of entertainment</td>
<td>497</td>
</tr>
<tr>
<td>577.</td>
<td>An Act to amend House Bill 1034, the same being “A Bill to be entitled an act relating to the quadrennial assessment of property for taxation in Macon County,” ratified March 23rd, 1933</td>
<td>498</td>
</tr>
<tr>
<td>578.</td>
<td>An Act to validate sales of lands for taxes by the County of Surry and the several incorporates towns therein</td>
<td>498</td>
</tr>
<tr>
<td>579.</td>
<td>An Act regulating hunting in Cumberland County</td>
<td>499</td>
</tr>
<tr>
<td>580.</td>
<td>An Act to authorize the Board of County Commissioners of Caswell County in their discretion to confer additional duties on the county accountant</td>
<td>499</td>
</tr>
<tr>
<td>581.</td>
<td>An Act to allow the commissioners of Union County to suspend tax penalties for the year 1932</td>
<td>500</td>
</tr>
<tr>
<td>582.</td>
<td>An Act to amend House Bill 1594, same being “A Bill to be entitled an act permitting and authorizing the use of glasses at soda fountains and at public drinking places in Robeson County,” ratified May 12, 1933</td>
<td>500</td>
</tr>
<tr>
<td>583.</td>
<td>An Act authorizing a special tax levy for the expense of revaluing property in Sampson County</td>
<td>501</td>
</tr>
<tr>
<td>584.</td>
<td>An Act authorizing the county commissioners of Columbus County to convey to a trustee all real property bought by said county under tax foreclosure proceedings</td>
<td>502</td>
</tr>
<tr>
<td>585.</td>
<td>An Act to empower the Board of Commissioners of Surry County, in their discretion, to postpone the sale of real estate for 1932 taxes to December 1, 1933</td>
<td>503</td>
</tr>
<tr>
<td>586.</td>
<td>An Act to empower the Board of Commissioners of Surry County, in their discretion, to postpone the sale of real estate for 1932 taxes to December 1, 1933</td>
<td>504</td>
</tr>
</tbody>
</table>
587. An Act supplemental to and amendatory of Senate Bill 696, same being an Act to authorize, empower and direct the sheriff and other tax collectors in Randolph County and municipalities in said county to establish a partial payment plan for the collection of taxes levied for the year 1933 and thereafter, ratified May 12, 1933 .................................................. 505

588. An Act to allow the commissioners of Moore County to suspend tax penalties for the year 1932.................................................. 506

589. An Act supplemental to and amendatory of House Bill 1575, being "An Act authorizing the County of Jackson to retire its bonded indebtedness," ratified May 13, 1933.................................................. 506

590. An Act relating to drainage districts in Hyde County.................. 507
H. B. 69  
CHAPTER 1

AN ACT TO REPEAL CHAPTER 176 OF THE PUBLIC-LOCAL LAWS OF 1925, REGARDING COMPENSATION OF JURORS IN BUNCOMBE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter 176 of the Public-Local Laws of North Carolina of 1925 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 effect from and after its ratification.

Ratified this the 16th day of January, A.D. 1933.

S. B. 11  
CHAPTER 2

AN ACT TO REPEAL CHAPTER 212, PUBLIC-LOCAL LAWS 1929, CREATING THE OFFICE OF TAX COLLECTOR OF HAYWOOD COUNTY, AND TO PROVIDE FOR THE COLLECTION OF THE TAXES OF SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That all and every of the provisions of chapter two hundred and twelve of the Public-Local Laws of one thousand nine hundred and twenty-nine be and the same are hereby repealed.

Sec. 2. That from and after the first Monday in December, one thousand nine hundred and thirty-four, it shall be the duty of the regularly elected sheriff of said county to collect, pay over...
Compensation.

SURETY BOND.

Amount of bond.

Personal property to be exhausted first.

Conflicting laws repealed.

Effective December, 1934.

and account for all taxes levied by the board of commissioners of said county. That as full compensation for all services rendered as sheriff and tax collector of Haywood County the said sheriff of said county shall receive all fees now allowed or which may hereafter be allowed by law to sheriffs, and in addition thereto and for collecting the taxes of said county the said sheriff of said county shall be paid one-half of one per cent commission on the first one hundred thousand dollars of taxes actually collected and accounted for, and the sum of one per cent commission for collecting and accounting for the next one hundred thousand dollars of the taxes actually collected and accounted for, and the sum of two per cent commission for remainder of the taxes levied by the board of commissioners of said county for each and every year.

SEC. 3. That before receiving the tax list of said county the sheriff of Haywood County shall execute in some surety or bonding company authorized by law to do business in North Carolina a bond payable to the State of North Carolina, and conditioned for the faithful performance of the duties of his office as sheriff and tax collector of Haywood County, in an amount to be fixed and approved by the board of commissioners of said county.

SEC. 4. That in each instance when it becomes necessary for the sheriff of Haywood County to enforce the collection of any portion of said taxes by levy it shall be his duty first to exhaust the personal property of any taxpayer, other than household and kitchen furniture, before levying on, advertising and selling the real property of such person.

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

SEC. 6. That this act shall be in full force from and after the first Monday in December, one thousand nine hundred and thirty-four.

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

H. B. 74

CHAPTER 3

AN ACT TO AMEND THE LAW RELATING TO THE RECORDER'S COURT FOR THE COUNTY OF CARTERET.

The General Assembly of North Carolina do enact:

SECTION 1. In all trials in the recorder's court for Carteret County, upon demand for a jury trial by either the defendant or the prosecuting attorney, the recorder shall transfer said cause for trial to the Superior Court of Carteret County, and the defendant thereupon shall be required to execute a new and justified bond in such amount as may be named by the recorder.
for defendant's appearance at the next term of the Superior Court of Carteret County for the trial of criminal cases.

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

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

Ratified this the 19th day of January, A.D. 1933.

H. B. 152

CHAPTER 4

AN ACT TO GIVE THE COMMISSIONERS OF CLEVELAND COUNTY THE POWER TO ABOLISH AND CONSOLIDATE ALL UNNECESSARY OFFICES IN CLEVELAND COUNTY AND TO GIVE THE COMMISSIONERS OF SAID COUNTY THE RIGHT TO FIX THE SALARIES OF ALL COUNTY OFFICERS.

The General Assembly of North Carolina do enact:

Section 1. That from and after the ratification of this act the commissioners of Cleveland County shall have the power and authority to abolish and/or discontinue any and all offices, positions or jobs supported in whole or in part out of the funds of said county which are not required by the Constitution of North Carolina. And the said commissioners of Cleveland County shall have the further power and authority to transfer to any other county office or officer the duties performed by any person or persons holding any office, position or job which may be abolished under this act.

Sec. 2. That the county of Cleveland shall not be liable for any salary, fees, or compensation to any person or persons holding any office, position, or job, whether elective or appointive, which may be abolished or discontinued under the provisions of this act on account of said person or persons not being permitted to finish their term of office or employment: Provided, however, that the commissioners of said county may allow any person discharged under the provisions of this act one month's salary from the date of his or her discharge.

Sec. 3. That from and after the ratification of this act the commissioners of Cleveland County shall have the power and authority to fix the salary, fees and compensation of all the county officers of said county, including deputy sheriffs and constables, regardless of whether or not same has been heretofore fixed by legislative enactment. And that said commissioners shall have the power and authority to reduce the salary, fees, Salaries of offices abolished discontinued.

One month's pay provided.

Commissioners may fix salaries.

May also reduce salaries.
Conflicting laws repealed.

or compensation of any of said offices or officers at any time during their term of 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 full force and effect from and after its ratification.

Ratified this the 19th day of January, A.D. 1933.

H. B. 212

CHAPTER 5

AN ACT TO PROVIDE FOR THE OFFICE OF TAX COLLECTOR, AND TO FIX THE SALARIES OF OFFICERS AND VALIDATE TAX SALES OF LAND IN WAYNE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the board of commissioners of Wayne County are hereby authorized and empowered to create and establish the office of tax collector in and for said Wayne County, and appoint a tax collector whose term of office shall be for one year unless otherwise relieved of his duties by said board upon ten days notice, and whose employment, salary or compensation and that of his deputies, assistants, clerks and the administrative expense of said office shall be determined, fixed and approved by said board of county commissioners.

Sec. 2. That said tax collector herein provided for shall be vested with all the powers and authority as is now and may hereafter be provided by law for sheriffs in the collection of taxes and levy and sale of land and personal property for taxes, and such tax collector may also be authorized by said board of commissioners to collect delinquent as well as current taxes, and shall be required to enter into bond in the sum of not less than twenty-five thousand dollars ($25,000), to be determined and approved by said board for the faithful discharge of the duties of said office.

Sec. 3. That upon the creation of the office and appointment and qualification of a tax collector in and for said Wayne County as herein provided the sheriff of Wayne County, upon full settlement of taxes up to the date of transference of the collection of taxes to such tax collector shall be relieved of all further duties in connection therewith, and thereupon said sheriff and his surety shall be discharged from further liability thereon.

Sec. 4. That upon the settlement and transfer of the duties as to the collection of taxes in Wayne County as aforesaid, the board of commissioners of said Wayne County are hereby au-
thorized and empowered to fix the salary of the sheriff of said county, and shall provide compensation for his deputies, clerical and other expense in the administration of said office as may be determined by said board: Provided, the salary of said sheriff shall be fixed at two thousand seven hundred and fifty dollars ($2,750) per annum. Constables and deputies without salary serving process shall receive for such service the fees now allowed by law to be collected and paid by the sheriff; all other process fees collected by said sheriff shall be turned over monthly to the general fund of the county.

Sec. 5. That the salary of the clerk of Superior Court and his salary as clerk of the county court combined shall be two thousand seven hundred and fifty dollars ($2,750) per annum, and the salaries and compensation of an assistant clerk, deputies and clerical hire and expense of administration of the business of said office shall be fixed by the board of commissioners of Wayne County: Provided, said clerk's bond shall be not less than twenty-five thousand dollars ($25,000) nor more than fifty thousand dollars ($50,000), to be fixed by said board.

Sec. 6. That the salary of the register of deeds of Wayne County shall be two thousand four hundred dollars ($2,400) per annum, and the board of commissioners of said county are hereby authorized to fix the compensation of all clerical and other help and expense of said office.

Sec. 7. That the county auditor of Wayne County be and he shall be designated and appointed ex officio clerk to the board of commissioners of Wayne County, and shall perform all the duties heretofore performed by and hereafter authorized and required by law to be performed by the register of deeds as clerk of said board of commissioners: Provided, the minutes of the meetings of said board of commissioners shall as heretofore be recorded and safely kept in the office of register of deeds of said Wayne County.

Sec. 8. That the board of commissioners of Wayne County are hereby empowered to increase or decrease horizontally the salaries of all elective public officers of Wayne County not more than twenty per cent in any one year: Provided, that in the sound discretion of said board the public service or public interest justify such action.

Sec. 9. That the board of commissioners of Wayne County are hereby authorized and empowered, in their discretion only, to determine the pay for the destruction and/or capture of stills and/or the owners and/or operators thereof in said county.

Sec. 10. That the sheriff's sales of lands for taxes in Wayne County during the week beginning Monday, the seventh day of November, one thousand nine hundred and thirty-two, for de-
linquent taxes, and also the commissioners sales of lands in
said Wayne County during the week beginning Monday, the
nineteenth day of December, one thousand nine hundred and
thirty-two, under interlocutory judgments of the Superior Court
of said Wayne County, dated on the nineteenth day of January,
one thousand nine hundred and thirty-one, and on the twenty-
fifth day of January, one thousand nine hundred and thirty-two,
respectively, in all those tax foreclosure suits referred to therein
be and all of the same are hereby fully validated and in every
respect confirmed.

Sec. 11. That the members of the board of commissioners of
Wayne County shall receive four dollars and mileage, as here-
tofore, for attendance at meetings, and such compensation and
expenses for special services at other times as allowed by said
board.

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

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

Ratified this the 25th day of January, A.D. 1933.

S. B. 5

CHAPTER 6

AN ACT TO LIMIT THE POWERS OF JUSTICES OF THE
PEACE AND CONSTABLES OF MECKLENBURG COUNTY
IN THE EXERCISE OF THEIR OFFICES.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any constable to
solicit for service any writ, warrant, summons or other process
from any justice of the peace residing outside of the township
for which said constable is chosen, unless said writ, warrant,
summons or other process is to be served within the township
for which said constable is chosen to serve.

Sec. 2. That it shall be unlawful for any justice of the peace
to deliver any such process to any constable, other than a con-
stable chosen by and serving the township within which said
justice of the peace resides.

Sec. 3. That any constable or justice of the peace who vi-
olates the provisions of this act shall forfeit and pay the sum
of one hundred dollars to any aggrieved party who sues for the
same.

Sec. 4. That a failure to comply with the provisions of this
act shall not avoid any process issued or served, but shall be
limited to the liability of the officers, as provided in section three hereof.

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

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 January, A.D. 1933.

H. B. 44

CHAPTER 7

AN ACT TO REPEAL CHAPTER 199 OF THE PUBLIC LAWS OF ONE THOUSAND EIGHT HUNDRED AND NINETY-THREE, RELATING TO THE MEETINGS OF THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That chapter one hundred and ninety-nine of the Public Laws of one thousand eight hundred and ninety-three and all acts amendatory thereto be and the same are hereby repealed.

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

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

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

H. B. 45

CHAPTER 8

AN ACT TO AMEND CHAPTER 212, PUBLIC-LOCAL LAWS OF 1929, RELATING TO THE SALARY OF TAX COLLECTOR IN HAYWOOD COUNTY.

The General Assembly of North Carolina do enact:

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

Sec. 2. That the salary of the tax collector of Haywood County be and the same is hereby fixed at thirty-five hundred dollars, which shall be paid in twelve equal monthly installments. The salary herein authorized shall be prorated among the different funds for which levies are made and accounts kept.

Sec. 3. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.
Effective May 1, 1933.

SEC. 4. That this act shall be in full force and effect from and after the first day of May, one thousand nine hundred and thirty-three.

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

H. B. 65

CHAPTER 9

AN ACT TO REPEAL CHAPTER 461 OF THE PUBLIC-LOCAL LAWS OF 1931, BEING AN ACT TO APPOINT EDWARD D. DAVIS SPECIAL ENFORCEMENT OFFICER FOR WARREN COUNTY FOR A TERM OF TWO YEARS.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter four hundred and sixty-one of the Public-Local Laws of one thousand nine hundred and thirty-one, being an act to appoint Edward D. Davis special enforcement officer of Warren County for a term of two years, be and the same is hereby repealed.

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

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

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

H. B. 187

CHAPTER 10

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF ROBESON COUNTY TO FIX, RAISE, LOWER OR ADJUST SALARIES OF COUNTY OFFICIALS AND SUBORDINATES IN ACCORDANCE WITH CHANGING ECONOMIC CONDITIONS AND FOR EFFICIENCY.

The General Assembly of North Carolina do enact:

SECTION 1. All laws or parts of laws fixing or prescribing the salary of the clerk of the Superior Court, the salary of the register of deeds, the salary of the sheriff of Robeson County or the clerk hire or remuneration to assistants, deputies, rural policemen or subordinates to any of the above named offices are hereby repealed; and all laws fixing the number of clerks, assistants or deputies of the clerk of Superior Court and the register of deeds of said county are hereby repealed.
SEC. 2. The board of commissioners of Robeson County, subject to the limitations herein provided, is authorized to fix and prescribe the salary of the clerk of Superior Court, the salary of the register of deeds, the salary of the sheriff, the salary of rural policemen, the salary of sheriff’s deputies and the clerk hire or compensation of all other clerks, assistants or subordinates now employed or to be employed in the offices of the register of deeds and clerk of Superior Court; and the said board of county commissioners is further authorized to prescribe the number of clerks, assistants, deputies or other subordinates in the offices of the register of deeds and clerk of Superior Court. But the clerk of Superior Court and the register of deeds of said county shall be permitted and they are hereby authorized to select their own assistants, deputies and other subordinates.

SEC. 3. The salaries, clerk hire and deputy hire or salaries herein referred to when fixed by the board of county commissioners shall be payable in monthly installments.

SEC. 4. The board of county commissioners is authorized and instructed to fix, raise, lower or adjust said salaries, clerk hire and deputy hire or other salaries herein referred to, or the salary or pay of any other officer or assistant under the jurisdiction of the said board of county commissioners at any time as to it may seem proper in order to meet the requirements of changing economic conditions. In fixing or adjusting said salaries, clerk hire, etc., the board of commissioners shall take into consideration the economic conditions, the purchasing power of the dollar, the cost of living in Robeson County, and the salaries being paid to similar employees in private occupations at the time changes or adjustments are made, and within one week after passing any order making any change or adjustment up or down in any of the said salaries, clerk hire or deputy hire or pay of rural policemen or other employees named herein, or in changing the number of any of the appointed subordinates, clerks, deputies or assistants named herein, and before such changes or adjustments shall become effective, the said board of county commissioners shall cause to be delivered in writing to one or more newspapers in the county, for publication, its reason or reasons for making such change or changes or adjustments, together with any figures, index numbers or other data which the board may have used as a basis in determining the changes or adjustments; and in addition thereto the said board shall at the same time cause to be published a statement showing the amount in detail and in total sum paid to each and every person drawing salaries, fees or other remuneration from the county fund, both before the change or adjustment and after the change or adjustment, in order that the public may be fully informed as to the cost before and after such change or changes.
Sec. 5. In all cases where the fixing of any salaries or prescribing the number of employees is by law left with the county board of education and/or the county board of health and/or the said board of county commissioners, singly or jointly, the same instructions and directions are hereby given to each single board, or to any two or more boards acting jointly, as is given the said board of county commissioners in section four (4) hereof.

Sec. 6. In no case shall the amount to be paid to the clerk of the Superior Court as salary for such office be less than one hundred and twenty-five dollars per month, nor more than two hundred and twenty-five dollars per month.

Sec. 7. In no case shall the amount to be paid to the register of deeds as salary be less than one hundred and twenty-five dollars per month nor more than two hundred and twenty-five dollars per month.

Sec. 8. In no case shall the amount to be paid to the sheriff as salary be less than one hundred and twenty-five dollars per month nor more than two hundred and twenty-five dollars per month.

Sec. 9. Nothing herein stated or implied shall be construed to mean that the board of county commissioners in reducing salaries must necessarily reduce salaries to the minimum figures named herein, although they may do so. Nor shall anything stated or implied herein be construed to mean that the commissioners in increasing salaries must necessarily increase salaries to the maximum figures named herein, although they may do so. A prime purpose of this act is to make the governing board of the county, namely, the board of county commissioners, responsible to the people of said county for the efficient and economical handling of the affairs of said county.

Sec. 10. All laws or clauses of laws in conflict with this act are hereby repealed.

Sec. 11. That this act shall be in force and effect on and after its ratification, but any change in salaries of any person or officer shall not be effective prior to March first, one thousand nine hundred and thirty-three.

Ratified this the 27th day of January, A.D. 1933.
H. B. 204

CHAPTER 11

AN ACT TO CONSOLIDATE THE COLLECTION OF CURRENT AND DELINQUENT TAXES NOW COLLECTED BY THE SHERIFF AND REGISTER OF DEEDS OF ROBESON COUNTY BY THE APPOINTMENT OF A REVENUE AND TAX ASSISTANT TO THE COUNTY MANAGER.

Whereas, under existing laws, current taxes in Robeson County are collected by the sheriff of said county and all delinquent taxes are placed in the office of the register of deeds for collection, which arrangement causes much inconvenience and confusion to the taxpayers; and

Whereas, the office of register of deeds of Robeson County is neither intended nor equipped to make any active effort to collect delinquent taxes, but can and does only receive such taxes as are voluntarily paid; and

Whereas, by the consolidation of these duties in one office the collection of taxes, both current and delinquent, will be facilitated and a substantial saving to the taxpayers will be effected; now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the sheriff and register of deeds of Robeson County be and they are hereby relieved of the duty of collecting any and all taxes, and their duties shall be transferred to the department for the collection of revenue and taxes as hereinafter provided for.

Sec. 2. That a department for the collection of revenue and taxes for Robeson County be and it is hereby created. In order that there may be a more convenient and efficient method for the collection of revenue and taxes, all taxes, current and delinquent, together with all receipts, tax certificates of sale, records, indexes and other things now or which may hereafter be required by law to be kept relating thereto shall be kept in said department.

Sec. 3. That all the powers and duties heretofore vested in and conferred upon the sheriff and register of deeds of Robeson County, either by general, special or local acts, with respect to the collection and settlement for taxes, be and they are hereby vested in and conferred upon the revenue and tax assistant to the county manager, who shall be appointed as hereinafter provided.

Sec. 4. That the board of commissioners of Robeson County be and it is hereby authorized, empowered and directed, as soon as practicable after the ratification of this act, but not later than the first of March, 1933, to appoint a revenue and tax assistant to the county manager, who shall serve at the will of
1933—Chapter 11

said board, and who shall receive such compensation to be fixed either on a salary or commission basis, as the board may determine, and he shall be subject to removal without cause at the discretion of said board.

The board of commissioners is hereby authorized to employ such assistants to the aforesaid revenue and tax assistant to the county manager as in its opinion may be necessary and to determine their compensation.

Sec. 5. That before the board of commissioners of Robeson County shall turn over to the revenue and tax assistant the tax receipts, certificates of sale, etc., as herein provided, he shall be required to render unto the board a bond in the penal sum of not less than twenty-five thousand and no/100 ($25,000) dollars, conditioned upon his collecting, turning over and accounting for all county, local and other taxes according to law, with some surety company authorized to do business in North Carolina as surety.

That all general laws relating to sheriffs and other tax collecting officers shall apply to the revenue and tax assistant to the county manager provided for in this act, and in addition thereto the revenue reports, and perform any other duties relating to the collection of taxes as may be imposed upon him by the board of commissioners of Robeson County.

The records of the revenue and tax assistant shall be audited and a settlement had for all taxes in his hands at least once a year, and the new tax books for the year 1933 and thereafter shall not be turned over to him unless and until he has settled for all taxes theretofore turned over to him.

Sec. 6. That immediately upon the ratification of this act, and not later than March first, 1933, the board of commissioners of Robeson County shall arrange for a settlement with the sheriff and register of deeds of Robeson County for all taxes and tax sale certificates respectively charged against them, and upon settlement, all taxes, current and delinquent, together with all records, indexes and equipment now used in connection therewith shall be turned over to the revenue and tax assistant to the county manager to be appointed under the authority to this act, and the sheriff and register of deeds shall be relieved of any further responsibility in regard thereto.

Sec. 7. That all laws and clauses of laws in conflict herewith, to the extent of the conflict, are hereby repealed.

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

Ratified this the 30th day of January, A.D. 1933.
H. B. 258

CHAPTER 12

AN ACT TO AUTHORIZE, EMPOWER, AND DIRECT THE SHERIFF AND/OR TAX COLLECTOR OF CUMBERLAND COUNTY TO ACCEPT COUNTY VOUCHERS IN PAYMENT OF TAXES.

The General Assembly of North Carolina do enact:

SECTION 1. That the sheriff and/or tax collector of current or back taxes of Cumberland County be and he is hereby authorized, empowered, and directed to accept in payment of all taxes due said county vouchers issued by the county of Cumberland under the authority of the board of commissioners of said county when said vouchers are so issued in satisfaction and settlement of the obligations of said county for services rendered to or purchases made by it, and the said vouchers so accepted by said sheriff and/or tax collector shall be included in and accepted by the said board of commissioners of Cumberland County in any settlement of taxes submitted and made by said sheriff and/or tax collector.

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

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

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

H. B. 27

CHAPTER 13

AN ACT TO ESTABLISH A LAW LIBRARY IN HAYWOOD COUNTY.

Whereas in the new courthouse of Haywood County there has been set apart a room for a law library in accordance with the original designs for said courthouse; and

Whereas a law library is deemed a necessity for the use of the officials of Haywood County and of the courts held in said county; and

Whereas it is desired to provide for the proper equipment, books and records necessary and requisite and for the proper support and maintenance of said library; now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the chairman of the board of county commissioners, the clerk of the Superior Court, and the president of the Bar Association of Haywood County and their successors
in office, be and they are hereby constituted the custodian of all books, supplies, equipment and furniture of the law library which shall be kept and maintained for the county of Haywood and the use of the officials of said county and the courts held therein.

SEC. 2. All books, equipment, supplies and furniture of said library shall be the property of the county of Haywood, and the said county is authorized and empowered to hold said property and to add thereto from time to time by gift, donation, purchase or otherwise, such books, records, equipment and furniture as may be deemed reasonably necessary and proper for the use of said officials and courts.

SEC. 3. The clerk of the Superior Court of Haywood County shall be and he is hereby constituted to act as librarian of said library without compensation. It shall be the duty of said librarian to keep said library room open during such hours as may be fixed by the custodian hereinafter provided for, and shall obey all rules and regulations which may be prescribed for the government and management of the said library.

SEC. 4. In order to provide a fund for the extension, maintenance and support of the said library the sum of one dollar ($1.00) shall be taxed as costs and collected by the clerk of the Superior Court in each and every case tried and disposed of in the Superior Courts of Haywood County after the ratification of this act, except in cases in which said county is adjudged to pay all costs, and shall be set apart in a fund to be known and designated as a library fund, and said fund shall be deposited by the clerk of the Superior Court in a bank designated for that purpose, and shall be used solely for the purpose of the extension, maintenance and operation of the said library.

SEC. 5. That it shall also be the duty of the judge of the police court of the town of Canton, the judge of the police court of the town of Clyde, and the mayor of the town of Waynesville, in Haywood County, to collect from the defendant in each and every case finally disposed of in their respective courts in which the Superior Court originally had jurisdiction the sum of one dollar ($1.00), which amount shall be immediately paid over to the clerk of the Superior Court of Haywood County to supplement the aforesaid library fund, and which shall be expended in the way and manner provided in this act.

SEC. 6. That from the funds so collected from time to time as provided in sections six and seven of this act it shall be the duty of the clerk of the Superior Court of Haywood County to purchase and pay for such volumes and sets of books as shall be recommended and agreed upon from time to time by the chairman of the board of commissioners of Haywood County, the clerk of the Superior Court of said county, and a committee
to be appointed annually by the Haywood County Bar Association. All checks on said account shall be drawn and signed by the clerk of the Superior Court of Haywood County, and it shall be the duty of the said clerk to keep a correct account of all receipts and disbursements in connection with said library fund.

Sec. 7. That all laws and clauses of laws in conflict herewith regarding the disposition of costs received by the office of the clerk of the Superior Court of Haywood County are hereby repealed.

Sec. 8. That this act shall be in force and effect from and after the date of its ratification.

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

S. B. 126

CHAPTER 14

AN ACT TO AUTHORIZE COUNTY COMMISSIONERS OF CLAY COUNTY, TOWN COUNCIL OF THE TOWN OF HAYESVILLE, NORTH CAROLINA, AND W. L. MATHESON, EX-CLERK CLAY COUNTY SUPERIOR COURT, TO WRITE OFF THEIR DEPOSITS AN EQUAL AMOUNT TO ALL OTHER DEPOSITORS OF THE CLAY COUNTY BANK.

Whereas Clay County Bank closed November 20, 1930, reopened February 14, 1931, under agreement by which all depositors wrote off 25% of their original deposits except county of Clay, town of Hayesville and W. L. Matheson, ex-clerk Clay County Superior Court, North Carolina, all of which were to receive their deposits in three equal installments due 12, 18 and 24 months from date reopened; and

Whereas county of Clay, town of Hayesville and W. L. Matheson, ex-clerk Clay County Superior Court, have received 53 1/3% of their original deposit and the other depositors 40% of their original deposit since the reopening of the Clay County Bank, the time for payment of the second and third dividend having been extended to February 14, 1933, and February 14, 1934, respectively; and

Whereas the failure of said bank to meet said payments without the authority of the county, town and clerk to write off of their original deposit an amount equal to that written off by all other depositors will mean the closing of the Clay County Bank, leaving the county of Clay without banking facilities, with great loss to the county of Clay, town of Hayesville, ex-clerk Superior Court, taxpayers, general depositors, stockholders of the Clay County Bank, all of whom are residents and citizens of Clay County; and
Whereas the authority and power given to the county of Clay, town of Haynesville and W. L. Matheson, ex-clerk Superior Court, to write off 25% of their original deposit, an amount equal to that written off by all other depositors, would possibly enable the Clay County Bank to pay 75% to all depositors, minimize the loss of public funds and all depositors of Clay County; and

Whereas such action would be for the best interest of the county of Clay, town of Haynesville, ex-Clerk Superior Court in enabling said bodies to be paid as large dividends as possible, which would be for the best interest of the people of Clay County as a whole; now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Clay County, the town council of the town of Haynesville, North Carolina, and W. L. Matheson, ex-clerk of the Superior Court of Clay County, North Carolina, be and they are hereby fully authorized and empowered to make and enter into a contract with the Clay County Bank, its directors and stockholders, to write off and assign to the Clay County Bank twenty-five (25%) per cent of their original deposits, a like amount that has already been written off by all other depositors, under the same conditions that other depositors have agreed to, with the stipulation that in the event the Clay County Bank should pay all depositors 75% of their original deposit and continue to operate that after paying necessary expenses the said Clay County Bank will pay to all depositors pro rata all collections made upon old notes and judgments or other security held by the Clay County Bank as assets when it closed November 20, 1930, with the approval of the Banking Commission of North Carolina.

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

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

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

Ratified this the 30th day of January, A.D. 1933.
CHAPTER 15

AN ACT TO AUTHORIZE, EMPOWER, AND DIRECT THE SHERIFF AND/OR TAX COLLECTOR OF CUMBERLAND COUNTY TO ACCEPT COUNTY VOUCHERS IN PAYMENT OF TAXES.

The General Assembly of North Carolina do enact:

Section 1. That the sheriff and/or tax collector of current or back taxes of Cumberland County be and he is hereby authorized, empowered, and directed to accept in payment of all taxes due said county vouchers issued by the county of Cumberland under the authority of the board of commissioners of said county, when said vouchers are so issued in satisfaction and settlement of the obligations of said county for services rendered to or purchases made by it, and the said vouchers so accepted by said sheriff and/or tax collector shall be included in and accepted by the said board of commissioners of Cumberland County in any settlement of taxes submitted and made by said sheriff and/or tax collector.

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

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

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

S. B. 146

CHAPTER 16

AN ACT TO AMEND CHAPTER TWENTY-FIVE OF PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND TWENTY-NINE RELATING TO THE OFFICE OF AUDITOR OF RUTHERFORD COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section one, chapter twenty-five, Public-Local Laws one thousand nine hundred and twenty-nine, be amended by striking out, in lines three and four, the words, “together with the Board of Education” and by striking out the word “boards” in line nine and inserting in lieu thereof the word “board.”

Sec. 2. That section three of said chapter be stricken out and the following inserted in lieu thereof:

“Sec. 3. That the Auditor thus appointed shall be paid an annual salary of two thousand dollars ($2,000.00) payable monthly out of the general county fund of said county, the same
to be compensation in full for all services performed by him; provided that if, at the end of one year from date of ratification of this act, economic conditions should be changed, the Board of County Commissioners shall have the authority to increase or diminish his salary by not more than twenty-five per cent of the amount as herein fixed."

Sec. 3. That this act shall be in full force and effect from and after its ratification.
Ratified this the 1st day of February, A.D. 1933.

S. B. 155

CHAPTER 17

AN ACT TO PROVIDE FOR THE FILLING OF VACANCIES OCCURRING IN THE BOARD OF COUNTY COMMISSIONERS OF RANDOLPH COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That in case of vacancy occurring in the Board of County Commissioners of Randolph County, the Clerk of the Superior Court, the chairman of the Board of Commissioners and the Register of Deeds for the county shall appoint for said office for the unexpired term.

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

Sec. 3. This act shall apply only to Randolph County.

Sec. 4. This act shall be in full force and effect from the date of its ratification.
Ratified this the 2nd day of February, A.D. 1933.

S. B. 154

CHAPTER 18

AN ACT TO VALIDATE THE OFFICIAL ACTS OF MISS MARGARET CARPENTER, A NOTARY PUBLIC OF CATAWBA COUNTY.

Whereas Miss Margaret Carpenter, a Notary Public of Catawba County, at the time of her appointment was under twenty-one years of age, and performed acts of her office before she became twenty-one years of age; now, therefore,

The General Assembly of North Carolina do enact:

Section 1. That each and all of the official acts of the said Miss Margaret Carpenter, a Notary Public of Catawba County,
done and had by her before reaching the age of twenty-one years of age, be and the same are hereby in all respects validated.

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

Ratified this the 2nd day of February, A.D. 1933.

H. B. 21

CHAPTER 19

AN ACT TO VALIDATE CERTAIN CONVEYANCES EXECUTED IN SURRY COUNTY, PRIOR TO JANUARY 1, 1933.

The General Assembly of North Carolina do enact:

SECTION 1. That all conveyances of lands and/or personal property, executed prior to January first, one thousand nine hundred thirty-three, and admitted to record upon acknowledgement and probate had and by the Clerk ordered to be registered, but wherein such conveyances, though duly signed and acknowledged by the grantors, do not bear either on the instrument itself or on the record the seal or seals of said grantors, but said instruments recite or set forth in substance the following:

"In testimony whereof the grantors (named) have hereunto set or affixed their hands and seals;" shall nevertheless be valid and in full force and such execution and registration are hereby validated.

Sec. 2. That this act shall apply to the execution of mortgages and deeds of trust only.

Sec. 3. That this act shall not affect pending suits, commenced heretofore, which suits question the validity of such conveyances.

Sec. 4. That this act shall apply to Surry County only.

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 2nd day of February, A.D. 1933.
S. B. 7

CHAPTER 20

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A CIVIL SERVICE BOARD FOR THE RURAL POLICEMEN OF MECKLENBURG COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That there is hereby created a Civil Service Board for the County of Mecklenburg, to consist of three members, to be appointed by the Board of County Commissioners of Mecklenburg County, upon expiration of terms of members respectively appointed by this act.

SEC. 2. That the members of the said Civil Service Board shall possess the qualifications of a voter of Mecklenburg County, North Carolina, and shall take an oath (or affirmation) for the faithful discharge of the duties of their office. The members of said Board shall be subject to removal from office by said Board of County Commissioners of Mecklenburg County, upon proof duly submitted by affidavit of malfeasance in office or neglect of duty, or any violation of the laws of North Carolina.

SEC. 3. That said Civil Service Board shall have control over the employees or members of the Rural Police Department of the County of Mecklenburg, in that, it shall make all necessary rules and regulations for improving and regulating said Department, established and fix requirements of applicants for employment therein, and make all such general rules and regulations for requirements of applicants, conduct and service of employees, and make all other such reasonable rules and regulations concerning said Department as it may consider advisable, said rules and regulations shall be printed and made available for public inspection and use of employees and applicants for employment in said Department.

SEC. 4. That all applicants for positions as members of the Rural Police Force of Mecklenburg County shall be subject to an examination by said Civil Service Board, which examination shall be competitive and free to all white persons qualified to vote in Mecklenburg County and meeting the requirements of said Civil Service Board, and subject to reasonable limitations as to residence, age, health, moral character and general reputation, which said examinations shall be practical in their character and shall relate to those matters which will fairly test the relative capacity of the person examined for the discharge of the duties of the position to which they seek to be appointed, and shall include tests of physical qualifications and health, but no applicant shall be examined concerning his political or religious opinions or affiliations; provided, however, that this section shall not apply to the present Desk Sergeant, Mrs. Lizzie J. Killian.
Sec. 5. That notice of the time and place of every examination shall be given by the Civil Service Board by publication daily for one week immediately preceding such examination, in a newspaper published in Mecklenburg County, State of North Carolina, and such notice shall be posted in a conspicuous place in the office of said Civil Service Board for at least two weeks preceding such examination.

Sec. 6. That said Board shall prepare and keep a register of persons successfully passing said examination, graded according to their respective showing upon said examinations, which said register shall determine the appointments to be made in said Department under the rules and regulations established by said Civil Service Board.

Sec. 7. That all promotions of said Rural Police Department in Mecklenburg County shall be by the Chief, by and with the approval of said Civil Service Board. Said Chief may be removed from office by the Civil Service Board for malfeasance in office, drunkenness or dishonesty, or for failure to obey the orders duly issued to him by the chairman of the Board of Commissioners, of said Civil Service.

Sec. 8. That no officer or employee of said Rural Police Department of Mecklenburg County shall take any part in any election or political function other than that of exercising his rights to vote, and any officer of said Department convicted of violating this provision shall be summarily dismissed from said service of said Department.

Sec. 9. That said Civil Service Board, together with the Chief of said Department, shall make an annual report of its actions for the preceding year, including the rules and regulations in force, and may include in said report the opinion of said Civil Service Board, or the recommendation of the Chief of said Department, as to the practical effects of the rules, plan or system in use, together with suggestions for improvement of said Department, which report shall be kept in the files of said Civil Service Board, and a copy delivered to the foreman and members of the Grand Jury of Mecklenburg County.

Sec. 10. That the said Civil Service Board shall have the authority to elect from its members a permanent secretary, who shall hold office for one year, subject to re-election upon the approval of the Civil Service Board. Said secretary so elected shall keep the minutes of its proceedings, and shall be custodian of all papers pertaining to the business of said Civil Service Board, keep a record of all examinations held, and shall perform such duties as said Civil Service Board shall prescribe, without compensation.

Sec. 11. That the chairman and members of the County Board of Commissioners shall provide suitable rooms for said Civil
Service Board, and shall allow such reasonable use of public buildings for holding examinations by said Civil Service Board as may be necessary.

SEC. 12. That the members of said Civil Service Board shall serve without pay or remuneration of whatever kind or nature.

SEC. 13. That the Chief of Police of the Rural Police Department shall be elected by said Civil Service Board, and shall receive a salary not in excess of One Hundred and Seventy-five ($175.00) Dollars per month to be paid by the treasurer of Mecklenburg County, upon order from said board on the 1st and 15th of each and every month. The chief and present members of said Rural Police Force shall remain in office until removed, as provided in this act.

SEC. 14. That the desk sergeant of said department shall be paid a salary not exceeding One Hundred and Twenty-five ($125.00) Dollars per month, and that the private members of said department shall have a salary not greater than One Hundred and Thirty ($130.00) Dollars per month upon warrant issued by the chairman of the commissioners hereinafter named, and upon the treasurer of Mecklenburg County.

SEC. 15. Nothing in the act shall prohibit said Board from electing as a member of the department any former member, who has served in said department, whose character and general reputation is above reproach; provided, he has not reached the age of over forty-five years.

SEC. 16. That an appeal may be taken from any order or decree of said board by any person interested or affected thereby to the Superior Court of Mecklenburg County; provided, such person will file with the secretary of said Civil Service Board a bond with sufficient surety in the sum of Two Hundred ($200.00) Dollars, conditioned that he will pay the costs of such appeal in the event said costs should be adjudged against him, and pay to the secretary of said board the sum of One ($1.00) Dollar for entering an appeal to the Superior Court within ten days after the entry of such order or decree appealed from. And upon appeal the secretary shall forthwith transmit to the Superior Court a complete transcript of all matters and proceedings concerning the order or decree appealed from, together with the appeal bond and fee. The trial in the Superior Court shall be "de novo" and the said Court shall give precedence to such cases over all matters not affecting public interest.

SEC. 17. That one member of said Civil Service Board shall be a resident of the City of Charlotte, Charlotte Township, Mecklenburg County. And R. N. Hood is hereby appointed, as herein provided for, to serve until the first day of December, 1936. That the other two members of said Civil Service Board shall be residents of Mecklenburg County, outside of the City of Charlotte,
Charlotte Township; and that R. J. Downs and W. B. Bingham are hereby appointed for a term of two years, and are to hold said office until their successors are duly elected and qualified.

Sec. 18. That it is further provided that any member of the commission may be removed by the said Board of County Commissioners for malfeasance in office, neglect of duty, or failure to discharge the duties of their office.

Sec. 19. That it is further provided that any member of the commission may be removed by the said Board of County Commissioners for malfeasance in office, neglect of duty, or failure to discharge the duties of their office.

Sec. 20. That nothing in this act shall be construed to prevent said commissioners, upon requisition upon the Board of Commissioners, from furnishing to said chief and members of the department means of transportation either by automobile or motorcycle, or other equipment, necessary to the duties of their office; and further, nothing shall prevent said commissioners from furnishing said chief of the department the old Mecklenburg County jail as a home and residence.

Sec. 21. That all laws and clauses of laws in conflict herewith are hereby repealed.

Sec. 22. That this act shall be in full force and effect from and after March 4, 1933.

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

S. B. 62  
CHAPTER 21

AN ACT TO AMEND CHAPTER 697 OF THE PUBLIC-LOCAL LAWS OF 1913, RELATING TO THE TERM OF OFFICE OF THE JUDGE OF THE COUNTY COURT OF WAYNE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That chapter 697 of the Public-Local Laws of one thousand nine hundred and thirteen, entitled, “An Act to Establish an Inferior Court for Wayne County,” be and the same hereby is amended as follows: in line six, section two of said act, strike out the word “two” and insert in lieu thereof the word “four.”

Sec. 2. This act shall be in force from and after the next general election to be held in Wayne County in one thousand nine hundred and thirty-four.

Ratified this the 3rd day of February, A.D. 1933.
H. B. 32

CHAPTER 22

AN ACT RELATING TO THE SUPERINTENDENT OF THE COUNTY CONVICT FARM OF HERTFORD COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the County Commissioners or the governing body of Hertford County may, in their discretion, appoint a member of said board to serve as superintendent of the county convict farm at a salary not to exceed one hundred dollars per annum.

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

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

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

H. B. 232

CHAPTER 23

AN ACT TO REPEAL CHAPTER 398 OF THE PUBLIC-LOCAL LAWS OF 1931, RELATIVE TO THE HOLDING OF ELECTIONS IN CASWELL COUNTY.

Whereas, it appears that the administration of chapter three hundred and ninety-eight of the Public-Local Laws of one thousand nine hundred and thirty-one allowing the use of school houses in Caswell County for holding primary and general elections seriously interferes with the conduct of the schools, now, therefore,

The General Assembly of North Carolina do enact:

Section 1. That chapter three hundred and ninety-eight of the Public-Local Laws of one thousand nine hundred and thirty-one be and the same is hereby repealed.

Sec. 2. That hereafter all primary and general elections for Caswell County shall be held at the polling places where the elections were formerly held prior to the enactment of chapter three hundred and ninety-eight, Public-Local Laws, one thousand nine hundred and thirty-one unless changed by the Board of Elections as provided by the general election law.

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

Ratified this the 3rd day of February, A.D. 1933.
CHAPTER 24

AN ACT TO REPEAL CHAPTER THREE HUNDRED AND FIFTY-SEVEN OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND TWENTY-SEVEN, RELATING TO THE JURY COMMISSION OF TRANSYLVANIA COUNTY AND PROVIDING THAT NONPAYMENT OF TAXES SHALL NOT PREVENT SERVICE ON JURY IN SAID COUNTY.

The General Assembly of North Carolina do enact:

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

SEC. 2. That the county commissioners of Transylvania County are hereby authorized and empowered, as soon as they deem practicable after the ratification of this act, to revise the jury list of said county by drawing a jury list from the male citizens of the county in the manner now provided for the biennial drawing and preparation of said jury list: Provided, that the nonpayment of taxes for the preceding year or years shall not prevent such person, if otherwise eligible, from serving on any jury drawn from the present or future jury lists in Transylvania County.

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

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

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

S. B. 101

CHAPTER 25

AN ACT TO VALIDATE THE OFFICIAL ACTS OF GEORGE W. HARDISON, A NOTARY PUBLIC OF WASHINGTON COUNTY.

Whereas George W. Hardison, during the term of his commission as a notary public, was elected a member of the board of county commissioners of Washington County, and qualified as such on the first Monday in December, 1930, but continued to act as a notary public until September 3, 1931; therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That each and every act of George W. Hardison, a notary public of Washington County, North Carolina, done and performed by him in his said capacity as a notary public...
between the dates of December 1, 1930, and September 3, 1931, inclusive, be and the same hereby are validated in all respects: Provided, this act shall not affect pending litigation.

Sec. 2. That this act shall be in full force and effect from and after its ratification.
Ratified this the 8th day of February, A.D. 1933.

H. B. 159

CHAPTER 26

AN ACT TO REPEAL CHAPTER 430 OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-ONE, RELATING TO TAX COMMISSION IN YANCEY COUNTY.

The General Assembly of North Carolina do enact:

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

Sec. 2. That this act shall be in full force and effect from and after its ratification.
Ratified this the 8th day of February, A.D. 1933.

H. B. 178

CHAPTER 27

AN ACT TO PROVIDE FOR THE BETTER COLLECTION OF DOG AND POLL TAXES IN CURRITUCK COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Currituck County may, if they deem it advisable and to the best interest of the county, appoint some capable person to collect the dog tax of said county, the unpaid poll tax and any other unpaid taxes of said county they desire to place in his hands. The said collector shall give a bond to be approved by the board, and shall have power to levy for the collection of dog and poll taxes on any property, regardless of any exemptions now provided for by the statutes.

Sec. 2. That the compensation for the services rendered herein by the said collector shall be in the discretion of the board of county commissioners.

Sec. 3. That this act shall be in full force and effect from and after its ratification.
Ratified this the 8th day of February, A.D. 1933.
H. B. 182

CHAPTER 28

AN ACT TO LIMIT THE LIABILITY OF CLEVELAND COUNTY FOR COURT COSTS.

The General Assembly of North Carolina do enact:

SECTION 1. That in all criminal actions heard or disposed of in any of the courts of Cleveland County the county shall in no event become liable for or be taxed with more than one-half of the costs in said action; and that all officers, witnesses, and other persons entitled to fees in said action or actions shall not be entitled to receive from the county more than one-half their lawful fees: Provided, however, that said one-half fees shall not be paid until after they have been audited and approved by the county commissioners.

SEC. 2. That the commissioners of Cleveland County shall have the right to refuse to pay any fee or fees to any officer or other person who receives a salary from the State, the county, or from any city or town in 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 and effect from and after its ratification.

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

H. B. 195

CHAPTER 29

AN ACT TO AMEND CHAPTER 212, PUBLIC-LOCAL LAWS OF 1929, RELATING TO BOND OF TAX COLLECTOR IN HAYWOOD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section four, chapter two hundred and twelve, Public-Local Laws of one thousand nine hundred and twenty-nine, be and the same is hereby amended by striking out the period following the word "Carolina" in line five and inserting a comma, and by adding thereto the following: "or the commissioners of Haywood County may, in their discretion, accept in lieu of said surety company bond bonds of the county of Haywood or the State 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 full force and effect from and after its ratification.

Ratified this the 8th day of February, A.D. 1933.
CHAPTER 30

AN ACT TO AMEND CHAPTER 279, PUBLIC-LOCAL LAWS OF 1929, RELATIVE TO THE COLLECTION OF TAXES IN TRANSYLVANIA COUNTY.

The General Assembly of North Carolina do enact:

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

SEC. 2. That the acts and resolutions of the board of commissioners of Transylvania County which were passed and adopted at the meeting of said commissioners on the first Monday in December, one thousand nine hundred thirty-two, and the adjourned meetings thereof, relative to accepting the resignation of T. S. Wood as tax collector of Transylvania County, be and the same are hereby validated, approved and ratified.

SEC. 3. That the acts and resolutions of the board of commissioners of Transylvania County passed and adopted at the said meeting of said commissioners on the first Monday in December, one thousand nine hundred thirty-two, and adjourned meetings thereof, accepting the resignation of O. L. Erwin as treasurer of Transylvania County and abolishing the office of said treasurer for said county, be and the same are hereby validated, approved and ratified.

SEC. 4. That the acts and resolutions of the board of commissioners of Transylvania County as passed and adopted at the regular meeting of said commissioners on the first Monday in December, one thousand nine hundred thirty-two, and adjourned meetings thereof, describing and regulating the duties of the tax collector of Transylvania County and also of the county accountant of Transylvania County relative to the collection, depositing, checking and accounting for all taxes and other moneys belonging to said county, are hereby validated, approved and ratified.

SEC. 5. That the commissioners of Transylvania County are authorized and empowered to accept personal bonds from the tax collector and sheriff of Transylvania County in lieu of bonds made by a bonding company or a corporation: Provided, that said personal bonds be justified by the makers thereof in an amount equal to twice the total penalty of each of said bonds.

SEC. 6. That in the event a vacancy should occur in the office of the said sheriff of Transylvania County or in the office of tax collector of said county by death, resignation or otherwise, the Governor is hereby authorized and directed to fill such vacancy by appointment for the unexpired term of each office as may become vacant.
Sec. 7. All laws and clauses of laws in conflict or inconsistent 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 8th day of February, A.D. 1933.

H. B. 105

CHAPTER 31

AN ACT TO AMEND CHAPTER FOUR HUNDRED AND SIXTY-THREE OF THE PUBLIC-LOCAL LAWS, ONE THOUSAND NINE HUNDRED AND THIRTY-ONE, RELATING TO THE SALARY OF THE AUDITOR OF CLEVELAND COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section five of chapter four hundred and sixty-three of the Public-Local Laws of one thousand nine hundred and thirty-one, be and the same is hereby amended by striking out in lines two and three of said section the words and figures "three thousand ($3,000.00) dollars per annum" and inserting in lieu thereof the words and figures "not more than eighteen hundred ($1,800.00) dollars per annum, to be fixed by the county commissioners."

Sec. 2. That section six of said chapter be and the same is hereby repealed and the following inserted in lieu thereof:

"Sec. 6. That the county auditor shall be elected by the Board of County Commissioners to serve until the first Monday in December, one thousand nine hundred and thirty-four, when his successor shall in like manner be elected by said board for a term of two years."

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

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

Ratified this the 9th day of February, A.D. 1933.
S. B. 162  \hspace{1cm} \textbf{CHAPTER\ 32}

AN ACT TO VALIDATE THE ACTS OF A. L. WOOLARD PERFORMED BY HIM AS JUSTICE OF THE PEACE, SINCE APRIL SEVEN, ONE THOUSAND NINE HUNDRED AND THIRTY-ONE, AND TO APPOINT SAID A. L. WOOLARD A JUSTICE OF THE PEACE FOR CAROLINA TOWNSHIP, PITTS COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That each and all of the official acts of A. L. Woolard performed by him as justice of the peace after the expiration of his term of office on April seven, one thousand nine hundred and thirty-one, including all judgments rendered, probates taken, marriages performed, and any and all other acts whatsoever, be and the same are hereby in all respects validated.

Sec. 2. That A. L. Woolard be and he is hereby appointed a Justice of the Peace for Carolina Township, Pitt County, for a term of six years.

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

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

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

S. B. 189  \hspace{1cm} \textbf{CHAPTER\ 33}

AN ACT FIXING THE SALARIES AND CERTAIN PROCEDURE WITH RESPECT TO THE RECORDER’S COURT OF RUTHERFORD COUNTY, AND APPOINTMENT OF RECORDER AND ELECTION OF SOLICITOR.

The General Assembly of North Carolina do enact:

SECTION 1. That upon the expiration of the term of the present recorder of the Recorder’s Court of Rutherford County, the judge or recorder of said court shall be appointed by the resident Superior Court Judge of the Judicial District of which Rutherford County forms a part, and shall hold his office for a term of two years, or until his successor shall be appointed and qualifies. That all vacancies in said office, either occurring by death, resignation or otherwise shall be filled by appointment in like manner by the resident Superior Court Judge of said Judicial District. That upon request of the recorder so appointed, said resident Superior Court Judge may appoint a recorder pro tem., who in the absence of and at the request of the regular recorder
shall perform the duties of said office. That the county shall not be liable to the recorder pro tem. for any compensation, but shall only be liable for the salary hereinafter provided.

Sec. 2. That the solicitor or prosecuting attorney of the recorder's court of Rutherford County shall be elected by the qualified voters of said county at the general election to be held on Tuesday after the first Monday of November, nineteen hundred and thirty-four, and biennially thereafter, and shall hold his office for a term of two years or until his successor is elected and qualified. That vacancies occurring in the office of solicitor shall be filled by appointment of the judge or recorder of said court, and such appointees shall hold office until the next regular election.

Sec. 3. That the salary of the judge or recorder of the recorder's court of Rutherford County shall be fifteen hundred dollars ($1500.00) annually, payable monthly; and that the salary of the solicitor or prosecuting attorney in said court shall be twelve hundred dollars ($1200.00) annually, payable monthly, both salaries of recorder and solicitor to be paid out of the general fund of said Rutherford County; provided, the board of commissioners of Rutherford County shall have the authority to increase said salaries at any time, in their discretion, but such increase or increases shall not exceed twenty-five per cent (25%) of the amounts hereinbefore fixed, said increases, when and if fixed by said commissioners, to go into effect on the first day of the month next subsequent after such action has been taken by said commissioners.

Sec. 4. That in all cases in the said recorder's court of Rutherford County, wherein a defendant is convicted, a solicitor's fee of two dollars ($2.00) shall be taxed as a part of the costs against said defendant so convicted, which said fee shall be in lieu of fees heretofore authorized, the said fees when so collected shall be turned into and become a part of the general fund of Rutherford County.

Sec. 5. That whenever a defendant in said recorder's court of Rutherford County is convicted and sentenced to pay a fine and/or costs, the said person so convicted shall be allowed to take the insolvent debtor's oath before the judge or recorder of said court at any time and without giving notice thereof; and said judge or recorder is authorized and empowered to immediately discharge said defendant when satisfied that said defendant owns no property and is unable to pay said fine and/or costs; provided the County of Rutherford shall not be liable for any part of such costs.

Sec. 6. No defendant convicted on a criminal charge in the recorder's court of Rutherford County shall be sentenced to work
at the county home, except upon request of the chairman of the Board of County Commissioners of said County, or the superintendent of said county home.

SEC. 7. That no witness shall be permitted to prove and/or charge witness fees or mileage in more than one case in any one day; nor shall more than two witnesses for the State be allowed to prove attendance in any one case, unless the Judge or Recorder certifies that the number of witnesses so proving were necessary in order for the State to properly present the prosecution.

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

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

Ratified this 10th day of February, A.D. 1933.

H. B. 63

CHAPTER 34

AN ACT TO PLACE THE SHERIFF AND TAX COLLECTOR OF THE COUNTY OF SWAIN UPON A COMMISSION BASIS AND TO PLACE THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SWAIN UPON A PER DIEM.

The General Assembly of North Carolina do enact:

SECTION 1. That the sheriff of Swain County shall receive the fees of his office as sheriff, and the sheriff as tax collector shall receive, in lieu of the salary now in effect, the following commissions on taxes collected: on the first fifty thousand dollars ($50,000.00) collected the sheriff shall receive two per cent and on the second fifty thousand dollars ($50,000.00) collected, the sheriff shall receive three per cent; and the sheriff shall receive three and one-half per cent on all collections made and turned in, in excess of the one hundred thousand ($100,000.00) dollars. It is expressly stipulated that this act shall mean all moneys collected by him and turned into the county treasurer and it is further stipulated, on all tax sales wherein the county is the purchaser there shall be no commission paid.

SEC. 2. That this act in so far as it affects the salary of the sheriff and tax collector shall take effect from the first of December, one thousand nine hundred thirty-three, but shall not have the effect of depriving the said sheriff and tax collector from receiving the full commissions provided for in this act for all taxes collected from the tax levies and from the tax books which shall be placed in his hands as tax collector for the year of one thousand nine hundred thirty-three.
Sec. 3. That the sheriff and tax collector shall not be allowed credit on any tax returns or on account of the insolvency of the taxpayer until and unless he shall file with the board of county commissioners, under oath, that he has personally made an effort to secure the payment of the said insolvent and uncollected tax receipts and has been unable to find sufficient personal property with which to settle same.

Sec. 4. That the chairman of the board of county commissioners shall be paid for his services as such chairman, the sum of five dollars per day for not more than twenty days in any one month. The chairman of the board of county commissioners shall be allowed actual traveling expenses when engaged in official county business. He shall file with the clerk of county commissioners a verified statement of his expenses before the voucher shall be issued.

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

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

H. B. 180   CHAPTER 35
AN ACT TO REPEAL CHAPTER TWENTY-THREE PUBLIC-LOCAL LAWS, EXTRA SESSION, 1924, RELATING TO RURAL POLICEMEN IN CURRITUCK COUNTY.

The General Assembly of North Carolina do enact:

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

Sec. 2. That statutory fees be allowed each deputy sheriff in Currituck County for process work rendered by him, and he shall be allowed a fee of five dollars in each case of arrest to be taxed in the bill of costs, where there is a conviction in which the warrant was sworn out by him of his own knowledge; provided, such additional fee does not apply to any deputy sheriff being paid a salary.

Sec. 3. That no officer or other person in Currituck County shall hereafter be entitled to receive any compensation for the capture and/or destruction of any illicit still in said county from the County General Funds; Provided, that if any still is junked, and sale made of such junk; and the proceeds arising from said
Conflicting laws repealed.

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

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

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

H. B. 428

CHAPTER 36

AN ACT TO FILL TWO VACANCIES ON THE BOARD OF LEAKSVILLE TOWNSHIP RAILROAD TRUSTEES.

The General Assembly of North Carolina do enact:

SECTION 1. That W. H. Nelson and Karl Bishopric, both of Spray, Rockingham County, are hereby appointed members of the board of Leavsville Township railroad trustees to fill two vacancies on said board, who will serve with the present members of the said board, viz.: J. K. Wilson, B. K. Terry and C. P. Wall.

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

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

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

S. B. 159

CHAPTER 37

AN ACT TO AUTHORIZE THE ISSUANCE AND SALE OF $110,000.00 REFINDBING BONDS OF THE COUNTY OF WAYNE, TO VALIDATE THE ISSUANCE AND SALE OF $65,000.00 WAYNE COUNTY SCHOOL REFINDBING BONDS.

The General Assembly of North Carolina do enact:

Section 1. That the board of county commissioners of Wayne County is hereby authorized and empowered to issue refunding bonds of the County of Wayne in the principal amount of one hundred and ten thousand dollars, said bonds to be dated January 1, 1933, to bear interest from their date at the rate of four and three-fourths per cent per annum, payable semi-annually on
the first days of July and January, respectively, and maturing as follows:

$10,000.00 on the first day of January, 1936;
$25,000.00 on the first day of January, 1937;
$25,000.00 on the first day of January, 1938;
$25,000.00 on the first day of January, 1939;
$25,000.00 on the first day of January, 1940.

Sec. 2. That the bonds issued under Section One of this act shall be coupon bonds in denominations of $1,000.00 each, with interest and principal thereon payable at Central Hanover Bank and Trust Company, in New York City, and shall contain a provision providing for the registration of any of said bonds by the holder thereof at his option.

Sec. 3. That the board of county commissioners of Wayne County is hereby authorized, empowered and directed to levy annually upon the real and personal property in said Wayne County, in addition to all other taxes authorized by law, a special tax sufficient to pay, as the same fall due, the principal and interest on the bonds authorized by Section One of this act.

Sec. 4. That the board of county commissioners of Wayne County is hereby authorized and empowered to sell the bonds, authorized by Section One of this act, to Northwestern Mutual Life Insurance Company of Milwaukee, Wisconsin, at par and accrued interest and to accept in payment thereof certain bonds and interest coupons of Wayne County, issued on the 1st day of December, 1928, under the provisions of Chapter 215 of the Public-Local Laws of the Extra Session of 1924, and now held by said Northwestern Mutual Life Insurance Company, to wit: Fifty (50) bonds in the denomination of $1,000.00 each, due and payable on the 1st day of December, 1932; fifty (50) bonds in the denomination of $1,000.00 each, due and payable on the 1st day of December, 1933; interest coupons in the amount of $10,687.50, due and payable December 1, 1932. Said bonds and said coupons may be accepted by the board of county commissioners of Wayne County at par and accrued interest and the necessary adjustment made in cash.

Sec. 5. That the issuance of sixty-five (65) Wayne County school refunding bonds in the denomination of $1,000.00 each, dated December 1, 1932, maturing $5,000.00 in each of the years 1933 to 1945, inclusive, bearing interest from their date at the rate of five (5) per cent per annum, payable semi-annually on June 1st and December 1st, respectively, principal and interest payable at Central Hanover Bank and Trust Company, in New York City, and the signature of said bonds by W. E. Ormond, clerk board of county commissioners of Wayne County, and all
proceedings in connection with the issuance of said bonds be, and the same is hereby validated.

Sec. 6. That the sale on January 3, 1933, of the bonds referred to in section 5 of this act to board of trustees of Goldsboro graded schools at par and accrued interest and the delivery of said bonds on January 14, 1933, and the acceptance in payment thereof of the cancellation of an indebtedness in the sum of $65,388.20 due by Wayne County to board of trustees of Goldsboro graded schools (including the indebtedness funded by chapter 178 of the Public-Local Laws of 1931), and all proceedings in connection with the sale and delivery of said bonds be, and the same are hereby, in all respects, ratified, approved and confirmed.

Sec. 7. That the board of county commissioners of Wayne County is hereby authorized and empowered and directed to levy annually upon the real and personal property in said Wayne County, in addition to all other taxes authorized by law, a special tax sufficient to pay, as the same fall due, the principal and interest on the bonds referred to in Section 5 of this act.

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

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

Ratified this the 14th day of February, A.D. 1933.

H. B. 495

CHAPTER 38

AN ACT TO VALIDATE THE ACTS OF THE BOARD OF COUNTY COMMISSIONERS OF MARTIN COUNTY IN POSTPONING THE SALE OF LAND FOR TAXES IN SAID COUNTY.

Whereas, the board of county commissioners of Martin County during the years one thousand nine hundred and twenty-nine, one thousand nine hundred and thirty, one thousand nine hundred and thirty-one and one thousand nine hundred and thirty-two for various reasons postponed the sale of land for taxes; Now, therefore,

The General Assembly of North Carolina do enact:

Section 1. That the action of the board of county commissioners of the county of Martin, in postponing the sale of land for taxes in the year one thousand nine hundred and twenty-nine, one thousand nine hundred and thirty, one thousand nine hundred and thirty-one and one thousand nine hundred and thirty-two, be and the same is hereby in all respects validated.
Sec. 2. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

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

Ratified this the 14th day of February, A.D. 1933.

H. B. 529

CHAPTER 39

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

The General Assembly of North Carolina do enact:

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

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

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

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

S. B. 193

CHAPTER 40

AN ACT TO EMPOWER THE BOARD OF COMMISSIONERS OF BURKE COUNTY TO REDUCE THE SALARIES OF COUNTY OFFICERS.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter Three Hundred and Seventy-One (371) of the Public-Local Laws of the Session of One Thousand Nine Hundred and Thirty-One (1931) be and the same is hereby amended.
amended by striking out section four (4) thereof and by inserting in lieu of said section a new section four (4) reading as follows, namely:

"SECTION 4. The Board of Commissioners of Burke County, in the exercise of their discretion, may reduce the salary or salaries of any or all of the officers of said County fixed by the terms of Chapter Three Hundred and Seventy-One (371) of the Public-Local Laws of the Session of One Thousand Nine Hundred and Thirty-One (1931) or by any other statute to the extent of not exceeding thirty-five per centum of such salary or salaries: Provided, however, that nothing in this act shall be construed to restrict in any wise any power heretofore existing in said Board of Commissioners to reduce the salary of any officer of said County."

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

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

H. B. 288

CHAPTER 41

AN ACT TO REQUIRE THE SHERIFF, AND TAX COLLECTOR, THE CLERK OF THE SUPERIOR COURT, THE REGISTER OF DEEDS, AND THE COUNTY ACCOUNTANT OF SWAIN COUNTY TO GIVE BOND IN SOME SURETY COMPANY DOING BUSINESS IN THE STATE OF NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That the Sheriff and Tax Collector, the Clerk of the Superior Court, the Register of Deeds, and the County Accountant of Swain County, and the Treasurer of the Town of Bryson City, and any other officer of Swain County handling funds belonging to the County of Swain or to the Town of Bryson City, be and they are hereby required to give bond in some surety company doing business in the State of North Carolina, in the several sums required by law.

Sec. 2. That the County of Swain, in the discretion of the Board of County Commissioners, may contribute not more than fifty per centum of the premium or premiums on said bonds; and that the Town of Bryson City, in the discretion of the Board of Aldermen, may contribute not more than fifty per centum of the premium on the bond of the Treasurer of the Town of Bryson City.
Sec. 3. That this act shall apply only to such officers, above named, as may be elected or appointed subsequent to the date of the ratification of this act.

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

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

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

H. B. 291      CHAPTER 42

AN ACT TO AMEND CHAPTER 37 PUBLIC-LOCAL LAWS OF 1931 RELATING TO TAX COLLECTOR FOR BRUNSWICK COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section six, Chapter 37 Public-Local Laws of 1931, be and the same is hereby amended by striking out in line number eleven after the word "accordingly" all of the remaining part of said section and inserting in lieu thereof the following: That the Tax Collector of Brunswick County shall receive an annual salary of not less than fifteen hundred dollars and not more than eighteen hundred dollars in the discretion of the Board of County Commissioners, same to be paid in equal monthly installments. Said Tax Collector shall also be paid for such clerical assistance as may be necessary in preparing advertising lists, land sale certificates, indexing land sale certificates and such other work as may be necessary and incident to effecting a settlement, not to exceed the sum of three hundred dollars, to be approved by the Board of County Commissioners, and the amounts hereinafter provided shall be in lieu of all fees or remuneration now allowed by law to Tax Collectors and Sheriffs.

Sec. 2. That said act be and same is hereby further amended by striking out all of section two and by adding to section three after the word "installments" in line three the following: In lieu of all other fees, emoluments and remuneration, except for the performance of such duties as may be required by law to be performed outside of Brunswick County, and all civil actions except such as wherein Brunswick County is a party plaintiff or defendant.

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 16th day of February, A.D. 1933.
CHAPTER 43

AN ACT TO AMEND CHAPTER 411 PUBLIC-LOCAL LAWS OF 1923 RELATING TO PAYMENT OF PREMIUMS ON BONDS OF OFFICIALS OF BRUNSWICK COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of said act be and the same is hereby amended by striking out all of said section after the word "paid" in line seven of said section and inserting in lieu thereof the following: "by the 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 16th day of February, A.D. 1933.

CHAPTER 44

AN ACT GIVING THE BOARD OF COUNTY COMMISSIONERS OF GASTON COUNTY AUTHORITY TO FIX THE SALARIES OF COUNTY OFFICERS OF GASTON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners of Gaston County be, and it is hereby authorized and empowered, in its discretion, to fix the salaries of the county officers of Gaston County, and the salaries of any deputy or assistant to any officer of Gaston County; and the said Board is further authorized and empowered to employ such clerical help as the Board may, in its discretion, deem necessary in the respective county offices, and to fix the salaries of such clerical help.

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 16th day of February, A.D. 1933.
H. B. 323

CHAPTER 45

AN ACT TO AUTHORIZE, EMPOWER, AND DIRECT THE SHERIFF AND/OR TAX COLLECTOR OF CASWELL COUNTY TO ACCEPT COUNTY VOUCHERS IN PAYMENT OF TAXES.

The General Assembly of North Carolina do enact:

SECTION 1. That the sheriff and/or tax collector of current or back taxes of Caswell County be, and he is hereby authorized, empowered, and directed to accept in payment of all taxes due said county, vouchers issued by the County of Caswell under the authority of the Board of Commissioners of said county, when said vouchers are so issued in satisfaction and settlement of the obligations of said county for services rendered to, or purchases made by it, and jury tickets and the said vouchers, jury tickets, so accepted by said sheriff and/or tax collector shall be included in, and accepted by the said Board of Commissioners of Caswell County, in any settlement of taxes submitted and made by said sheriff and/or tax collector.

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

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

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

H. B. 325

CHAPTER 46

AN ACT TO REPEAL CHAPTER ONE HUNDRED TWELVE OF PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-ONE RELATING TO THE BOND OF COUNTY TREASURER OF CURRITUCK COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred twelve of Public-Local Laws of one thousand nine hundred thirty-one, be and the same is hereby repealed.

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

Ratified this the 16th day of February, A.D. 1933.
H. B. 371    CHAPTER 47
AN ACT TO PROVIDE FURTHER ECONOMY IN COLLECTION
OF DELINQUENT TAXES IN BRUNSWICK COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of Brunswick
County be and they are hereby authorized and shall have power
and authority, in their discretion, to place the duties of the
collector of delinquent taxes upon the collector of current taxes,
County Accountant, Register of Deeds, Clerk of the Superior
Court or any other officer of the county whom they shall desig-
nate, and allow therefor such compensation as to said Board
may seem just and reasonable, and to require such bond or
bonds as said Board may deem necessary, but to be in a sum of
not less than three thousand dollars, said bond to be executed
or signed by some surety company licensed to do business within
the State of North Carolina, as surety, the premium on said
bond or bonds to be paid by the 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 16th day of February, A.D. 1933.

H. B. 373    CHAPTER 48
AN ACT TO AUTHORIZE, EMPOWER, AND DIRECT THE
SHERIFF AND/OR TAX COLLECTOR OF JONES COUNTY
TO ACCEPT COUNTY VOUCHERS IN PAYMENT OF TAXES.

The General Assembly of North Carolina do enact:

SECTION 1. That the sheriff and/or tax collector of Jones
County be, and he is, hereby authorized, empowered, and directed
to accept in payment of current taxes due said county, vouchers
issued by the County of Jones under the authority of the Board
of Commissioners of said county, when said vouchers are so
issued in satisfaction and settlement of the obligations of said
county for services rendered to, or purchases made by, it and the
said vouchers so accepted by said sheriff and/or tax collector
shall be included in, and accepted by the said Board of Commis-
sioners of Jones County, in any settlement of taxes submitted
and made by said sheriff and/or tax collector.

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

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

Ratified this the 16th day of February, A.D. 1933.
CHAPTER 49

AN ACT RELATING TO THE SALARIES OF THE COUNTY OFFICERS OF HERTFORD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That from and after June thirty, one thousand nine hundred and thirty-three, the Clerk of the Superior Court and the Register of Deeds of Hertford County shall collect and receive and account for all the moneys, fees, commissions and emoluments to which they are entitled by virtue of their respective offices and shall deposit the same to the credit of the General County Fund.

Sec. 2. That from and after June thirty, one thousand nine hundred and thirty-three, the Clerk of the Superior Court of Hertford County shall receive a salary not to exceed two thousand five hundred dollars; the Register of Deeds of said county shall receive a salary not to exceed one thousand seven hundred and fifty dollars and process fees, the exact amount of said salaries to be fixed and determined by the board of county commissioners. All of the above salaries shall be payable out of the general county fund and shall be payable in twelve equal installments.

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 June thirty, one thousand nine hundred and thirty-three.

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

CHAPTER 50

AN ACT TO PROHIBIT THE SALE OF COLD DRINKS, ICE CREAM, LEMONADE, CIGARS, CIGARETTES, OR ANY OTHER KIND OF MERCHANDISING, AS PICTURE MAKING OR FORTUNE TELLING DURING THE THREE DAYS SESSION OF THE UPPER COUNTRY LINE PRIMITIVE BAPTIST ASSOCIATION WITHIN A DISTANCE CLOSER THAN FIVE HUNDRED YARDS OF SAID MEETING.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person, firm, or corporation, except at their regular place of business, to sell or offer for sale, within a distance closer than five hundred yards of any meeting of the Upper Country Line Primitive Baptist Association.
Association, at any time during the three days and nights of their meetings, cold drinks, ice cream, lemonade, cigars, cigarettes, confectionaries, water-melons, cantaloupes, or engage in making pictures for sale and telling fortunes.

SEC. 2. A list of the churches of the Upper Country Line Primitive Baptist Association, together with their locations, is as follows:

<table>
<thead>
<tr>
<th>Churches</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>McCray</td>
<td>Alamance County</td>
</tr>
<tr>
<td>Gilliam</td>
<td>Alamance County</td>
</tr>
<tr>
<td>Big Meadows</td>
<td>Chatham County</td>
</tr>
<tr>
<td>Prospect Hill</td>
<td>Caswell County</td>
</tr>
<tr>
<td>Lynches Creek</td>
<td>Caswell County</td>
</tr>
<tr>
<td>Bush Arbor</td>
<td>Caswell County</td>
</tr>
<tr>
<td>Country Line</td>
<td>Caswell County</td>
</tr>
<tr>
<td>Oak Grove</td>
<td>Caswell County</td>
</tr>
<tr>
<td>Pleasant Grove</td>
<td>Caswell County</td>
</tr>
<tr>
<td>Moon’s Creek</td>
<td>Caswell County</td>
</tr>
<tr>
<td>Dan River</td>
<td>Rockingham County</td>
</tr>
<tr>
<td>Lick Fork</td>
<td>Rockingham County</td>
</tr>
<tr>
<td>Reidsville</td>
<td>Rockingham County</td>
</tr>
<tr>
<td>Wolf Island</td>
<td>Rockingham County</td>
</tr>
<tr>
<td>New Hope</td>
<td>Rockingham County</td>
</tr>
<tr>
<td>Monticello</td>
<td>Guilford County</td>
</tr>
<tr>
<td>Greensboro</td>
<td>Guilford County</td>
</tr>
<tr>
<td>Harmony</td>
<td>Orange County</td>
</tr>
</tbody>
</table>

SEC. 3. That any person, firm or corporation, who shall violate any part of section one of this act shall be guilty of a misdemeanor, and shall be fined not exceeding fifty dollars ($50.00) for each offense or imprisoned not exceeding ninety days, or both fined and imprisoned at the discretion of the court; or in case of a firm or corporation shall be fined not exceeding one hundred dollars ($100.00).

SEC. 4. That all laws or 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 17th day of February, A.D. 1933.
H. B. 97

CHAPTER 51
AN ACT TO REGULATE THE SELECTION OF A COUNTY COMMISSIONER FROM EACH TOWNSHIP IN HERTFORD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That at the primary or other mode adopted for the nomination of a Board of County Commissioners for Hertford County in the year one thousand nine hundred thirty-four, and biennially thereafter, the qualified voters of each township in said county shall vote for and nominate a suitable and qualified person in said township for County Commissioner, and the persons so selected shall constitute the nominees of the political party selecting them in said county, to be voted for at the general election in the county, to compose the Board of County Commissioners for 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 17th day of February, A.D. 1933.

H. B. 171

CHAPTER 52
AN ACT RELATING TO THE NOMINATION AND ELECTION OF COMMISSIONERS OF BLADEN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred fifty-four, Public-Local Laws of one thousand nine hundred twenty-nine, entitled "An Act appointing five Commissioners of Bladen County and providing for their nomination and election," be and the same is hereby repealed.

SEC. 2. That at the primary election for county officers of Bladen County to be held in the year one thousand nine hundred and thirty-four, and every two years thereafter, there shall be nominated by each of the political parties of Bladen County three Commissioners under the provisions of the law as it existed prior to the ratification of chapter two hundred fifty-four, Public-Local Laws of one thousand nine hundred and twenty-nine.

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

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

Ratified this the 17th day of February, A.D. 1933.
H. B. 296

CHAPTER 53

AN ACT TO PROVIDE FOR THE IMPROVEMENT OF RURAL CEMETERIES IN ALAMANCE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That in order to provide for the improvement and general care of rural church cemeteries, the governing body of the church adjoining or owning such cemetery, its agents or the keeper of said cemetery are hereby authorized and empowered to improve the cemetery grounds by cleaning the same, pruning shrubs, filling the graves that have fallen in, straightening monuments which may have fallen, moving the surplus dirt, leveling plats, seeding the same to grass, trimming and topping trees and by doing or having done any other work as in their judgment may be necessary to put the cemetery and church grounds in proper order.

Sec. 2. That this act shall only apply to Alamance County.

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

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

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

H. B. 306

CHAPTER 54

AN ACT TO AMEND SECTION 2 OF CHAPTER 28 OF THE PUBLIC-LOCAL LAWS REGULAR SESSION OF THE GENERAL ASSEMBLY OF NORTH CAROLINA, RATIFIED THE 10TH DAY OF FEBRUARY, 1931, RELATIVE TO PAY THE CLERK OF THE SUPERIOR COURT, ETC.

The General Assembly of North Carolina do enact:

Section 1. That Section 2 of Chapter 28 Public-Local Laws of North Carolina, regular session 1931, be amended by adding after the word “monthly”, and before the word “by” in the third line of said section the following: “and the further sum of $3.00 per day to pay for services of an assistant or deputy clerk for such days, only, as such assistant may actually serve during any term of the Superior Court held for said county, to be paid by the County Commissioners at the first regular meeting of said Board after such services are rendered.”

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

Ratified this the 17th day of February, A.D. 1933.
H. B. 376

CHAPTER 55

AN ACT TO AMEND CHAPTER NINETY OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-ONE, RELATING TO THE FEES OF THE RECORDER'S COURT OF MONROE AND UNION COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section one of chapter ninety of the Public-Local Laws of one thousand nine hundred and thirty-one, be and the same is hereby amended to read as follows:

"Section 1. That the fees allowed in the Recorder's Court for Union County and the City of Monroe shall be fixed as follows: Issuing warrant, including affidavit and precept, sixty-five cents; trial and judgment in cases of submission and nolo contendere, fifty cents; trial and judgment when issue, seventy-five cents; docketing warrant and judgment and cross indexing the same, a total of seventy-five cents; for issuing subpoena in cases where magistrate has jurisdiction, five cents each; for issuing subpoena where magistrate has not jurisdiction, five cents each; issuing capias, one dollar; issuing search warrant, including affidavit and precept, sixty-five cents; for each continuance on defendant's motion, thirty cents; Recorder's seal, each, twenty-five cents; Solicitor's fee, each defendant, two dollars; filing and indexing all names in the same warrant, twenty cents; judgment nisi each defendant, twenty-five cents; motion, written, twenty-five cents; notice, each defendant, twenty-five cents; and in no case shall any fee taxed in any magistrate's court be in excess of the same fee herein taxed for the Recorder's Court."

Sec. 2. That section two of chapter ninety of the Public-Local Laws of one thousand nine hundred and thirty-one, be and the same is hereby amended to read as follows:

"Sec. 2. In all cases where process is issued by and/or returnable before the Recorder's Court and served by the sheriff of Union County, or the police of the City of Monroe, or the police of the town of Benton Heights, or the police of the town of West Monroe, or the police of the town of Icemorlee, the following fees shall be taxed: for the arrest of each defendant on a warrant or capias, one dollar; for service of search warrant, each defendant, one dollar; for service of sci fa or order, such defendant, sixty cents; for service of each subpoena, twenty cents; taking bond, including justification, sixty cents; committing defendant to jail, sixty cents: Provided, further, that where the officer serving the process, whether issued by and returnable to the Recorder's Court or any magistrate's court, is on a salary for his services as such, the fees so taxed shall be held and disposed of by the Clerk as heretofore provided in the statutes re-
lating to the Recorder's Court, and when fees are taxed by any magistrate for such salaried officer, the magistrate shall turn them over to the governing body by whom the salary of the said officer is paid: Provided further, that officer's fees in any magistrate's court shall not exceed those in the Recorder's 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 full force and effect from and after its ratification.

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

H. B. 393

CHAPTER 56

AN ACT TO REPEAL CHAPTER 229 PUBLIC-LOCAL LAWS SESSION OF 1931 AUTHORIZING THE BOARD OF COUNTY COMMISSIONERS OF COLUMBUS COUNTY TO APPOINT RURAL POLICEMEN FOR COLUMBUS COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter two hundred and twenty-nine, Public-Local Laws Session of one thousand nine hundred and thirty-one, 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 17th day of February, A.D. 1933.

H. B. 496

CHAPTER 57

AN ACT AUTHORIZING THE BOARD OF COMMISSIONERS OF MARTIN COUNTY TO GRANT A MORATORIUM FOR TWO YEARS IN FORECLOSING DEEDS OF TRUST AND MORTGAGES HELD IN THE SINKING FUND OF THE COUNTY.

Whereas, the board of commissioners of Martin County hold several deeds of trust and notes against the property of citizens of Martin County, which said collaterals constitute a part of the sinking fund of the county, said notes being due April one, one thousand nine hundred and thirty-three; and

Whereas, foreclosure proceedings to enforce collection when due would work a great hardship on many honest citizens during these depressed financial times; Now, therefore,
The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of the County of Martin be and they are hereby authorized, in their discretion, to postpone for two years foreclosure of deeds of trust and mortgages held in the sinking fund of Martin County.

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 17th day of February, A.D. 1933.

H. B. 535  CHAPTER 58
AN ACT TO REGULATE SALARIES OF THE PUBLIC OFFICERS OF NORTHAMPTON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Clerk of the Superior Court of Northampton County shall receive a salary of twenty-four hundred dollars per annum in lieu of all other compensation whatsoever, and shall be allowed nothing for clerk or an assistant by the Board of County Commissioners.

SEC. 2. That the Register of Deeds of Northampton County shall receive a salary of twenty-four hundred dollars per annum in lieu of all other compensation whatsoever, and shall be allowed nothing by the Board of County Commissioners for clerk or an assistant.

SEC. 3. The Sheriff of Northampton County shall receive a salary of twenty-four hundred dollars per annum in lieu of all other compensation whatsoever, and he shall collect the taxes of all kinds paid in said County by corporations, and shall not receive an additional compensation therefor.

SEC. 4. 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 allowances whatsoever for any extra or additional service rendered to the county 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. 5. 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 Northampton 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. 6. The salaries herein provided for shall be paid by the treasurer or financial agent of Northampton County upon warrant or order from the Board of County Commissioners of Northampton County to the said officers in monthly installments.

Sec. 7. The officers hereinbefore are required to turn over to the treasurer or financial agent of Northampton County moneys coming into their hands, shall make settlement with said treasurer or financial agent of said county on the first Monday in each 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. 8. That the County Auditor of Northampton County shall receive a salary not exceeding eighteen hundred dollars per annum, to be fixed by the Board of Commissioners of said county, and the said County Auditor shall be required in addition to the duties imposed upon him already by law, to prepare all tax books and tax receipts of said county, and shall also act as County Tax Supervisor, and shall receive no additional salary therefor, but the commissioners of said county shall furnish said Auditor such help as may be necessary in making out the tax books, but such help shall not be paid more than two hundred dollars per annum.

Sec. 9. That the County Commissioners of Northampton County shall each receive as compensation for their services not more than the sum of three dollars and fifty cents per day and five cents per mile for traveling expenses, for each meeting attended by said commissioners, and shall be allowed said compensation for not more than twenty-four days per annum.

Sec. 10. That the Board of County Commissioners of Northampton County shall furnish the officers provided for in this act all necessary stationery and stamps and books necessary and required in the discharge of their respective duties.

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 and effect from and after the first day of March, one thousand nine hundred and thirty-three.

Ratified this the 17th day of February, A.D. 1933.
S. B. 160       CHAPTER 59
AN ACT TO AMEND CHAPTER 532, PUBLIC-LOCAL LAWS OF
1917, BEING "AN ACT TO PREVENT THE SALE OF CER-
TAIN COMMODITIES AT THE ANNUAL MEETING OF THE
LOWER COUNTRY LINE PRIMITIVE BAPTIST ASSOCIA-
TION, AND TO OTHERWISE PROTECT SAID ASSOCIA-
TION."

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter five hundred and
thirty-two, Public-Local Laws of one thousand nine hundred and
seventeen, entitled "An Act to Prevent the Sale of Certain Com-
modities at the Annual Meeting of the Lower Country Line
Primitive Baptist Association, and to otherwise Protect said
Association," be, and the same is hereby amended by inserting
immediately after the comma following the word "kind" and
before the word "such" in line seven of section one thereof, the
following: "or shall sell or offer for sale any watermelon or can-
loupe, or shall engage in telling fortunes, or phrenology, or
palmistry, or making pictures, for reward."

Scc. 2. That all laws or clauses of laws in conflict with this
act are hereby repealed.

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

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

S. B. 188       CHAPTER 60
AN ACT TO AMEND CHAPTER 234 OF THE PUBLIC-LOCAL
LAWS OF 1921, FIXING THE SALARIES OF THE ASSIS-
TANT CLERK AND DEPUTY CLERK OF THE SUPERIOR
COURT OF ALAMANCE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section three of the Public-Local Laws of
1921 be and the same is hereby amended by striking out all of
said section after the word "annually" in line five thereof, and
inserting in lieu thereof the following: "and shall be allowed
the sum of Twelve Hundred ($1200.00) Dollars annually to pay
for the services of an assistant clerk, and shall be allowed the
sum of Nine Hundred ($900.00) Dollars annually to pay for the
services of a deputy clerk, said assistant clerk and deputy clerk
to be appointed by the Clerk of the Superior Court."

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

Scc. 3. This act shall be in full force and effect from and after
the first day of March, 1933.

Ratified this the 20th day of February, A.D. 1933.
H. B. 181

CHAPTER 61

AN ACT TO REPEAL CHAPTER SIX HUNDRED ONE OF PUBLIC-LOCAL LAWS ONE THOUSAND NINE HUNDRED TWENTY-FIVE RELATIVE TO RELIEF OF PERSON OR PERSONS SUMMONED TO SERVE AS TALES JUROR OR JURORS, EITHER CIVIL OR CRIMINAL COURTS OF GUILFORD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter six hundred one of Public-Local Laws of one thousand nine hundred twenty-five to relieve person or persons summoned to serve as tales juror or jurors, either civil or criminal courts of Guilford County, be and the same is hereby repealed.

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

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

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

H. B. 186

CHAPTER 62

AN ACT FOR THE RELIEF OF EX-SHERIFF C. E. MOXLEY OF YADKIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That ex-Sheriff C. E. Moxley of Yadkin County, who by virtue of his office has had the tax lists for the purpose of collecting taxes in his county for the years one thousand nine hundred and nineteen through the year one thousand nine hundred and twenty-nine, inclusive, and in case of death or default in collection, his personal representative, bondsmen or any agent or agents that he may designate is authorized and empowered to collect arrears of taxes for each of the years aforesaid, under such rules and regulations as are now, or may hereafter be, provided for the collection of taxes.

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

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

Ratified this the 20th day of February, A.D. 1933.
CHAPTER 63

AN ACT TO REPEAL CHAPTER 243 OF THE PUBLIC-LOCAL LAWS OF 1925, RELATING TO THE SALE AND USE OF FIREWORKS AND TOY PISTOLS IN MITCHELL, MADISON, YANCEY, AVERY AND MACON COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter 243 of the Public-Local Laws of One Thousand Nine Hundred and Twenty-five, entitled "An act to prohibit the sale and use of fireworks and toy pistols in Mitchell, Madison, Yancey, Avery and Macon Counties," 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 20th day of February, A.D. 1933.

CHAPTER 64

AN ACT TO REGULATE PUBLIC DRUNKENNESS IN HAYWOOD COUNTY BY AMENDING CHAPTER 477 PUBLIC-LOCAL LAWS OF 1931.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter 477, Public-Local Laws of 1931, be and same is hereby amended by adding after the word "court" in line four of said section the following: "but said fine shall not exceed the sum of fifty ($50.00) dollars or imprisonment of not more than thirty-two days."

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

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

Ratified this the 20th day of February, A.D. 1933.
S. B. 64  CHAPTER 65
AN ACT TO AMEND SECTION ONE OF CHAPTER THREE HUNDRED AND SEVENTEEN OF THE PUBLIC-LOCAL LAWS OF 1931, BEING AN ACT TO MAKE IT UNLAWFUL TO OPERATE A FILLING STATION IN WILKES COUNTY AND STOKES COUNTY ON SUNDAY, BETWEEN THE HOURS OF TEN A.M. AND TWELVE P.M.

The General Assembly of North Carolina do enact:

SECTION 1. That Section one of Chapter three hundred and seventeen, Public-Local Laws of 1931, be amended by striking out the words "Wilkes County," in line four of said section.

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

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

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

H. B. 108  CHAPTER 66
AN ACT TO PROVIDE FOR THE ELECTION OF THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS AND THE FARM DEMONSTRATION AGENT OF MACON COUNTY BY A VOTE OF THE PEOPLE.

The General Assembly of North Carolina do enact:

SECTION 1. That at the next general election to be held in Macon County on the first Tuesday in November, Nineteen Hundred and Thirty-Four, and biennially thereafter, the Chairman of the Board of County Commissioners shall be elected by a vote of the people and on the ballots at said election the Commissioner to be voted for as Chairman of the Board shall be so designated.

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

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

Ratified this the 21st day of February, A.D. 1933.
H. B. 443
CHAPTER 67
AN ACT TO AUTHORIZE THE COMMISSIONERS OF GREENE COUNTY TO APPOINT A TAX COLLECTOR AND FIX HIS COMPENSATION.

The General Assembly of North Carolina do enact:

SECTION 1. That the Commissioners of Greene County are hereby authorized and empowered to appoint a tax collector for said county, whose term of office shall be two years from the first Monday in October, nineteen hundred and thirty-two: Provided, however, that the said Commissioners for cause shall have power and authority to remove from office the said tax collector at any time upon thirty days notice. The appointment thereafter shall be made biennially at the regular meeting of the Board of Commissioners on the first Monday of October, unless before the expiration of the regular term of appointment the Commissioners for cause shall remove said tax collector, in which case his successor shall be appointed not later than the next regular meeting of the Board after such removal.

Sec. 2. That said tax collector before entering upon the duties of his office shall take and subscribe the oath now required by law for public officials of the county, and shall give bond, acceptable to said board, in a sum equal to the bond now required to be given by the tax collector of said county and conditioned as now required by law. Upon his appointment, all of the powers duties, and liabilities now pertaining to the Sheriff of said County as tax collector with reference to the collection, custody, and disposition of the taxes, including distraint, advertisement, sale and execution of tax certificates, and in all other respects pertaining to such matters and things as now required by law and ordinarily done by the Sheriff as tax collector, in the performance of his duties, shall be conferred upon, given to, and required by said tax collector: Provided, however, that said tax collector shall be required to file with the County Auditor or County Accountant his report showing taxes collected by him and his several assistants or deputies, and shall pay over to the County Treasurer all moneys collected by him as now provided by law for the Sheriff or tax collector of said County.

Sec. 3. For compensation for such services said tax collector shall be allowed and paid a commission of two per cent on all taxes actually collected by him, or under his supervision, and accounted for and paid over to said county, and which commissions shall be in lieu of all other compensations for such services: Provided, however, that the Board of County Commissioners in their discretion may place with said Tax Collector taxes now evidenced by outstanding tax certificates, for collection, and shall
receive for collecting same whatever fees or compensation which may be agreed upon and authorized by said Board of Commissioners of said county.

Sec. 4. That for the collection of all outstanding tax certificates, whether now in the possession of Greene County or in the possession of purchasers for values, the time for the institution of suits for such collection is hereby extended to November the first, nineteen hundred and thirty-three, and that notwithstanding any general or special act or acts heretofore passed to the contrary.

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

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

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

H. B. 548  CHAPTER 68
AN ACT TO AUTHORIZE HYDE COUNTY TO USE CERTAIN FUNDS TO PAY JUDGMENTS.

Whereas, there are two certain judgments in the District Court of the United States for the Eastern District of North Carolina, Washington Division, against Hyde County, one in favor of W. K. Terry and Company for eleven thousand five hundred fifty-nine ($11,559.00) Dollars; and one in favor of Ernst and Ernst for four thousand four hundred two and seventy-four one-hundredths ($4,402.74) Dollars, and

Whereas, each judgment specifies that said judgments can be paid off at a greatly reduced amount: Provided, said payments are made by March first, one thousand nine hundred and thirty-three, as follows: the W. K. Terry and Company judgment for three thousand ($3,000.00) dollars and cost; and the Ernst and Ernst judgment for fifty (50%) per cent of the amount of said principal and interest, with interest from March thirtieth, one thousand nine hundred and twenty-nine, to date of payment, with cost to be paid in full by defendant, and

Whereas, Hyde County has an unappropriated sum, known as “Special Bond Fund” sufficient to pay these two judgments: Provided, use of this “Special Bond Fund” is herein authorized; Therefore,
The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of Hyde County be, and they are hereby authorized to pay, two certain judgments obtained in the District Court of the United States for the Eastern District of North Carolina, Washington Division, in favor of W. K. Terry and Company and Ernst and Ernst, in accordance with the terms of the respective judgments from that certain “Special Bond Fund” of Hyde County.

Sec. 2. This act shall take effect from and after its ratification. Ratified this the 21st day of February, A.D. 1933.

S. B. 151

CHAPTER 69

AN ACT TO ESTABLISH THE OFFICE OF PUBLIC COTTON WEIGHER FOR TOWNSHIP ONE OF EDGECOMBE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. The Commissioners of Edgecombe County are empowered and directed to appoint some resident of said county as public cotton weigher for Township One of Edgecombe County, such appointment to be made at the regular meeting in August, in the year nineteen hundred and thirty-three and every two years thereafter; and shall fill any vacancies in said office by appointment for the unexpired term.

Sec. 2. The said public cotton weigher, before entering upon the duties of his office shall give bond in the sum of One Thousand Dollars payable to the State of North Carolina, conditional upon the faithful performance of his duty. Said bond shall be approved by the Commissioners of Edgecombe County and filed in the office of the Register of Deeds. Said public cotton weigher shall take and subscribe to the following oath before the Clerk of the Superior Court of Edgecombe County, viz.: “I do solemnly swear that I will faithfully perform the duties of public cotton weigher and I will take no interest as a dealer, near or remote, in buying or selling any cotton in Township One of Edgecombe County.”

Sec. 3. It shall be the duty of said public cotton weigher to weigh all baled cotton sold in Township One of Edgecombe County, at its true weights, making just and proper deductions for water and damage, and shall receive as compensation for his services ten cents per bale, one-half to be paid by the seller and one-half by the buyer.

Sec. 4. The Commissioners of Edgecombe County shall have full power and authority to dismiss from office any public cotton weigher in Edgecombe County in case of his failure to perform the duties of his office in a proper manner, or for neglect or refusal to perform them, or for any cause whatever.
Deputies.

Weighing of cotton by another made misdemeanor.

Present incumbents retain offices until August, 1933.

Compensation.

Ch. 449, Public Laws 1891, ch. 805, Public-Local Laws 1915; and ch. 451, Public-Local Laws 1919, repealed.

Conflicting laws repealed.

Sec. 5. The public cotton weigher shall have authority to appoint a deputy or deputies to assist him in the discharge of his office, such appointment to be subject to the approval of the Commissioners of Edgecombe County.

Sec. 6. If any person, firm or corporation, other than the public cotton weigher or his deputies, shall weigh or cause to be weighed any baled cotton, sold in Township One of Edgecombe County, such person, firm or corporation shall be guilty of a misdemeanor and upon conviction shall for each offense be fined not exceeding fifty dollars or imprisoned not exceeding thirty days.

Sec. 7. The public weigher heretofore appointed by the Commissioners of Edgecombe County and the public weigher heretofo re appointed by the Commissioners of the Town of Tarboro shall each be authorized to act and discharge the duties under this act until the regular meeting of the Commissioners of Edgecombe County in August, nineteen hundred thirty-three, and until that time shall receive as compensation fifteen cents per bale, one-half to be paid by the seller and one-half to be paid by the buyer.

Sec. 8. That chapter four hundred forty-nine of the Public Laws of eighteen hundred ninety-one and all amendments thereto, and chapter eight hundred five of the Public-Local Laws of nineteen hundred fifteen and all amendments thereto, and chapter four hundred thirty-one of the Public-Local Laws of nineteen hundred nineteen and all amendments thereto, be and the same are hereby repealed.

Sec. 9. That all laws and clauses 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 23rd day of February, A.D. 1933.

S. B. 61  CHAPTER 70
AN ACT TO AMEND THE LAW IN REGARD TO THE GENERAL COUNTY COURT OF ALAMANCE COUNTY.

Preamble: General County Court of Alamance County.

Jurisdiction.

Whereas, the County Commissioners have established a General County Court for Alamance County, which has, in addition to its civil jurisdiction, jurisdiction to try all criminal cases wherein a felony is not charged, and whereas the defendant in
all criminal cases tried in said General County Court has the right of appeal to the Superior Court of Alamance County where the trial is by jury and de novo; now therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That in all trials of criminal cases in the General County Court for Alamance County, upon demand for a jury by the defendant or the prosecuting attorney representing the State, the Clerk of said General County Court shall transfer said trial to the Superior Court of Alamance County, and the defendant shall execute a new bond in such amount as named by the Judge of the General County Court for his appearance at the next term of Superior Court for Alamance County.

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

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

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

S. B. 65

CHAPTER 71

AN ACT TO EXEMPT WILKES AND YADKIN COUNTIES FROM THE PROVISIONS OF CHAPTER 348, PUBLIC-LOCAL LAWS, ONE THOUSAND NINE HUNDRED AND THIRTY-ONE, RELATING TO THE TERRITORIAL JURISDICTION OF THE RECORDER'S COURT OF ELKIN, SURRY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the County of Wilkes be and it is hereby exempted from the provisions of Chapter three hundred and forty-eight of the Public-Local Laws of one thousand nine hundred and thirty-one, thereby removing said county from the territorial jurisdiction of the Recorder's Court of Elkin, Surry 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 full force and effect from and after its ratification.

Ratified this the 24th day of February, 1933.
S. B. 245

CHAPTER 72

AN ACT RELATING TO THE GENERAL FUND OF RUTHERFORD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Treasurer of Rutherford County is hereby authorized, empowered and directed to receive from the liquidating agent of any of the defunct banks of said county such dividends as may be payable on county deposits, and to credit all such dividends to the general fund of Rutherford County.

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 take effect from and after its ratification.

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

H. B. 348

CHAPTER 73

AN ACT TO PROHIBIT THE COUNTY OF ASHE OR ANY INCORPORATED TOWN OR MUNICIPALITY THEREIN FROM INCURRING ANY ADDITIONAL BONDED INDEBTEDNESS.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of the County of Ashe is hereby prohibited from borrowing any money other than fifty per cent (50%) of the tax levy for the current year and the amount so borrowed shall be paid out of the annual tax levy for the year for which said borrow is made: Provided, however, this shall not prohibit the County Commissioners from borrowing money that is necessary to refund any of the present bonded or existing indebtedness of the County.

SEC. 2. That the County of Ashe is hereby prohibited from issuing bonds for any purpose either with or without a vote of the qualified voters of the County, except for the purpose of paying or refunding its bonded indebtedness existing at the time of the ratification of this act.

SEC. 3. That no incorporated town or municipality in the County of Ashe shall borrow any money other than fifty per cent (50%) of the tax levy for the year for which said money is borrowed, which money shall be paid back out of the current levy of said year: Provided, however, that this shall not prevent the Board of Aldermen in said towns from borrowing money to refund or refinance the indebtedness in existence at the time of the ratification of this act.
That no incorporated town or municipality in the County of Ashe shall incur either with or without a vote of the qualified voters of said town or municipality, any indebtedness other than may be necessary to refund its present bonded indebtedness.

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

Sec. 5. That this act shall apply to the County of Ashe only, and shall be in force from and after its ratification.

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

S. B. 135 CHAPTER 74
AN ACT RELATING TO FORECLOSURES OF MORTGAGES OR DEEDS OF TRUST IN MACON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That in all cases of foreclosure of mortgages or deeds of trust, whether such foreclosure is under power of sale or by action to foreclose, or upon report of a trustee or commissioner appointed by the Court, the Court may continue such action or proceeding for the period of one year from the date of filing such action, report or other proceeding.

Sec. 2. This shall apply to Macon, Haywood, and Jackson counties only and shall be in force and effect for two years from date of its ratification.

Sec. 3. All laws and clauses of laws in conflict with this statute are hereby repealed during the life of this statute.

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

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

S. B. 246 CHAPTER 75
AN ACT INCREASING THE NUMBER OF COMMISSIONERS OF RUTHERFORD COUNTY, FIXING THEIR COMPENSATION, AND CREATING FIVE DISTRICTS FOR THE NOMINATION OF SAID COMMISSIONERS.

The General Assembly of North Carolina do enact:

Section 1. That from and after the ratification of this act the Board of County Commissioners of Rutherford County shall be composed of five instead of three members.

Sec. 2. That there are hereby created five districts in Rutherford County for the nomination of County Commissioners, one
Districts designated.
Districts to be nominated from each district, the districts to be numbered and designated as follows:
District Number One to be composed of Rutherfordton and Union Townships;
District Number Two to be composed of Cool Spring Township;
District Number Three to be composed of High Shoals and Sulphur Springs Township;
District Number Four to be composed of Colfax, Duncans Creek, Golden Valley and Logans Store Townships;
District Number Five to be composed of Camp Creek, Morgan, Chimney Rock, Green Hill and Gilkey Townships.

Compensation.
The compensation of the Commissioners of Rutherford County shall be five dollars per day for each day they are in session, not exceeding five days in any one month; provided however, the chairman of said board shall receive six dollars per day, and no mileage shall be allowed to any commissioner.

Nomination of one Commissioner from each district.
That at the next Primary or Convention to be held in Rutherford County for the nomination of county officers there shall be nominated one commissioner from each of the five districts herein provided for and those participating in said primary, both as candidates and voters, shall be restricted to the qualified voters of said district. The candidate receiving a majority of the votes cast in said election shall be declared to be the candidate of his political party duly nominated for the general election.

Nominees run in general election.

Sec. 5. That the candidates so nominated from the respective districts shall in the general election be voted on by all of the qualified voters of Rutherford County; provided only one commissioner from any district shall be declared elected.

Conflicting laws repealed.

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 27th day of February, A.D. 1933.
CHAPTER 76

AN ACT TO VALIDATE THE OFFICIAL ACTS OF T. F. JARMAN, A JUSTICE OF THE PEACE OF INDIAN SPRINGS TOWNSHIP, WAYNE COUNTY.

Whereas, T. F. Jarman was duly appointed a Justice of the Peace of Wayne County by the General Assembly of 1931, by act ratified April 24, 1931; and

Whereas, the said T. F. Jarman inadvertently failed to qualify as such Justice of the Peace, as provided by law, until the 13th day of February, 1933; and

Whereas, during said period in which the said T. F. Jarman was not qualified as such Justice of the Peace, he performed certain duties of the office, having probated certain mortgages and deeds, married certain couples and otherwise discharged duties of said office; now therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the official acts of the said T. F. Jarman, a Justice of the Peace of Indian Springs Township, Wayne County, from the 24th day of April, 1931, until his qualification, as provided by law, on February 13, 1933, be, and the same are, hereby in all respects declared valid and legal and hereby ratified and confirmed.

SEC. 2. This act shall not affect pending litigation, if any.

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

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

CHAPTER 77

AN ACT TO MAKE THE OFFICE OF THE SOLICITOR OF THE RECORDER’S COURT OF LINCOLN COUNTY ELECTIVE.

The General Assembly of North Carolina do enact:

SECTION 1. That the office of the Solicitor of the Recorder’s Court of Lincoln County is hereby made elective by the qualified voters of said County. At the next general election for members of the General Assembly, and biennially thereafter, the qualified voters of said county shall elect some qualified attorney at law, duly selected as a candidate in the primary provided for the election of candidates for county officers, to fill the office of Solicitor of the Recorder’s Court of Lincoln County, who shall hold said office for a term of two years thereafter, and until his successor has been duly elected and qualified.
H. B. 480

CHAPTER 78

AN ACT RELATING TO OFFICIAL BONDS OF PUBLIC OFFICERS IN GASTON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. All officers of Gaston County, either elected or appointed to public office, who are now, or may hereafter be required to give bond for the faithful performance of their duties, shall be required to give a bond in a surety company authorized to do business in North Carolina, approved by the Board of County Commissioners of said County, and the premium thereon may be paid out of the general county fund.

SECTION 2. That where any officer in any city or town in Gaston County, either elective or appointed to public office, is now or may hereafter be required to give bond for the faithful performance of their duties, that the governing body of said city or town may in its discretion require all such officers to give a bond in any surety company authorized to do business in North Carolina to be approved by the governing body of said city or town, and the premium thereon may be paid out of the general fund of said city or town.

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

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

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

H. B. 505

CHAPTER 79

AN ACT TO FIX THE SALARIES OF THE OFFICERS OF BLADEN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners are hereby authorized and empowered to fix the salaries of the...
officers of Bladen County in accordance with the following schedule:

Auditor—one thousand five hundred ($1,500) dollars per annum, with an allowance of seventy-five ($75.00) dollars per month for clerical help;

Clerk of the Superior Court—One thousand five hundred ($1,500) dollars per annum, with an allowance of forty-five ($45.00) dollars per month for clerical help;

Register of Deeds—twelve hundred ($1,200) dollars per annum;

Judge of Recorder's Court—sixty ($60.00) dollars per month.

Sec. 2. That the Prosecuting Attorney of the Recorder's Court shall be allowed a fee of seven dollars and fifty cents ($7.50) for each conviction secured, the same to be taxed in the bill of costs, and to be in lieu of any salary or fees heretofore provided for.

Sec. 3. That the County Commissioners shall each receive three ($3.00) dollars per diem and five cents (5c.) per mile in going and returning to each regular or special meeting, when said meetings are called under section one thousand two hundred and ninety-six of the Consolidated Statutes.

The Board of Education shall receive the same allowance and mileage.

Sec. 4. That the turnkey fees allowed the jailer for prisoners shall be twenty-five cents (25c.) one way in lieu of the fees now allowed.

Sec. 5. That the County Commissioners may pay not over six hundred ($600) dollars per annum for all services performed by the County Attorney.

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 27th day of February, A.D. 1933.

H. B. 512

CHAPTER 80

AN ACT TO PERMANENTLY EXEMPT FIREMEN FROM JURY DUTY IN PASQUOTANK COUNTY AFTER TEN YEARS SERVICE AS A REGULAR FIREMAN.

The General Assembly of North Carolina do enact:

SECTION 1. That all firemen now enrolled, or their successors, who have served actively and honorably in the Elizabeth City Fire Company No. 1 for a period of ten years or more shall be exempt for life from jury duty in Pasquotank County: Provided, however, no fireman shall receive the benefits of the exemption
provided above until said fireman has received a certificate, signed by the members of the Elizabeth City Fire Commission, stating that said fireman has served actively and honorably for ten years as a member of the Elizabeth City Fire Company No. 1; and that the said certificate be recorded in the office of the Register of Deeds of Pasquotank 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 and effect from and after its ratification.

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

H. B. 522

CHAPTER 81

AN ACT TO VALIDATE THE ACTS OF CERTAIN JUSTICE OF THE PEACE OF TRANSYLVANIA COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That all and every official act of L. P. Wilson, done and performed in the capacity of a Justice of the Peace for Transylvania County since March nineteenth, one thousand nine hundred thirty-one, be and the same is hereby validated and confirmed.

Sec. 2. That this act shall be in force and effect from and after its ratification: Provided, however, that it shall not affect pending litigation.

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

H. B. 560

CHAPTER 82

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:

Section 1. That Chapter two hundred and seventy-six 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, chapter six hundred forty-three of the Public-Local Laws of North Carolina, Session one thousand nine hundred and fifteen, chapter ninety-six of the Public-
Local Laws of North Carolina, Session one thousand nine hundred twenty-three, and chapter three hundred sixty-four of the Public-Local Laws of North Carolina, session one thousand nine hundred and twenty-seven, be and the same are hereby amended as follows:

Sec. 2. Amend section one, page six hundred and eight of said chapter two hundred and seventy-six of the Public-Local Laws of North Carolina of nineteen hundred and thirteen by striking out in line three of said section the words: "Recorder’s Court of Lexington" and inserting in lieu thereof the words: "Davidson County Court."

Sec. 3. Amend section two, sub-section two, page six hundred and eight of said chapter two hundred and seventy-six of the Public-Local Laws of North Carolina of nineteen hundred and thirteen by striking out in line two of said sub-section the words "the township of Lexington," and inserting in lieu thereof: "townships of Abbott’s Creek, Midway, Arcadia, Hampton, Reedy Creek, Lexington, Tyro, Yadkin College, Boone, Cotton Grove, Silver Hill, Healing Springs, Jackson Hill, Alleghany, Conrad Hill, and that territory now in Emmons Township not covered by the Recorder’s Court of Denton," and by striking out the words: "Lexington Township" in line four of said sub-section and said chapter and inserting in lieu thereof the words: "said territory."

Sec. 4. Amend sub-section three of section two of said chapter two hundred and seventy-six of the Public-Local Laws of North Carolina, page six hundred and eight, by striking out the words in line two of said sub-section “Lexington Township” and inserting in lieu thereof: “said territory.”

Sec. 5. Amend sub-section two of section four of said chapter two hundred and seventy-six of the Public-Local Laws of North Carolina, page six hundred and nine, by striking out the word in line three: “five” and inserting in lieu thereof the word: “ten.”

Sec. 6. Amend sub-section three of section four of said chapter two hundred and seventy-six of the Public-Local Laws of North Carolina, by striking out in line four the word: “three” and inserting in lieu thereof the word: “five.”

Sec. 7. Amend section five of said chapter two hundred and seventy-six of the Public-Local Laws of North Carolina by striking out in line ten the words: “Lexington Township,” and inserting in lieu thereof: “said territory.”

Sec. 8. Amend section nine of said chapter two hundred and seventy-six of the Public-Local Laws of North Carolina of nineteen hundred and thirteen, page six hundred and ten, by striking out the words in line one: “The Recorder’s Court of Lexington” and inserting in lieu thereof the words “Davidson County Court.”
SEC. 9. Amend section eleven of said chapter two hundred and seventy-six of Public-Local Laws of North Carolina, nineteen hundred and thirteen, page six hundred and ten, by striking out in lines five and six the words: “Recorder’s Court of Lexington” and inserting in lieu thereof the words: “Davidson County Court.”

SEC. 10. Amend section twelve of said chapter two hundred and seventy-six of the Public-Local Laws of North Carolina, nineteen hundred and thirteen, page six hundred and eleven, by striking out in lines eight and twelve the words: “Lexington Township” and inserting in lieu thereof in each instance the words: “Davidson County.”

SEC. 11. Amend section thirteen of said chapter two hundred and seventy-six of Public-Local Laws of North Carolina, nineteen hundred and thirteen, page six hundred and eleven, by adding in line four the following sentence after the word “Once”: “If for any reason the defendant should wish to withdraw his appeal, he may appear either in person or by his attorney before the Clerk of Superior Court of said county within five days and said clerk shall enter said withdrawal upon record of the case, and notify the Sheriff or other lawful officer to proceed forthwith to execute sentence.”

SEC. 12. Amend section fourteen of said chapter two hundred and seventy-six of Public-Local Laws of North Carolina, nineteen hundred and thirteen, page six hundred and eleven, by striking out all of said section fourteen and inserting in lieu thereof the following: “That for the purpose of providing salaries for the Judge and Solicitor of said Court, and for necessary expense for the Clerk, and for necessary expense in issuing warrants, recording judgments, indexing, etc., a fee of six and no/100 dollars shall be taxed in each criminal case above the grade of minor misdemeanors in the jurisdiction of a Justice of the Peace, and below the grade of felony, and a fee of three and seventy-five/100 dollars in each criminal case within the jurisdiction of a Justice of the Peace, said fees in each instance to be paid to the Treasurer of Davidson County. Witnesses attending said court shall be entitled to fifty cents per day and mileage at five cents per mile each way, but only such witnesses shall be allowed to prove attendance and receive pay as are now allowed to prove in the Superior Court. Officers in making arrests shall be entitled to the same fees as now provided by law in similar cases. The jail fees of any prisoner held in custody shall be taxed as part of the costs and paid to the Treasurer of Davidson County.”

SEC. 13. Amend section fifteen of said chapter two hundred and seventy-six of Public-Local Laws of North Carolina, nineteen hundred and thirteen, page six hundred and eleven, by striking out said section fifteen.
Sec. 14. Amend section seventeen of said chapter two hundred and seventy-six of Public-Local Laws of North Carolina, nineteen hundred and thirteen, page six hundred and twelve, by striking out in line one the words: “Recorder's Court of Lexington” and inserting in lieu thereof the words: “Davidson County Court,” and by striking out in said section lines two and three the words: “Recorder's Court of Lexington, N. C.,” and inserting in lieu thereof the words: “Davidson County Court,” and by striking out in said section line eight the words: “Recorder's Court of Lexington,” and inserting in lieu thereof “Davidson County Court,” and by striking out in said section of said chapter in line nine the words: “And the fees received,” and by striking out the remainder of said section seventeen after the word “only,” in line eleven, and inserting in lieu thereof the following: “The sum of two dollars shall be taxed in civil actions where the jurisdiction is concurrent with a Justice of the Peace, and the sum of five dollars plus, of course, any State tax, in Civil Actions of concurrent jurisdiction with the Superior Court, said sums in each instance to be paid to the Treasurer of Davidson County to provide for expense of said court and salary of the Judge.”

Sec. 15. Amend section eighteen of said chapter two hundred and seventy-six of Public-Local Laws of nineteen hundred and thirteen, page six hundred and twelve, by striking out said section and inserting in lieu thereof the following: “That A. J. Newton of Lexington, N. C., be and is hereby named as Judge of the Davidson County Court for the term beginning on the fifteenth day of March, one thousand nine hundred and thirty-three, and ending the first Monday in December in the year one thousand nine hundred and thirty-four; and that J. Lee Wilson of Lexington, N. C., shall be prosecuting attorney for said Court from the fifteenth day of March, one thousand nine hundred and thirty-three, until the first Monday of December, one thousand nine hundred and thirty-four.”

Sec. 16. Amend section nineteen of said chapter two hundred and seventy-six of Public-Local Laws of North Carolina of nineteen hundred and thirteen, page six hundred and twelve, by striking out the entire section and inserting in lieu thereof the following: “The judge of said court shall be an elector in Davidson County, and shall be a man of good moral character and learned in the law; and the solicitor of said court shall be an elector in said Davidson County and shall be a man of good moral character and a licensed attorney at law; and the said judge and solicitor each shall hold office for two years and until his successor is appointed by the Governor of North Carolina, the first full term of each to begin on the first Monday in December, one thousand nine hundred and thirty-four. In case of vacancies in either office of judge or prosecuting attorney of said court, the same shall
be filled by appointment of the Governor of North Carolina. Whenever, for any reason, the prosecuting attorney is temporarily absent, the judge shall appoint some other practicing attorney residing in Davidson County to act as prosecuting attorney, and in case of temporary absence of the judge of said court, either for sickness or other cause, the judge shall in writing appoint a trial justice. The prosecuting attorney shall represent the State in all actions tried in said court."

Sec. 17. Amend section twenty of chapter two hundred and seventy-six of Public-Local Laws of North Carolina of nineteen hundred and thirteen, page six hundred and thirteen, by striking out the entire section and inserting in lieu thereof the following: "The salaries of the judge and solicitor of said court shall be set by the Board of Commissioners of Davidson County on the first Monday in March, one thousand nine hundred and thirty-three, for the period beginning March 1, 1933, and ending on the first Monday in December, 1934, and thereafter on the first Monday in December of the year one thousand nine hundred and thirty-four, and each and every biennium thereafter, but the salary of said judge shall not be more than two thousand dollars per year nor less than one thousand dollars per year, and the salary of said solicitor shall not be more than seventeen hundred dollars per year and not less than eight hundred dollars per year, and said judge and solicitor shall receive no other compensation, the said salaries to be paid by the County of Davidson on the first day of each and every month."

Sec. 18. Amend section twenty-one of said chapter two hundred and seventy-six of the Public-Local Laws of North Carolina of nineteen hundred and thirteen, page six hundred and thirteen, by striking out the said section and inserting in lieu thereof the following: "The Clerk of said court shall keep a record of all fines and amounts taxed for costs as hereinbefore set out and other costs received, and shall monthly on the first day of every month pay to the Treasurer of Davidson County the fees and fines as hereinbefore taxed for the Judge and Solicitor and other expense of the Court and shall pay the witness fees and the arrest fees allowed by law to the proper person entitled thereto. The Clerk's salary or compensation for keeping the records of said court shall be fixed by the County Commissioners of Davidson County."

Sec. 19. Amend section twenty-two of said chapter two hundred and seventy-six of Public-Local Laws of North Carolina of nineteen hundred and thirteen, page six hundred and thirteen, by striking out in line four the words: "Recorder's Court of Lexington," and inserting in lieu thereof the words: "Davidson County Court."

Sec. 20. Amend section twenty-three of said chapter two hundred and seventy-six of Public-Local Laws of North Carolina of
nineteen hundred and thirteen, page six hundred and thirteen, by striking out the said section and inserting in lieu thereof the following: "That in misdemeanors, if in the discretion of the Solicitor of said court, there should be issued more than one warrant against one defendant arising out of the same crime, that all officers making arrests be allowed only one arrest fee, and that in no instance shall an officer be allowed to prove in any one day in any series of warrants against the same defendant more than once as a witness."

Said court shall have further jurisdiction in Civil actions and proceedings as follows:

(a) Concurrent jurisdiction with justices of the peace in all civil actions, matters and proceedings which are now or may hereafter be given to justices of the peace of Davidson County.

(b) Concurrent jurisdiction with the Superior Court in attachment and claim and delivery proceedings, wherein the sum demanded or the value of the property claimed is within the jurisdiction of the court as defined herein.

And said Court shall have further jurisdiction in criminal actions and proceedings as follows:

(a) Concurrent jurisdiction with justices of the peace in all criminal actions, matters and proceedings arising from criminal offenses committed within the limits of Davidson County, excepting therefrom the territory covered in criminal jurisdiction by Denton Recorder's Court, and excepting therefrom Thomasville Township.

(b) Exclusive original jurisdiction of all other criminal offenses committed within the County of Davidson, except Thomasville Township, and excepting the criminal jurisdiction conferred on Denton Recorder's Court, below the grade of felony as now defined by law; Provided, that nothing in this act shall prevent the Superior Court of Davidson County from assuming jurisdiction of all offenses whereof exclusive original jurisdiction is given to said Davidson County Court if within six months after the commission of the offense said Davidson County Court shall not have proceeded to take official cognizance of the same.

(c) In all criminal offenses committed in Davidson County except Thomasville Township and outside the criminal jurisdiction of the Denton Recorder's Court as now established, whereof original jurisdiction is not given to said court, it shall have jurisdiction and is hereby fully authorized to examine into the same, and upon probable cause being shown, bind the defendant to the Superior Court of David-
son County, or, if capital, to commit the defendant to jail, as now provided by law for courts of justices of the peace.

(d) The justices of the peace and the Clerk of the Superior Court of Davidson County are hereby authorized to issue processes, both civil and criminal, and make the same returnable before the Davidson County Court for trial. All warrants shall be issued upon affidavit and made returnable forthwith. Summons and other civil processes shall be made returnable on the day named therein, and not less than ten days nor more than thirty days from the issuance thereof; and if one or more of the defendants be a non-resident of Davidson County, the summons shall be returnable in not less than thirty days from the service thereof.

(e) In all actions heard by the justices of the peace and other examining magistrates of Davidson County, within the territory prescribed by this act, in respect to any offense whereof Davidson County Court has exclusive original jurisdiction, in which probable cause of guilt is found, such person or persons shall be bound in a suitable recognizance, with sufficient surety, to appear before the Davidson County Court for trial on a specified day, and within ten days from such preliminary examination in default of such recognizance, such person or persons shall be committed to Davidson County jail until the trial.”

Sec. 21. Amend chapter ninety-six of the Public-Local Laws of North Carolina of nineteen hundred and twenty-three by striking out the entire chapter and repealing the same.

Sec. 22. Amend chapter one hundred and seven of the Public-Local Laws of North Carolina, Extra Session nineteen hundred and thirteen, by striking out the said chapter and repealing the same.

Sec. 23. Amend chapter six hundred and forty-three of the Public-Local Laws of North Carolina, of nineteen hundred and fifteen, by striking out the said chapter and repealing the same.

Sec. 24. This act shall be in force from and after the first day of March, nineteen hundred and thirty-three.

Ratified this the 27th day of February, A.D. 1933.
CHAPTER 83

AN ACT TO AMEND HOUSE BILL NO. 560 WHICH WAS "AN ACT TO AMEND CHAPTER 276 OF THE PUBLIC-LOCAL LAWS OF 1913, AND ALL SUBSEQUENT AMENDMENTS THERETO RELATIVE TO THE RECORDER'S COURT OF LEXINGTON."

The General Assembly of North Carolina do enact:

SECTION 1. That House Bill number five hundred sixty, ratified the twenty-seventh day of February, one thousand nine hundred thirty-three, be and the same is hereby amended as follows:

Amend section fifteen of said House Bill number five hundred sixty by striking out in lines seven and twelve of said section the words "fifteenth" and "fifteenth" and insert in lieu thereof the words "first" and "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 full force and effect from and after its ratification.

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

CHAPTER 84

AN ACT TO REPEAL CHAPTER SEVENTY-SIX OF PUBLIC-LOCAL LAWS OF THE EXTRA SESSION OF ONE THOUSAND NINE HUNDRED TWENTY-FOUR RELATING TO THE APPOINTMENT OF SPECIAL CONSTABLES IN WILSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter seventy-six of Public-Local Laws, extra session of one thousand nine hundred twenty-four, be and the same is hereby repealed.

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

Ratified this the 27th day of February, A.D. 1933.
CHAPTER 85

AN ACT TO PROHIBIT FISHING AND HUNTING IN AND ON THE WATERS OF LAKE SUMMIT AND GREEN RIVER IN HENDERSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That for a period of two years, beginning March 1st, 1933, all fishing, seining, or taking fish in any manner, and hunting and shooting wild game in and upon the waters of Lake Summit in Henderson County, and its tributaries from the concrete dam below the Southern Railway trestle, up and including Green River, as it meanders to the point where Bob's or Terry Creek flows into said river, be and is hereby prohibited.

Sec. 2. That anyone violating the provisions of this act shall be deemed guilty of a misdemeanor, and punishable by a fine not to exceed Fifty Dollars ($50.00) or imprisonment not to exceed thirty days.

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 March 1st, 1933.

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

CHAPTER 86

AN ACT TO VALIDATE AND AUTHORIZE THE SALE OF LANDS FOR TAXES BY MUNICIPALITIES IN HAYWOOD, GRAHAM, SWAIN, JONES, JACKSON AND CHEROKEE COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That the Mayor and Board of Aldermen of any municipality which has failed to sell lands to satisfy taxes levied for the years one thousand nine hundred and twenty-nine, one thousand nine hundred and thirty and one thousand nine hundred and thirty-one, or for assessments for street improvements are hereby authorized, empowered and directed to cause lands to be sold for the satisfaction of said taxes and/or assessments after due advertisement, as provided by law for the sale of lands for taxes, at any time prior to October fifteenth, one thousand nine hundred and thirty-three, and such sale or sales are hereby validated and declared to be good and valid as if the property had been sold at the usual and regular time, as provided by statute.
Sec. 2. That the sales hereinbefore provided, when made and any sales heretofore made by a municipal corporation, whether made at the regular time provided by statute or at some other date, are hereby approved, confirmed, validated and declared to be proper, a valid and legal sale of such lands, and legally binding in all respects, and all certificates of sale made and issued upon and in accordance with such sales and to be made under the provision of section one, hereof, be and the same are hereby approved and validated to all intents and purposes and with such force and legal effect as if said sales had been held and conducted at the time provided by statute.

Sec. 3. That this act shall apply only to municipal corporations in Haywood, Graham, Swain, Jones, Jackson and Cherokee Counties.

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

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

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

H. B. 487

CHAPTER 87

AN ACT TO AMEND CHAPTER 111 PUBLIC-LOCAL LAWS OF 1929 RELATIVE TO TAX COLLECTOR OF RUTHERFORD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section six of chapter one hundred and eleven, Public-Local Laws of one thousand nine hundred and twenty-nine, be amended by striking out the words and figures “twelve hundred dollars ($1200.00)” in lines eleven and twelve of said section and inserting in lieu thereof the words and figures “one thousand dollars ($1,000.00).”

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

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

Ratified this the 28th day of February, A.D. 1933.
H. B. 507  

CHAPTER 88

AN ACT TO AUTHORIZE, EMPOWER, AND DIRECT THE SHERIFF AND/OR TAX COLLECTOR OF BLADEN COUNTY TO ACCEPT COUNTY VOUCHERS IN PAYMENT OF TAXES.

The General Assembly of North Carolina do enact:

SECTION 1. That the sheriff and/or tax collector of Bladen County be, and he is, hereby authorized, empowered, and directed to accept in payment of current taxes due said county, vouchers issued by the County of Bladen under the authority of the Board of Commissioners of said county, when said vouchers are so issued in satisfaction and settlement of the obligations of said county for services rendered to, or purchases made by, it, and the said vouchers so accepted by said sheriff and/or tax collector shall be included in, and accepted by the said Board of Commissioners of Bladen County, in any settlement of taxes submitted and made by said sheriff and/or tax collector.

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

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

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

H. B. 549  

CHAPTER 89

AN ACT AUTHORIZING THE COUNTY OF FRANKLIN TO ACCEPT VOUCHERS ISSUED BY SAID COUNTY IN PAYMENT OF TAXES AND OTHER OBLIGATIONS DUE THE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the county of Franklin is hereby authorized and directed to accept any voucher issued by said county in payment of taxes or other obligation due the county by the holder of said voucher and the sheriff or other county tax collecting officer or any department to which said holder is indebted is hereby authorized to credit the amount of such voucher on the taxes or other obligation of the holder thereof which may be due 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 full force and effect from and after its ratification.

Ratified this the 28th day of February, A.D. 1933.
CHAPTER 90

AN ACT TO PLACE THE COLLECTION OF DOG TAXES IN PASQUOTANK COUNTY UNDER THE DIRECT AND IMMEDIATE SUPERVISION OF THE SHERIFF.

The General Assembly of North Carolina do enact:

Section 1. That the Sheriff of Pasquotank County shall be designated as the proper collector for all dog taxes in said county.

Sec. 2. That taxes for dogs shall be listed at the time and place now provided for by law, but the tax lister shall list the number of dogs and amount of taxes in a separate book maintained for that purpose only, and a duplicate of such listing shall be given to the lister.

Sec. 3. That attention by the Board of County Commissioners of Pasquotank County will be given to purported errors in the listing of such dogs for taxes only when the duplicate receipt held by the lister manifests a patent error on the tax books.

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. 1933.

CHAPTER 91

AN ACT TO BETTER PROTECT THE REVENUES AND PUBLIC FUNDS OF CHEROKEE COUNTY

The General Assembly of North Carolina do enact:

Section 1. That it shall be unlawful for the County Accountant or Register of Deeds of Cherokee County to issue any check, voucher, claim or order for the payment of money out of the public funds of Cherokee County, or for the Treasurer of the County to pay any such check, voucher, claim or order, unless an order or resolution directing such issuance and payment has first been passed by the Board of County Commissioners of Cherokee County, and until such order has been entered upon the minute book of the board in detail, specifying the person to whom issued, the amount of the allowance and the purpose for which made.

Sec. 2. That within five days after the adjournment of each regular monthly meeting of the Board of County Commissioners the Register of Deeds and Ex-Officio Clerk to said board shall prepare a brief statement of all orders for the payment of money.
passed by the board for the preceding month (specifying therein to whom paid or allowed, the amount and the purpose for which payment or allowance is made) and shall post a copy of such statement at the courthouse door, furnish one copy to each newspaper published in Cherokee County to be published as news should it desire, and file one copy in his office which shall at all times be open to inspection by the public.

Sec. 3. The County Superintendent of Public Instruction shall within five days after the adjournment of each regular monthly meeting of the County Board of Education prepare a statement of all revenues received by the County Treasurer for the preceding month for the use of the school fund from whatsoever source derived, and of all warrants, claims or vouchers issued, to whom issued, for what purpose and in what amounts, and shall file one copy in his office for inspection of the public, post one copy at the courthouse door of the county and furnish a copy to each newspaper published in Cherokee County.

Sec. 4. That on or before the tenth day of each month it shall be the duty of the County Accountant of Cherokee County to prepare a statement of the revenues received by the county for the preceding month from whatsoever source, naming the source, together with the sums paid out by the Treasurer for the preceding month specifying the Department of County Government for which paid, and shall file one copy in his office for inspection by the public, shall post a copy at the courthouse door and shall furnish a copy to each newspaper published in Cherokee County.

Sec. 5. That it shall be the duty of the governing board of each municipality of Cherokee County to monthly cause to be prepared by its clerk a statement of the revenues received by such municipality, from every source whatsoever, naming source, together with all sums paid out by the municipality for the preceding month, specifying the person to whom and for what purpose paid, and it shall be the duty of the clerk to such board on or before the 10th day of each month to prepare such statement, file the original in his office and post a copy at the door of such board or office and a copy at least three other public places within the municipality.

Sec. 6. It shall be the duty of the School Board or School Committee of each special charter school district within the County of Cherokee handling and expending public funds, at the close of each school year and on or before the fifteenth day of June of each such year, to prepare a statement showing in detail the funds and revenues paid over to such special charter district, or its treasurer, from tax collections or any source whatsoever, together with a statement showing all sums expended, to whom paid and for what purpose, for the preceding year; and it
shall be the duty of the secretary to such board to prepare and publish such statement by filing a copy in his office and posting copies thereof at at least four public places within such district.

Sec. 7. Any officer violating any of the provisions of this act shall be guilty of a misdemeanor and punishable by fine or imprisonment or both in the discretion of the Court.

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

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

H. B. 659

CHAPTER 92

AN ACT TO ABOLISH THE OFFICE OF FARM DEMONSTRATION AGENT FOR NEW HANOVER COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the office of County Farm Demonstration Agent, now held by J. P. Herring, in and for the County of New Hanover, be and the same is hereby abolished.

Sec. 2. That the Board of County Commissioners of New Hanover County are hereby forbidden and prohibited from making any appropriation for the payment of the salary of the County Farm Demonstration Agent.

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

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

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

H. B. 575

CHAPTER 93

AN ACT REGULATING THE COMPENSATION OF THE PUBLIC OFFICERS OF SCOTLAND COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners of Scotland County shall hereafter have the authority, in its discretion, to provide for the compensation of the several public officers of Scotland County by placing the whole of said officers upon a salary basis or upon a fee basis or by placing such of them upon a salary basis and the others upon a fee basis as said Board may, in its discretion, from time to time, decide and determine.

Sec. 2. That such compensation as may be provided hereunder by the Board of County Commissioners of Scotland County

Maximun and minimum.
for the public officers of Scotland County on a salary basis shall be fixed by said Board within the minimum and maximum sums following:

For the Sheriff of Scotland County a salary of not less than one hundred and twenty-five ($125.00) dollars per month nor more than three hundred ($300.00) dollars per month, but said Commissioners may provide for any deputy or deputies for said Sheriff a salary or salaries aggregating not less than one hundred ($100.00) dollars per month nor more than two hundred ($200.00) dollars per month.

For the Rural Police of Scotland County a salary of not less than one hundred ($100.00) dollars per month nor more than two hundred ($200.00) dollars per month to each;

For the Clerk of the Superior Court of Scotland County a salary of not less than one hundred twenty-five ($125.00) dollars per month nor more than three hundred ($300.00) dollars per month, which said sum so fixed shall include the salary of any deputy or assistant to said clerk;

For the Register of Deeds of Scotland County a salary of not less than two hundred ($200.00) dollars per month nor more than four hundred ($400.00) dollars per month, which sum shall include the salary of any deputy, assistant or clerk to said Register of Deeds;

For the County Auditor or County Accountant a salary of not less than one hundred ($100.00) dollars per month nor more than two hundred ($200.00) dollars per month;

For the Trial Justice of the Criminal Court of Scotland County a salary of not less than fifty ($50.00) dollars per month nor more than one hundred ($100.00) dollars per month;

For the Prosecuting Attorney of the Criminal Court of Scotland County a salary of not less than seventy-five ($75.00) dollars per month nor more than one hundred twenty-five ($125.00) dollars per month;

That said salaries shall be paid to said officers out of the general fund of Scotland County by order of the Board of County Commissioners each month so long as such officers remain on a salary basis, but said Board of Commissioners shall have the power, at any time, to change the basis for the compensation of any or all of said officers by replacing them, or any of them, on the fee basis.

Sec. 3. That from and after the date or dates upon which the salary of any of said officers become effective as provided by this act and so long as said officer or officers shall remain on a salary basis, all fees, bounties, commissions and other emoluments collected by such public officer, as provided by law, shall be collected and paid over to the general fund of Scotland County.
SEC. 4. That hereafter there shall be computed a commission of three per cent on the total of all taxes hereafter collected of all taxes hereafter levied or special assessments hereafter made for any and all purposes whatsoever by the Board of County Commissioners of Scotland County and the amount of said commissions shall be deducted from said collections and shall be paid into and credited to the general fund of Scotland 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 the 1st day of March, A.D. 1933.

H. B. 599

CHAPTER 94

AN ACT TO ESTABLISH A CONSOLIDATED GOVERNING BODY FOR THE CITY OF WILMINGTON AND THE COUNTY OF NEW HANOVER.

The General Assembly of North Carolina do enact:

SECTION 1. There is hereby created and established as a joint governing body for the City of Wilmington and County of New Hanover, a Commission consisting of seven members, which body is designated as the New Hanover Consolidated Commission. Said New Hanover Consolidated Commission shall be vested with all of the rights, powers, duties, and functions of the existing Board of City Commissioners of the City of Wilmington and the Board of County Commissioners of the County of New Hanover, subject only to the restrictions hereinafter set out.

SEC. 2. Five of the members of the New Hanover Consolidated Commission shall be citizens, residents, and qualified voters of the City of Wilmington, and the remaining two members shall be citizens, residents, and qualified voters of New Hanover County, not residing within said City. The five members who shall be citizens and residents of said City shall be elected from the City at large by the registered qualified voters thereof. The two members who shall be citizens residing in said County, but outside of said City, shall be elected by the registered qualified voters of the entire County, including the voters within said City.

SEC. 3. The existing Board of City Commissioners of said City and the Board of County Commissioners of said County shall continue in office with all the rights, powers, duties, and functions heretofore vested in them under the existing law, until the first New Hanover Consolidated Commission shall have been
elected and qualified, as herein provided; whereupon, said Board of City Commissioners and Board of County Commissioners and their respective offices shall be abolished.

SEC. 4. The election of the New Hanover Consolidated Commission shall take place on the first Tuesday after the first Monday in May, in every four years, one thousand nine hundred thirty-three, and on the first Tuesday after the first Monday in May quadrennially thereafter. For the purpose of said elections the various voting precincts as now established in said City and County shall be used, but said Consolidated Commission shall have full power to fix and establish all additional precincts, or polling places, and to combine or abolish any voting precincts, or polling places, as the convenience of voters may hereafter require. Notices showing the various voting precincts and the boundaries thereof, together with the location of the polling places within said precincts, designated by names or numbers, shall be given by publication once a week for four successive weeks, in a daily newspaper published in the City of Wilmington, immediately preceding such election. No voting precinct shall embrace territory lying both within and without the limits of said City.

SEC. 5. Candidates for membership in the New Hanover Consolidated Commission shall be nominated by petition. The name of any candidate shall be printed on the ballot, provided that not less than ten days prior to the date of such election, there is filed with the City Clerk, or such officer as may hereafter be designated as Clerk of said Consolidated Commission, a separate nominating petition, setting forth the name and place of residence of the nominee and stating specifically whether the nominee is a candidate from within said City or without said City. Each nominating petition for candidates from within said City must be signed by at least twenty-five registered, qualified voters of said City. Each nominating petition for candidates without said City must be signed by at least twenty-five registered, qualified voters, residing anywhere in said County. All such petitions show definitely the place of residence of the nominee and of the several signers, giving the name of street or road, and the house number, wherever such exists. Any person thus nominated may file with the officers designated to receive such nominating petitions, a statement, in writing, that he declines to be a candidate, and in case such declination has been filed before the ballots have been printed, his name shall be omitted therefrom.

SEC. 6. For the purpose of conducting the elections herein provided for, the City Clerk, or such other officer as may hereafter be designated as Clerk of said Consolidated Commission, shall cause to be printed, two sets of ballots. The ballots to be used in the voting precincts outside the City shall contain the names, arranged alphabetically, of all candidates nominated
from outside the City and immediately above it shall appear the words, "Candidates from Outside the City—Vote for Two." The ballots to be used in the voting precincts within the City shall contain two groups of names, to wit:

1. The same group that is printed on the ballots to be used outside the City, preceded by the words, "Candidates from Outside the City—Vote for Two."

2. The names, arranged alphabetically, of all candidates nominated from inside the City, which second group is to be preceded by the words, "Candidates from Within the City—Vote for Five."

All ballots shall be printed on plain, substantial, white paper and shall be headed: "Candidates for the New Hanover Consolidated Commission." At the bottom of said ballot shall be printed the words: "Place a cross (X) mark in the square preceding the names of persons for whom you desire to vote." The officer charged with the duty of having said ballots printed shall also cause a sufficient number thereof to be delivered at each polling place, and no other ballots shall be used. At the close of said election, the election officers at each precinct shall count the ballots and determine the result. They shall appoint one of their number to attend a meeting to be held in the office of the City Clerk, or the office of the Clerk hereafter appointed by said Consolidated Commission, at noon on the next succeeding day, to canvass the election and declare the result thereof. The two candidates from without the City and the five candidates from within the City receiving the highest number of votes shall be declared elected. In case of a tie vote the results shall be determined by lot conducted by and in the presence of said Canvassing Board. Said Canvassing Board shall certify the final result of said election to the governing authority of said City and County.

Sec. 7. Except as otherwise provided for in this act, said elections shall be held and conducted in accordance with the general election laws of the State, applicable to election of members of the General Assembly, including registration, advertisement, and appointment of registrars.

Sec. 8. The members of the New Hanover Consolidated Commission before entering upon their duties shall take before some officer authorized to administer oaths, an oath that they will fairly and impartially perform the duties of their offices. The members of said Consolidated Commission shall hold office for a term of four years and until their successors have been elected and qualified.

Sec. 9. The members of the New Hanover Consolidated Commission shall at noon, on the second day following their election,
Selection of Mayor.

Duties of Mayor.

Committees.

General laws as to powers of mayors applicable.

President pro tem.

Mayor serves as Commission Chairman.

Salary.

Regular meetings of Commission.

Special meetings.

Meetings to be public.

after qualifying, convene for the transaction of business. At said first meeting the members elected from within the City shall elect one of their number by majority vote who shall be known and who shall act and serve as the Mayor of the City of Wilmington. In the selection of said Mayor, the two members elected from outside the City shall have no vote. The Mayor shall preside at all meetings of said Consolidated Commission and shall have such powers and duties as are conferred upon him by this act, together with such others as are conferred upon him by said Consolidated Commission, in pursuance of the provisions of this act, and no other. He shall have the right to vote upon all questions, but shall have no additional vote in case of a tie. He shall appoint all standing committees and special committees of said Consolidated Commission, unless said Consolidated Commission shall vote to elect any or all of such standing or special committees. He shall be recognized as the official head of the City and shall be so considered by the public for all ceremonial purposes. He shall have the power to administer oaths and take affidavits. Such functions not enumerated in this act as are conferred upon the Mayor by the General Laws of the State shall be exercised by the City-County Manager, hereinafter to be provided for, unless the Consolidated Commission designates some other person to exercise these functions. During the disability of the Mayor, or his absence from the City, the functions of his office shall devolve upon some member of the Consolidated Commission, elected or designated by the members of the Commission elected from within the City at said first meeting, as President pro tempore. The President pro tempore shall preside at all meetings of the Consolidated Commission in the absence of the Mayor. The Mayor shall also be known and shall serve as the Chairman of the New Hanover Consolidated Commission and shall receive a salary of six hundred dollars per annum, payable monthly, one-half thereof to be paid out of the City funds and one-half thereof to be paid out of the County funds.

Sec. 10. After said first meeting, the said Consolidated Commission shall meet in regular session at least twice a month at such hour and place in the City of Wilmington, as may be designated by ordinance, duly adopted. The Mayor and three members of the Consolidated Commission, or the City-County Manager, hereinafter provided for, may call special meetings of the Consolidated Commission at any time, upon at least twelve hours written notice to each member, served personally, or left at his usual place of residence or business. A special meeting may be held at any time without prior notice, provided all members attend. All meetings of the Consolidated Commission shall be public and any citizen of the County shall have access to the records and minutes thereof at all reasonable times. A majority
Sec. 11. The New Hanover Consolidated Commission shall have authority to vote each of its members, not including the Mayor, a salary not exceeding three hundred dollars per annum, payable monthly, one-half thereof to be paid out of the City funds and one-half to be paid out of the County funds. For each absence of a member, including the Mayor, from a regular meeting, there shall be deducted from his pay the sum of five dollars. Absence from five consecutive regular meetings shall operate to vacate the seat of a member, including the Mayor, unless the absence is excused by said Consolidated Commission by resolution setting forth the reason therefor, which resolution shall be duly entered upon the Journal. The Consolidated Commission, by a vote of five of its members in meeting assembled, shall have power to remove from office the Mayor, or any other member, for misfeasance, malfeasance, corruption, neglect of duty, or other misconduct in office. The member thus proceeded against shall have at least ten days notice, in writing, of the motion to remove him, accompanied by a copy of the charges alleged as the grounds for his proposed removal. He shall then have the right to be heard in person or by counsel in his defense. In case of the removal of the Mayor, or any member, the vacancy shall be filled by the remaining members, provided that where the member removed was originally elected from within the City, his successor shall be selected from within the City, and similarly where the member removed was originally elected from without the City, his successor shall be selected.
Recall of Commission members.

Existing law applicable.

Recall petition.

Commission membership disqualifies for any other public office.

from without the City. The persons elected to fill such vacancies shall take office for the remainder of the unexpired term, but before entering upon their duties, shall take the oath of office required for qualifying members of the Commission. If any person thus chosen to fill a vacancy, or any person regularly elected to membership in the Commission, should refuse or fail to qualify and serve, or, if by reason of death, or any other cause, a vacancy occurs or exists in said Commission, then the remaining members shall elect persons from the City or County, as the case may be, to fill out the unexpired term.

Sec. 12. The Mayor or any other member of the New Hanover Consolidated Commission may be recalled in the manner now prescribed in the existing charter of the City of Wilmington, as set out in section one under the caption, "RECALL OF OFFICIALS BY THE PEOPLE," of chapter two hundred twenty-four of the Private Laws of one thousand nine hundred twenty-one. Where the words, "Board of Commissioners" appear in said section, they shall be construed to mean, "New Hanover Consolidated Commission;" and where the word "Clerk" appears, it shall be construed to mean "the person designated as clerk of the New Hanover Consolidated Commission;" and where the words "Mayor" or "Commissioner" appear, they shall be construed to mean, "any member of said Consolidated Commission;" and where the word "officer" or "official" appears, it shall be construed to mean "any member of the New Hanover Consolidated Commission," except where the word "official" or "officer" deals with a person competent to administer oaths, in which event the word shall retain its original construction. Where a petition seeks the recall of a member elected from within the City, then such petition must bear the required number of signatures of registered voters or electors of the City, and only registered voters or electors of the City shall be permitted to vote in such recall election. Where a petition seeks the recall of a member elected from without the City, then such petition may bear the required number of signatures of registered voters or electors residing anywhere within the County and all registered voters or electors residing anywhere within the County shall be permitted to vote in such recall election.

Sec. 13. No person elected to the New Hanover Consolidated Commission, whether he qualified or not, shall, during the term for which he was elected, be elected or appointed to any position or office of trust or profit under the Consolidated City-County Government, or any branch thereof. However, when a vacancy exists or occurs in the office of Mayor, a member of the Consolidated Commission shall not be debarred from election to such office for the existing term or unexpired part of the term. Except for the purpose of inquiry, the Consolidated Commission and its
members shall deal with the administrative service of said City and County, solely through the City-County Manager, hereinafter provided for, except as otherwise provided by law. Neither the Consolidated Commission nor any of its members shall dictate either directly or indirectly the appointment or employment of any person or persons whom said City-County Manager may be authorized to appoint in the administrative service of said City and County, nor shall they give orders to any such appointees, either publicly or privately, it being the intention and purpose of this act that said City-County Manager shall be free to exercise his independent judgment in the appointing, employing, and directing of all such appointees and employees.

SEC. 14. At the first meeting of the New Hanover Consolidated Commission held as hereinbefore provided, or as soon thereafter as practicable, there shall be elected a City-County Manager, in the selection of whom all members of said New Hanover Consolidated Commission shall be entitled to vote. Said City-County Manager shall function as the administrative head of the City and County Governments. The powers, duties, rights, manner of selection, compensation, term of office, removal, absence, disability, and other matters pertaining to said City-County Manager shall be governed by the following provisions:

(a) A City-County Manager shall be chosen to be the head of the City and County Governments to the City of Wilmington and County of New Hanover. He shall be chosen by the New Hanover Consolidated Commission without regard to his political belief, and solely upon the basis of his training and executive and administrative qualifications. The choice shall not be limited to the inhabitants of this City or the State. The City-County Manager shall receive such compensation not to exceed six thousand dollars per annum, as shall be provided by the Consolidated Commission by ordinance. He shall give such bond as may be required by said Consolidated Commission. He shall be appointed for an indefinite period and shall serve at the will of the Consolidated Commission: Provided, however, that he may not be removed within twelve months from date on which he assumed his duties, except for incompetency, malfeasance, misfeasance, or neglect of duty. In case of his removal within said period, he may demand written charges and a public hearing thereon, before the Consolidated Commission prior to the date upon which his final removal shall take effect, but the decision and the action of the Commission on such hearing shall be final, although pending such hearing the Commission may suspend him from duty. During the absence, suspension, or disability of said City-County Manager, or while the office is not filled, said Consolidated Commission shall designate some properly qualified
person to perform his duties, at a compensation to be determined by said Commission.

(b) The City-County Manager shall be responsible to the Consolidated Commission for the efficient administration of all the affairs of the City and County under his direction and control. It shall be his duty to attend all meetings of the Consolidated Commission, with the right to take part in the discussion of any business before the Commission, but without a vote. He shall be entitled to notice of all special meetings. He shall recommend to the Consolidated Commission from time to time such measures as he shall deem necessary, and shall furnish said Commission with the necessary information respecting any of the Departments of the City and County under his direction and control. The City-County Manager shall not be personally interested in any contract in which the City or County is a party for supplying materials of any kind to said City or County.

The City-County Manager shall have the power, and it shall be his duty, to see that the laws and ordinances of the City and County are enforced.

He shall have power and authority to revoke licenses, pending action by the Consolidated Commission.

Except as otherwise provided in this act, said City-County Manager shall have the power to appoint and remove all heads of departments, and all subordinate officers and employees of the City and County. He shall, except wherever inconsistent with other provisions of this act, exercise supervision and control over all other departments and divisions created herein, or that hereafter may be created by the Consolidated Commission. He shall see that all terms and conditions imposed in favor of the City or County or its inhabitants in any public utility franchise are faithfully kept and performed, and upon knowledge of any violation thereof he shall call the attention of the Consolidated Commission to the same. He shall make and execute all contracts on behalf of the City or County in such manner as may be authorized or provided by resolutions or ordinances passed by the Consolidated Commission. He shall prepare and submit to the Consolidated Commission a proposed annual budget, after receiving estimates made by the heads or directors of departments, or by any board, officer, or commissioner, not within a department. He shall keep the Consolidated Commission at all times advised as to the financial needs and conditions of the City and County governments. He together with the Mayor shall be ex officio members of the Consolidated Board of Health of the City of Wilmington and County of New Hanover, which Board of Health shall consist of the ex officio members and a practicing dentist and a practicing physician, to be appointed by the ex officio members, at a salary fixed by the Consolidated Commission, serving for a
term of two years; neither the Mayor nor the City-County Manager, however, is to receive any extra compensation for their services on said Board. He shall from time to time make oral and written reports to the Consolidated Commission of the condition and efficiency of the various departments of the City and County under his direction and control. The Consolidated Commission may in its discretion cause such written reports to be published for the information of citizens. The City-County Manager shall perform such other duties as may be prescribed and required of him by ordinance or resolution of the Consolidated Commission.

Said City-County Manager shall not engage in electioneering or take an active part in political campaigns, or attempt to influence the result of national, State, or other political elections, except by exercising his right as a citizen to hold his own political views and to cast his own vote. Electioneering or improper political activity by said City-County Manager, or attempts to influence the result of elections or primaries, shall be a cause for his immediate suspension or removal from office.

(c) The Consolidated Commission and the City-County Manager, or either of them, shall have the power to make investigations as to City and County affairs, and for that purpose to subpoena witnesses, administer oaths, and to compel the productions of books and papers.

Any person refusing or failing to attend, or to testify, or to produce such books or papers may, by summons issued by such Consolidated Commission, or City-County Manager, be summoned before the Recorder of New Hanover County by the Consolidated Commission or City-County Manager making such investigation, and upon conviction, he shall be guilty of a misdemeanor and may be fined by the Recorder not exceeding one hundred dollars, or imprisoned for a period not exceeding thirty days. Any person who shall give false testimony under oath at any such investigation shall be liable for prosecution for perjury.

Upon the election of said City-County Manager, the separate officers of the several existing Commissioners of the City of Wilmington, and of the several separate Commissioners of the County of New Hanover shall stand abolished.

Sec. 15. The New Hanover Consolidated Commission shall appoint a clerk who shall serve as clerk for said Consolidated Commission, whose rights, duties, and powers shall be prescribed by ordinance duly passed by said Commission.

Sec. 16. The New Hanover Consolidated Commission shall appoint a City-County Attorney who shall serve as legal advisor, attorney, and counsel for both the City and County, who shall hold office at the pleasure of the Consolidated Commission. Said City-County Attorney shall be legal advisor to, attorney, and counsel for the City of Wilmington and the County of New Han-
over, including the Consolidated Board of Health of the City of
Wilmington and County of New Hanover, relative to matters in
or adjacent to said City or County limits. He shall act as counsel
for all officers in said City-County Government, and for all mem-
ers of the Commission in matters relating to their official
duties. In addition to the duties enumerated, he shall perform
such other duties as may be required of him by said Consoli-
dated Commission by ordinance or otherwise.

Said City-County Attorney, for his services, shall receive a
salary and compensation to be determined by said Consolidated
Commission, payable monthly, but not to exceed four thousand
dollars per annum. He shall, under no circumstances, receive
any other compensation or remuneration for his official services,
by commission, fee, or otherwise.

Sec. 17. The New Hanover Consolidated Commission shall by
ordinance establish a single Department of Finance which shall
be under the direct supervision of the City-County Manager, and
which shall function for both the City and the County, to be
organized as may be provided by ordinance of the Commission.
The City-County Manager shall from time to time make recom-
endations in writing to the Consolidated Commission for the
organization or re-organization of the Department of Finance,
and such recommendations shall be duly considered by the said
Commission. The City-County Manager shall exercise direct
supervision over the Department of Finance in its administra-
tion of the financial affairs of the City and County, including the
keeping of accounts and financial records, for making out the
tax lists as herein or otherwise provided by law, the collection
of taxes, special assessments, and other revenues, the custody of
the City and County funds and monies, the purchasing of ma-
terials and supplies for the City and County, and such other
duties as the Consolidated Commission may by ordinance pro-
vide, to be performed by an officer or officers, members, ap-
pointees, or employees of the Department of Finance.

The officers of the Department of Finance shall be a City-
County Treasurer, a City-County Auditor, and a City-County Tax
Collector, to be elected and serve as hereinafter provided. The
Consolidated Commission may assign the duties of the City-
County Purchasing Agent, to said City-County Auditor, or may
establish by ordinance the office of City-County Purchasing Agent,
and other offices in the Department of Finance, to be filled by
appointment by the City-County Manager, but whose compensa-
tion shall be determined by the Consolidated Commission. The
officers of the Department of Finance shall furnish to the City-
County Manager, whenever required, full information with re-
gard to the work of their offices, and the methods used in such
offices, and he shall have access to all books, paper records, and
accounts in such offices. The City-County Manager shall from
time to time recommend, either in writing or orally, to the Con-
solidated Commission such measures as he shall deem necessary
for the improvement of the efficiency of the several offices in the
Department of Finance. When and if such recommendations
have been approved by the Consolidated Commission, they shall
be put into effect under the direction and supervision of the
City-County Manager.

Said Department of Finance shall maintain two complete sets
of records, one showing all revenues accruing to the City of
Wilmington, with all the charges against such revenues and all
expenditures therefrom, together with all other financial accounts
of said City; and the other showing all the revenues accruing to
New Hanover County, with all the charges against such revenues
and expenditures therefrom, together with all other financial
accounts of said County.

Sec. 18. The New Hanover Consolidated Commission shall ap-
point a City-County Treasurer who shall function for both the
City and County, as follows:

The City-County Treasurer shall be the custodian of all monies
of the City and County, and shall keep and preserve the same
in such place, or places, as shall be determined by the Consoli-
dated Commission, and shall pay out monies only on warrants
issued by the City-County Auditor, hereinafter provided for. Said
City-County Treasurer shall keep the funds and revenues of said
City and said County in two separate accounts, and the same
shall not in anywise be mingled. He shall hold office at the
pleasure of the Consolidated Commission, and his compensation
shall be fixed by said Commission.

Sec. 19. The New Hanover Consolidated Commission shall
appoint a City-County Auditor, who shall function for both City
and the County, as follows:

He shall keep accurate accounts of all taxes and assessments,
of all monies due and all receipts and disbursements by the City
and the County.

He shall assist in making out the tax lists provided for herein
and as may be otherwise required by law. He shall make out
and prepare for publication all annual statements, and all other
statements of like nature that may be required. He shall inquire
and investigate for all the delinquent taxpayers, and require all
delinquent property, including polls, to be placed upon the tax
lists.

He shall instruct tax listers and assessors, act as an accountant
for the City and County, supervise, scrutinize, and examine the
list once in every month, all books, accounts, and vouchers, and
other records of the various departments of the City showing
monies collected by them, as well as all books, accounts, vouchers,
and other records of the City-County Treasurer, and shall report thereon to the Consolidated Commission and the City-County Manager.

He is hereby authorized to administer oaths on verification on claims which may be filed against the City and County. He shall, under the direction and supervision of the City-County Manager, install and maintain a system of accounting which shall be adequate to record all financial transactions of the City and County. It shall be the duty of the City-County Auditor to audit all claims and bills filed against the City and County, and no such claim or bill shall be allowed or paid until it has been audited and approved by said Auditor, together with the final approval of the Consolidated Commission or the members thereof, who may be interested, as the case may be, depending upon whether the claim be against the City or County; and all claims or bills allowed by proper authority shall be countersigned and approved by said City-County Manager before they shall be honored or paid by the City-County Treasurer. In addition to such duties, the City-County Auditor shall perform such other duties, including the auditing of all expenditures of public funds, as the same may be required of him by the Consolidated Commission. The office of the City-County Purchasing Agent may be, in the discretion of the Consolidated Commission, combined with that of the City-County Auditor, and all actions of the City-County Purchasing Agent shall be subject to the supervision and approval of the City-County Manager. It shall further be his duty to keep separate and distinct records for both the City and the County, and in issuing warrants he shall draw a separate warrant upon the funds of the City and upon the County for the payment of proper charges against said separate funds.

Sec. 20. The New Hanover Consolidated Commission shall appoint a City-County Tax Collector, who shall function for both the City and County in the following manner:

(a) It shall be the duty of said City-County Tax Collector, and he shall have the power and authority to collect all general and special taxes provided for, and all other City and County taxes now provided for by law, and other special taxes whose collection is not otherwise provided for herein, whether the same be City or County taxes. The City-County Tax Collector shall at no time retain in his hands more than five hundred dollars for a longer time than three days. He is hereby vested with the same power and authority and subjected to the same fines and penalties as the Sheriff or Tax Collector of New Hanover County is now, or may be, by law. For his services the said City-County Tax Collector shall receive such compensation as the Consolidated Commission may fix, and he shall hold office at the pleasure of the Consolidated Commission.
(b) The Consolidated Commission, at or before the first meeting in March of each year, shall appoint one (1) of their number, together with the City-County Manager and the City-County Auditor, to be present and assist at the accounting and settlement between said City-County Tax Collector and the City-County Treasurer of the taxes for the preceding year. In such settlement the said City-County Tax Collector shall be charged with the sums appearing by the Tax Lists as due from the City and County taxes, and all special taxes with which he is chargeable, and he shall be allowed all credits authorized by the Consolidated Commission. The accounts when properly audited shall be reported to the Consolidated Commission, and when approved by it, shall be recorded in the Minute Book or Journal of the Consolidated Commission, and the record shall be prima facie evidence of their correctness.

(c) In case the said City-County Tax Collector shall fail, neglect, or refuse to account with the City-County Treasurer and said Committee, as required, or pay what might rightfully be found due on such account, on or before the fifteenth day of March of the next succeeding year after the taxes are levied, he shall forfeit and pay to the State for the use of the City, and/or County, as the case may be, a penalty of five hundred dollars. It shall be the duty of the Mayor, upon failure or refusal of said Tax Collector to account as aforesaid, to cause an action to be brought on the bond of said Tax Collector, against him and his sureties, to recover the amount owing by him from the penalty aforesaid. If the Tax Collector shall fraudulently and corruptly fail to account as aforesaid, he shall be guilty of a misdemeanor, and upon conviction thereof, shall be sentenced to pay a fine or be imprisoned in the discretion of the Court.

(d) If any City-County Tax Collector shall die during the time appointed for collection of taxes, then his sureties may collect them and for that purpose shall have all the powers and means of collecting the same from the taxpayers as the said City-County Tax Collector would have had, and shall be subject to all the remedies of collection in settlement of taxes on their bonds, or otherwise, as might have been had against the said City-County Tax Collector if he had lived.

(e) The said City-County Tax Collector, and in case of his death, his sureties, shall have six (6) months and no longer from the date prescribed for his settlement of all taxes, to finish the collection of all taxes, but the extension of time for collection shall not extend his time of settlement for taxes, as aforesaid.

(f) For any breach of his official bond by said City-County Tax Collector, or any other officer who may be required to give an official bond, said officer shall be liable in an action on the same in the name of the City or County, as the case may be, or any
person aggrieved by such breach, and the same may be put in suit without assignment from time to time until the whole penalty is recovered.

(g) On or before the first day of August of each year, the Consolidated Commission shall proceed to lay the taxes on such subjects of taxation as are allowed by law and shall immediately after the approval of the same cause to be made a copy of as much and such parts of said Tax List as may be required for the use of the City-County Tax Collector, on or before the first Monday in October in each year, and he shall receipt for the same. The Consolidated Commission shall endorse on said copy an order to said City-County Tax Collector to collect the taxes therein mentioned and such order shall have the force and effect of a judgment and execution against the real property of the person charged in said copy respectively. The said Tax Collector shall proceed forthwith in the collection and shall complete the same, on or before the tenth day of March next ensuing, and shall pay over the monies as they are collected to the City-County Treasurer.

(h) If any person liable for taxes or subjects directed to be listed shall fail to pay them within the time prescribed for tax collection whether the same be City or County, the City-County Tax Collector shall proceed forthwith to collect the same by distress and sale and in such other manner and with all powers, rights, and duties in said collection as now exist, or exists, under the present law in the sheriff or proper officer for the collection of New Hanover County taxes.

(i) Said City-County Tax Collector shall keep separate and distinct accounts for city and county taxes and of all tax revenues accruing to the city and to the county, and shall account for the same separately.

(j) He shall hold office at the pleasure of the Consolidated Commission.

Sec. 21. Upon the appointment of the several City-County officers provided for in the preceding sections fifteen to twenty inclusive all the corresponding and similar offices heretofore existing in the governments of the City of Wilmington and the County of New Hanover shall stand abolished and all the rights, duties and functions thereof shall be merged and vested in the appropriate consolidated offices designed to serve for both the City and the County, as herein provided.

Sec. 22. The New Hanover Consolidated Commission shall provide for a City-County Police Department, which shall function for both said city and said county, under the general supervision and control of the City-County Manager, but the immediate control of said City-County Police Department shall be vested in
the duly elected Sheriff of New Hanover County, who shall be its immediate head and shall co-operate in all matters as a peace officer with said Police Department.

The City-County Police Department and Police Force shall be composed of such officers, patrolmen, and employees as the City-County Manager may appoint. All appointments of policemen and/or firemen, authorized herein by the City-County Manager, shall be made, from the eligible lists, as far as practical, furnished by the Civil Service Commission of the City of Wilmington. The number thereof to be appointed shall be determined by the Consolidated Commission. The persons exercising police power shall have all the powers and authority now or which may hereafter be vested in sheriffs and constables for the preservation of the peace of the City and County and for the suppression of disturbances and the arrest of offenders. Each member of the Police Force, with the exception of the Sheriff and his deputies, both rank and file, shall have issued to him a warrant of appointment, signed by the City-County Manager, in which the date of his appointment shall be stated and such warrant shall be his commission. Each member of said Force shall, before entering upon the duties of his office, take and subscribe to an oath that he will faithfully, without fear or favor, perform the duties of his office, and such oath shall be filed and preserved in the records of said Department. And, in addition, the several officers of said Force, shall, if so required by the Consolidated Commission, give bond in such penalty and with such security as the Consolidated Commission may by ordinance prescribe.

No person, except as otherwise provided by law, shall act as special police, special detective, or other special police officer, except upon written authority from the City-County Manager, and such authority when conferred, shall be exercised only under the direction and control of the Sheriff and for a specified time.

It shall be the duty of each officer and member of the Police Force to use his best endeavors to prevent the commission within the City of Wilmington and the County of New Hanover of offenses against the laws of the State and County, and against the ordinances and regulations of said city; to observe and enforce all such laws, ordinances, and regulations; to detect and arrest offenders against the same; to preserve the good order of said city and county and to secure the inhabitants thereof from violence. Such policemen shall have no power or authority in civil matters, but shall execute any criminal warrant, or warrant of arrest, which may be placed in his hands by any Justice of the Peace of the city or county, and shall make due return thereof. Such policemen shall not receive any fee or other compensation for any services rendered in the performance of his duty, other than the salary paid him by the City-County Govern-
Rewards.

No witness fees allowable.

Uniforms and badges.

Political activity prohibited.

Cause for removal.

Term of office.

Pension funds unaffected.

Jurisdiction.

Deputy sheriffs.

Compensation.

City-County jail.

No fees or commissions allowed sheriff or deputies.

ment, to be determined by the Consolidated Commission, or a reward publicly offered for the arrest of a criminal; nor shall he receive a fee as a witness in any case arising under the criminal laws of the State or County, or under the ordinances or regulations of said city.

The City-County Manager shall prescribe the uniforms and badges of members of the Police Force and direct the manner in which the members of said Force shall be determined. Any person, other than a member of said force, who shall wear such uniforms or badge as may be prescribed as aforesaid, may be subjected to such fine or imprisonment, or both, as may be prescribed by the Consolidated Commission by ordinance.

No member of the Police Force shall engage in electioneering or take an active part in any political campaign, national, State, county, or city, except by exercising his right as a citizen to perform his own political duty to cast his own vote. Members of the Police Department who shall be guilty of electioneering or improper political activity or attempts to influence the results of elections, or primaries, shall be suspended or removed from office, at the discretion of the Consolidated Commission.

All members of the Police Force, with the exception of the Sheriff and his deputies, shall hold office at the pleasure of the City-County Manager.

It is not the intention of this act to repeal any pension fund, now in force, for police or firemen.

The jurisdiction of said Police Department and its various officers, patrolmen, and employees, for the purpose of enforcing all State laws, shall extend throughout said City and County and for the purpose of enforcing all City ordinances, such jurisdiction shall extend throughout said City.

The Consolidated Commission shall have the power to determine the number of deputies which shall be appointed by said Sheriff and to fix their compensation, and in so doing regard shall be had for the fact that the work of said deputies will be largely that of aiding said Sheriff in the execution of civil process and the performance of other civil duties, since the entire County shall be policed by said City-County Police Department.

The custody and control of the existing City and County Jail, its records, and paraphernalia, heretofore used by the City Police Department and by the Sheriff of New Hanover County in policing and preserving the peace and enforcing the laws of said City and County, shall be vested in said City-County Police Department.

No fees or commissions of any sort shall be allowed the Sheriff or any of his deputies for the performance of any duties of his office as Sheriff or deputy in matters relating to the preservation of the peace or police matters, and especially in matters relating
to the care, feeding, and custody of prisoners in the jail. The care, feeding, and custody of prisoners shall be at cost, in the immediate charge of the Sheriff, or his appointee, but under the supervision and direction of the City-County Manager with the approval of the Consolidated Commission.

The Sheriff, for all his services, shall receive a compensation of forty-two hundred dollars per annum, payable monthly.

SEC. 23. The Fire Department of the City of Wilmington shall be under the general control of the New Hanover Consolidated Commission through the City-County Manager, except that in the exercise of such control only the five members of said Consolidated Commission elected from within the City shall be entitled to vote and the two remaining members elected from without the City shall have no vote or voice in respect thereto, and it shall function and be composed as follows:

The Fire Force shall be composed of a Chief and such other officers, firemen, and employees as the City-County Manager shall appoint, who shall hold office at the pleasure of said City-County Manager. The number of officers, firemen, and employees in the Fire Department shall be determined by the five (5) members of the said Consolidated Commission elected from within the City. The persons exercising the duties of firemen shall have power and are hereby authorized to make arrests during fires for interference with or obstruction of their operations.

The Chief of the Fire Department shall have immediate direction and control of the Fire Force, subject, however, to the supervision of the City-County Manager, and to such rules and regulations and orders as the said City-County Manager may prescribe. The Chief of the Fire Department and each of his assistants shall have issued to him a warrant of appointment signed by the City-County Manager, in which the date of his appointment shall be stated, and such warrant shall be his commission. The City-County Manager shall prescribe the uniform and badges for the members of the Fire Department.

The members of the Fire Department shall be subject to the rules and restrictions with regard to electioneering as are the members of the Police Force, under the provisions of this act.

Whenever any building in said City shall be on fire, it shall be lawful for the Chief of the Fire Department to order and direct such building, or any building which he may deem hazardous and likely to communicate fire to other buildings, or any part of such building, to be pulled down or destroyed; and no action shall be maintained against said Chief, or any person acting under his authority, or against the City therefor, except as herein provided. But any person interested in the property so destroyed may, within one (1) year thereafter, apply, in writing, to the Consolidated Commission to assess and pay the dam-
ages he has sustained. The Consolidated Commission may, by
decision of the members thereof elected from within the City,
thereupon pay to the claimant such sum as may be agreed upon
between him and said members of the Consolidated Commission.
No such claimant shall bring suit against the city for such
damages, however, unless he shall have first presented his claim
in the manner prescribed by this section and the five (5) mem-
ers of the Consolidated Commission elected from within the
city shall have declined to pay or settle the same, or for ten
(10) days after such presentation shall have neglected to enter,
or caused to be entered upon its minutes or journal, its determi-
nation in regard thereto.

The immediate head or the Chief of the Police Department and
the Chief of the Fire Department shall have the right and power
to suspend any of the officers and employees in their respective
departments, who may be under their management and control,
for incompetence, neglect of duty, immorality, drunkenness,
failure to obey orders given by proper authority, or for any
other just and reasonable cause. If an officer or employee be
thus suspended, the Chief, or immediate head of the department
concerned, shall forthwith, in writing, certify the fact, together
with the cause for suspension, to the City-County Manager, who
shall, after hearing, render judgment thereon, which judgment,
if the charge be sustained, may be a reprimand, fine, suspension,
reduction in rank, or dismissal, and in every case shall be final.

SEC. 24. Except as otherwise herein provided, the City-County
Manager shall be vested with all the rights, powers, duties, and
functions now or formerly exercised by the Board of Commis-
sioners of the City of Wilmington under the provisions of Sec-
tion 6, Chapter 224, of the Private Laws of 1921, subject to the
supervision of the New Hanover Consolidated Commission, as
herein set forth.

SEC. 25. The New Hanover Consolidated Commission shall,
except as otherwise provided for in this act, fix, by ordinance,
the salaries and compensation of all officers and employees of
said City and County, in each of its several departments, and of
all officers, clerks, assistants, stenographers, deputies, or other
persons whose nomination or appointment has heretofore been
vested by law in the Board of City Commissioners or the Board
of County Commissioners and whose salaries or compensation is
to be paid out of the City or County funds, either separately or
jointly, even though the actual selection or appointment of such
clers, deputies, assistants, stenographers, or other persons be
by law vested in some authority other than the governing Board
of said city and county. In the fixing of salaries or compensa-
tion of the officers and employees in said Fire Department and
Public Works Department, and of any others who function solely
for said City, only the five (5) members of said Consolidated Commission elected from within said city shall vote, and the two remaining members elected from without the city shall have no vote or voice in respect thereto. The entire amount of said salaries of officers and employees in said Fire Department and said Public Works Department, together with all operating and other expenses of said departments, shall be paid from the funds and revenues of said city only, and the same shall be done with respect to the salaries of all other officers and employees, and all operating and other expenses of all other departments functioning solely for said city. In the fixing of salaries and compensation of all officers and employees functioning solely for said county, all the members of said Consolidated Commission shall be entitled to vote, and the entire amount of said salaries, together with all operating and other expenses of all departments functioning solely for said county shall be charged against and be paid from the funds and revenues of said county. In the fixing of salaries and compensation of all officers and employees functioning both for said city and said county and in meeting all operating and other expenses of all departments so functioning, the following procedure shall be followed:

First. The five (5) members of said Consolidated Commission elected from within said City shall, by ordinance, fix the fair and proportionate amount thereof to be borne by the city and in the passage of such ordinance, the two (2) members elected from without the city shall have no vote or voice;

Second. The entire Consolidated Commission shall, by ordinance, fix the fair and proportionate amount thereof to be borne by the county and in the passage of such ordinance all members shall be entitled to vote, upon such proportionment being made. Said salaries, compensation, and expenses shall be charged and paid accordingly, out of the respective funds thus designated.

(Note: Why not set the proportion at 2/7ths for the county and 5/7ths for the city?)

Any officer or employee functioning for the city or county, or both, may be required to give bond, in the discretion of five (5) members of the Consolidated Commission elected from within the city, if he be a city officer or employee, or the entire Consolidated Commission if he be an officer or employee of the county, or the entire commission if he be an officer or employee functioning for both city and county. In such event, the five members of the Consolidated Commission elected from within the city or the entire Consolidated Commission, as the case may be, shall determine the amount of the bond, which shall be procured from some surety company, or companies, authorized to do business in North Carolina.
SEC. 26. In the appointment and election of all officers or employees to function solely for the City of Wilmington, only those five (5) members of said Consolidated Commission elected from within the city shall have the right to vote, the two remaining members elected from without the city shall have no voice or vote in respect thereto. In the appointment and election of all similar officers and employees to function solely for New Hanover County and in the appointment and election of all officers and employees to function for both city and county, all members of said Consolidated Commission shall be entitled to vote.

SEC. 27. The New Hanover Consolidated Commission shall by ordinance divide the administrative work of said city and county into such other and further departments, in addition to those provided for herein, as shall be required, or it may combine and redistribute the functions and duties of any departments, or it may discontinue any department or departments at any time in order to promote efficiency and economy. Said Consolidated Commission shall also have the power to abolish the office of County Surveyor and to delegate the functions of County Surveyor to some other appropriate office; when and if such action be taken, thereafter no County Surveyor shall be elected by popular vote in New Hanover County in the manner now prescribed by law. Said Consolidated Commission shall also have the power to combine or abolish any and all townships within said County; when and if such action be taken, thereafter no Constable shall be elected; nor shall any other township officers now provided by the law be elected in the abolished townships.

SEC. 28. The New Hanover Consolidated Commission shall determine upon the date of beginning of the fiscal year of the city and county, and shall cause to be prepared separate plans for financing the city and county during said fiscal year, which plan shall be known as the budget, and shall be based upon detailed estimates furnished by the several departments and other divisions of the city and county governments. In so determining the fiscal year and providing for the preparation of said budgets the Consolidated Commission shall act in the manner now or hereinafter provided by the laws of this State.

SEC. 29. All provisions of the existing charter of the City of Wilmington, with all amendments thereto, not in conflict or inconsistent with the provisions and purport of this act shall continue in force with respect to said city. In exercising any of the power conferred by law upon said city in the enactment of city ordinances, raising of city revenues the imposition of special city taxes and licenses, the granting of franchises therein, the fixing of the city budget, the sale or control of city property, and with respect to the city bond issues, or any other matter or thing in which the said City of Wilmington and not the County
of New Hanover shall be interested, only those five (5) members
of the Consolidated Commission elected from within the city
shall be entitled to vote, and the two remaining members elected
from without the city shall have no vote or voice with respect
thereto. All provisions of the General Assembly relating to the
government of counties in this State, and all provisions of special
laws which are applicable to New Hanover County and which are
not in conflict or inconsistent with this act, shall continue in
force with respect to said County. In exercising any of the
powers conferred by law upon said County for its government,
the raising of County revenues, the imposition of special County
taxes and licenses, the granting of franchises therein, fixing of
the County budget, the sale or control of County property, and
with respect to County bond issues, or any other matter or thing
in which said County may be interested, either solely or jointly,
with the said City of Wilmington, all members of said Con-
solidated Commission shall be entitled to vote.

Sec. 30. No other than refunding bonds shall be issued in
New Hanover County except by authority of a majority vote of
the qualified voters.

Sec. 31. That the budgets for the City of Wilmington and
the County of New Hanover shall be reduced at least ten per
cent below the last budgets in effect before the provisions of
this act become effective; that is, each annual respective budget
of City and County shall be reduced as aforesaid. Any expendi-
ture in budget or otherwise in excess of the total amount herein
provided shall be a misdemeanor, and all officers or officials who
aid in creating or paying such an excess shall be guilty.

Sec. 32. Nothing in this act shall be construed as affecting
or impairing the separate corporate existence of said City of
Wilmington or of said New Hanover County, or as impairing
any existing contracts or obligations thereof, or as depriving
either of said government units of its property owned in its pri-
vate or corporate capacity, or of imposing any obligation or
liability upon said City or said County, as the case may be,
solely by reason of the consolidation of governments as pro-
vided in this act. It is the purpose of this act to create for the
sake of economy and efficiency a consolidated governmental
agency to function for both units, and, in order to effectuate this
purpose, this act shall be liberally construed. If any clause,
sentence, or part of this act shall, for any reason, be adjudged
by any court of competent jurisdiction to be invalid, such judg-
ment shall not affect, impair, or invalidate the remainder of this
act, but such adjudication shall be confined in its operation to
the clause, sentence, paragraph, or part thereof, directly involv-
ing the controversy in which such judgment shall have been ren-
dered, it being hereby declared to be the legislative intent that
the remaining valid parts of this act shall stand, and that the same would have been enacted by the Legislature with such invalid parts stricken out. All laws or parts of laws for the public, public-local, or private, inconsistent or in conflict with this act are hereby repealed. All existing ordinances of the City of Wilmington, and all resolutions now in effect and heretofore adopted by the Board of County Commissioners of New Hanover County, shall, unless they are in conflict with this act, continue in full force and effect until ordered repealed as herein provided.

SEC. 33. This act shall not be in effect unless it shall be approved by a majority vote of the electors of New Hanover County, as herein provided. On the last Tuesday in March, one thousand nine hundred and thirty-three, there shall be held throughout New Hanover County an election at which all voters who are then registered and qualified to vote shall be entitled to vote for the purpose of determining whether it is the will of such voters that this act shall become law, applicable to the City of Wilmington and County of New Hanover. Said election shall be held and shall be conducted pursuant to the general law governing election for members of the General Assembly in said County. The County Board of Elections of said County shall advertise said election for a period of twenty (20) consecutive days, prior to the holding thereof, the advertisement to be inserted in the Wilmington Morning Star and the Wilmington Star-News, each, which are published in said County. The registration books of said County shall be open for the registration of voters for twenty (20) days preceding such election, and notice of registration shall be advertised, and registrars appointed in the same manner as is now prescribed by law for elections of the members of the General Assembly. Said County Board of Elections shall cause to be printed and provided for use at each voting place a sufficient number of ballots on which shall be printed the following words: “For the Consolidated Plan” on one line, and “Against the Consolidated Plan” on the next line; underneath which shall be printed the following: “Place a cross (X) mark in the square preceding the proposition for which you decide to vote.” No other ballots than those furnished by said County Board of Elections shall be used in said election. The election officers for each precinct in said County, including said City of Wilmington shall, within six (6) hours from the time the polls are closed at said election, count the ballots and immediately certify the returns to the County Board of Elections. Said County Board of Elections shall within twenty-four (24) hours thereafter canvass and formally declare whether a majority of those voting have voted “For the Consolidated Plan” or “Against the Consolidated Plan,” and said County Board of Elections shall in turn certify the result of said election to the Board of City
Commissioners of the City of Wilmington and to the Board of County Commissioners of the County of New Hanover, which body shall spread upon their respective minutes a record of the result of said election. If it shall appear that a majority of those voting at such election have voted "For the Consolidated Plan," then this act shall at once become effective and become law applicable to the City of Wilmington and County of New Hanover, as herein provided. The cost of said election shall be borne equally by the City of Wilmington and the County of New Hanover, and the governing bodies thereof are hereby required to appropriate and to pay out the necessary funds therefor.

Sec. 34. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

Sec. 35. That this act shall be in force from and after its ratification.

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

H. B. 636  CHAPTER 95

AN ACT TO AMEND CHAPTER 183 OF THE PUBLIC-LOCAL LAWS OF 1931 BEING AN ACT TO CREATE A COUNTY SINKING FUND COMMISSION FOR MADISON COUNTY AND PROVIDE THE DUTIES THEREOF, REQUIRING THE CHAIRMAN OF THE SINKING FUND COMMISSION TO GIVE BOND AND THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS TO SIGN VOUCHERS.

The General Assembly of North Carolina do enact:

SECTION 1. That section 12 of chapter 183 of the Public-Local Laws of 1931 be amended by adding at the end thereof, "Provided, that the chairman of the Sinking Fund Commission shall give a bond in the sum of five thousand dollars ($5000) in some surety company licensed to do business in North Carolina. The premium on said bond to be paid by the Board of County Commissioners, which bond shall be given on or before April 1, 1933."

Provided, further, that all vouchers, warrants, and checks given by the Sinking Fund Commission on the Treasurer of Madison County shall be countersigned by the chairman of the Board of County Commissioners of Madison County.

Sec. 2. That all laws and clauses of laws in conflict with this act shall be 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. 1933.
CHAPTER 96

An Act to Fix the Compensation of the Members of the Board of County Commissioners of Macon County.

The General Assembly of North Carolina do enact:

Section 1. That the members of the Board of County Commissioners of Macon County shall receive the sum of four dollars per day and five cents per mile in going to and from the place of meeting for each day in which they are in session not exceeding three days in each month, the same to be in lieu of all other compensation.

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

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

Ratified this the 2nd day of March, A.D. 1933.

CHAPTER 97

An Act to Provide for Jury Trials in the Recorder's Court of Cleveland County Sitting at King's Mountain.

The General Assembly of North Carolina do enact:

Section 1. That whenever a jury trial is demanded by either plaintiff or defendant in a criminal or civil action in the Recorder's Court of Cleveland County when sitting at Kings Mountain, upon payment to the clerk of the said Recorder's Court of the sum of Three dollars ($3.00) with which to pay the jurors, a jury shall be drawn from the jury list of Number Four Township made up by the clerk of the said Recorder's Court, the day for such jury trials in Kings Mountain to be set by the Recorder of said Court.

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

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

Ratified this the 2nd day of March, A.D. 1933.
CHAPTER 98

AN ACT MAKING THE REGISTER OF DEEDS OF MACON COUNTY, NORTH CAROLINA, PUBLIC ACCOUNTANT FOR SAID COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the Register of Deeds of Macon County, North Carolina, shall be ex officio Public County Accountant for Macon County, North Carolina, and he shall act as, and perform the duties of, Public Accountant for said county, and the Board of County Commissioners of Macon County shall pay said Register of Deeds for such services rendered as Public Accountant of said County, fifty dollars per month for each month's services as such Accountant independent of, and in addition to, payment to and receipts by him for the services rendered by him and fees received by him, as Register of Deeds and other duties and services required of, and imposed upon him by virtue of any law pertaining to his office. Such sum of fifty dollars per month shall be ordered to be paid by the Board of County Commissioners of Macon County out of the general funds of said county at the first meeting of said board after the end of each month for services performed for any preceding month.

Sec. 2. This act shall be in force and effect from and after the day of its ratification.

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

CHAPTER 99

AN ACT AMENDING CHAPTER 381 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION 1923, PROVIDING FOR THE APPOINTMENT OF FINANCIAL AGENTS FOR THE COUNTY OF SCOTLAND.

The General Assembly of North Carolina do enact:

Section 1. That section one of chapter three hundred eighty-one of the Public-Local Laws of North Carolina, session nineteen hundred and twenty-three, be and the same is hereby amended by adding to said section the following: Provided, that in case at any time hereafter any such financial agent or agents shall be appointed as provided by this act, which said agent or agents shall be then acting as the County Depository of Scotland County and as such Depository shall have given the bond or bonds or pledged the collateral security required by the general laws of the State of North Carolina, then so long as said financial agent or agents shall act as such County Depository and shall keep
such bond, bonds or pledged collateral security given and made as provided by law, such financial agent or agents may be appointed and may serve under the provisions of this act without being required to give any bond or other security required by this act.

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 3rd day of March, A.D. 1933.

H. B. 580 CHAPTER 100
AN ACT TO AMEND CHAPTER 19, PUBLIC-LOCAL LAWS NINETEEN HUNDRED THIRTY-ONE, RELATING TO THE DRAWING OF JURORS IN JACKSON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That Chapter Nineteen Public-Local Laws of Nineteen Hundred Thirty-one be amended by inserting the word "May" after "October" in the sixth line thereof, and that that portion of said chapter beginning with "That" in line eleven (11) and ending with "term" in line fifteen (15) be stricken out.

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

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

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

H. B. 581 CHAPTER 101
AN ACT TO FIX THE FEES TO BE COLLECTED BY THE CLERK OF THE SUPERIOR COURT OF JACKSON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the Clerk of the Superior Court of Jackson County shall collect as compensation for his services the following fees, namely:

Adoption. 
Adoption of minors, including all services, five dollars.

Advertising and selling under mortgage in lieu of bond, four dollars for sales of real estate, and two dollars for personal property.

Affidavit. 
Affidavit, including jurat, fifty cents.
Appeal from Justice of the Peace, docketing, one dollar.
Appeal from Clerk to Judge, one dollar.
Appeal to the Supreme Court, including certificates and seal, three dollars.
Apprenticing infants, including indenture, one dollar.
Attachment, order in, fifty cents.
Auditing account of Receiver, Executor, Administrator, Guardian or other Trustee required to render accounts, if not over three hundred dollars, seventy-five cents, if over three hundred dollars and not exceeding one thousand dollars, one dollar; if over one thousand dollars, one dollar and twenty-five cents.
Auditing final settlement of Receiver, Executor, Administrator, Guardian or other Trustee, required to render accounts, one-half of one per cent of the amount on which commissions are allowed to such trustee for all sums not in excess of one thousand dollars; and for all sums over one thousand dollars, one-tenth of one per cent on such excess; but such fees shall not exceed twenty dollars unless there be a contest, when the Clerk shall have one per cent on said excess of one thousand dollars, but in no instance shall his fee exceed thirty dollars.
Auditing the final account of commissioners appointed to sell real estate, one-half of the fees allowed for auditing final accounts of Executors.
Bill of Costs, preparing same, fifty cents.
Bond or undertaking, including justification, sixty cents.
Cancelling notice of lis pendens, twenty-five cents.
Capias, each defendant, one dollar.
Caveat to a will, entering and docketing the same for trial, one dollar and fifty cents.
Certificate, twenty-five cents, plus one dollar for the first three hundred words and fifteen cents for each additional one hundred words or fraction thereof contained in the record as to which the certificate is made, where the Clerk prepares the copy, and one-half of said copying fees where the copy is prepared for him.
Claim and Delivery, order in, fifty cents.
Commission, issuing, one dollar.
Confirmation, fifty cents.
Continuance, thirty cents.
Docketing Ex-Parte Proceedings, seventy-five cents.
Docketing indictment, as to each defendant, twenty-five cents.
Docketing liens, twenty-five cents, plus one dollar for the first three hundred words and fifteen cents for each additional one hundred words or fraction thereof in the notice of lien.
Docketing judgment, fifty cents.
Docketing summons, fifty cents.
Docketing Transcript of Judgment, fifty cents, plus indexing and filing fees.
| Execution | Execution and return thereon, including docketing and indexing as to each defendant, one dollar; and certifying return to Clerk of any County where judgment is docketed, fifty cents. |
| Pleadings | Filing pleadings, each, ten cents. |
| Judgment roll | Filing judgment roll or jacket containing all papers in suit or proceeding, twenty-five cents. |
| Guardian | Guardian, appointment of, including taking application, bond and justification and issuing letters of guardianship and indexing, five dollars. |
| Jury | Impanelling jury, twenty-five cents. |
| Indexing | Indexing judgment on cross index book, ten cents for each plaintiff and defendant; indexing liens on lien book, ten cents as to each party for or against whom the lien is claimed. Indexing where no other fee is fixed, five cents for each name on single index and ten cents for each name on cross index, but where cross index is used no fee shall be charged for single index. |
| Indictment | Indictment, each defendant in bill, sixty cents. |
| Injunction | Injunction, order for, including taking bond and justification, one dollar and fifty cents. |
| Judgments | Judgment, final in term time, civil actions one dollar and twenty-five cents additional for each defendant contesting plaintiff's claim. Judgment, final, against each defendant in criminal action, one dollar. Judgment, final, before the Clerk, one dollar and fifty cents. Judgment by confession without notice, all services, four dollars. |
| Justification | Justification of sureties on any bond or undertaking except as otherwise provided, fifty cents. |
| Administration | Letters of Administration, including taking application, bond and justification of sureties and indexing, five dollars. |
| Notices | Notices, twenty-five cents, and for each name over one in the same paper, ten cents additional. |
| Removal of guardian | Notifying Solicitor of removal of guardian, one dollar. |
| Orders | Order enlarging time for pleading and all interlocutory orders in Special Procedings and Civil Actions, thirty cents. |
| Arrest | Order of Arrest, one dollar. |
| Master and apprentice | Order for appearance of apprentice on complaint of master, one dollar; for appearance of master on complaint of apprentice, one dollar. |
| Resales | Order for resale of property under deed of trust or mortgage, each, twenty-five cents. |
Order to make title after sale under deed of trust or mortgage, twenty-five cents.

Order for the registration of a deed or other writing which has been proved or acknowledged in another County or before a Judge, Justice of the Peace, Notary or other officer, except a chattel mortgage, twenty-five cents for each certificate upon which the Clerk has to pass.

Postage, actual amount necessarily expended.

Presentment, each person presented, fifteen cents.

Probate of statutory short form chattel mortgage or crop lien, where no married woman involved, fifteen cents, and fifteen cents for each extra certificate passed upon.

Probate of deed or other writing proved by witness, including the certificate, twenty-five cents.

Probate of a deed or other writing acknowledged by the signers or makers including all except married women who acknowledged at the same time with the certificate thereof and order of registration, twenty-five cents; and twenty-five cents for the private examination of each married woman examined.

Probate of limited partnership, seventy-five cents.

Probate of a will in common form, qualifying executor, affidavit as to estate and letters testamentary, four dollars.

Qualifying administrator with the will annexed including application, taking bond, justification, letters and indexing, two dollars.

Qualifying a justice of the peace, including recording name and expiration of term of office and indexing, to be paid by the justice of the peace, seventy-five cents.

Qualifying notary public, including affidavits, certificate under seal to Governor and indexing, one dollar.

Recognizance each party where no bond is taken, twenty-five cents.

Recording papers, one dollar for the first three hundred words and fifteen cents for each additional one hundred words or fraction thereof.

Recording appointment of process agent for non-resident, seventy-five cents.

Recording widow's year's allowance, where no judgment for deficiency, all services, one dollar.

Recording wills, one dollar for the first three hundred words and fifteen cents for each additional one hundred words or fraction thereof, including the probate, and ten cents for each name cross indexed.

Recording certificate of incorporation of corporation, four dollars.
Dissolution.  
Recording certificate of dissolution of corporation, two dollars.  

Trained nurses.  
Registering trained nurses, including certificates of registration and seal, seventy-five cents.  

Certain reports.  
Report to Highway Commission of infractions of highway laws, as to each person convicted, fifty cents.  

Report of sale of property under mortgage or deed of trust including indexing, twenty-five cents, and each report of resale, fifteen cents.  

Certain registrations.  
Registration of a guardian, relinquishment of the right to administer or to qualify as executor, receiving, filing, and noting same, twenty-five cents.  

Seal.  
Seal of office, when necessary, twenty-five cents, and seals on duplicates of summons or other instrument, ten cents.  

Subpoena.  
Subpoena, each name, fifteen cents.  

Summons.  
Summons in civil action or special proceedings, including all names therein, one dollar; and for every copy thereof, twenty-five cents.  

Swearing witnesses.  
Swearing witnesses in civil cases only, each, five cents.  

Transcript of judgment.  
Transcript of a judgment, when not necessary to copy judgment, forty cents.  

Transcript of any matter of record or papers on file, one dollar for the first three hundred words and fifteen cents for each additional one hundred words or fraction thereof.  

Trial.  
Trial of any contested action or special proceeding, five dollars, unless the Judge of the district or the Judge holding the courts of the district shall make a larger allowance.  

The Clerk shall also receive five per cent on all fines, penalties, amercements and taxes paid him by virtue of his office and three per cent of all sums of money not exceeding five hundred dollars placed in his hands by virtue of his office, except on judgments, decrees, executions and deposits under article three of chapter fifty-four of the Consolidated Statutes, and upon the excess over five hundred dollars of such sums, one per cent, and in addition thereto shall be allowed the sum of five dollars per day for writing the minutes of the sessions of the Superior Court of Jackson County, to be paid by the County Commissioners.  

Sec. 2. That this act shall be construed as supplementary to other laws, and the Clerk of the Superior Court shall collect all such fees that are not specifically set forth herein which may be prescribed by any other law or clause of law.  

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

Ratified this the 3rd day of March, A.D. 1933.
H. B. 591

CHAPTER 102

AN ACT TO VALIDATE THE OFFICIAL ACTS OF MRS. ROSE McNEILL JONES, A NOTARY PUBLIC, AND MRS. IRENE DIMMETTE BARKER, A NOTARY PUBLIC, BOTH OF WILKES COUNTY.

Whereas, Mrs. Rose McNeill Jones and Mrs. Irene Dimmette Barker, Notaries Public of Wilkes County, continued to perform the acts of their office without having qualified after the expiration of the term of office for which they had been appointed; Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That each and all of the official acts of the said Mrs. Rose McNeill Jones, a Notary Public, of Wilkes County, done and had by her after January twelve, one thousand nine hundred and thirty-three, and before February eleven, one thousand nine hundred and thirty-three, be and the same are hereby in all respects validated.

Sec. 2. That each and all of the official acts of Mrs. Irene Dimmette Barker, a Notary Public, of Wilkes County, done and had by her after October twelve, one thousand nine hundred and thirty-two, and before December sixteen, one thousand nine hundred and thirty-two, be and the same are hereby in all respects validated.

Sec. 3. That this act shall not apply to pending litigation.

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

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

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

H. B. 620

CHAPTER 103

AN ACT TO PERMIT THE COMMISSIONERS OF GRAHAM COUNTY TO PURCHASE AN AUTOMOBILE FOR USE OF SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the County Commissioners of Graham County be, and they are hereby authorized and empowered, in their discretion, to purchase a medium priced automobile to be used for the purpose of transporting prisoners to and from the State Prison and State prison camps and for such other uses as may be necessary in the interests of economy.
SEC. 2. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

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

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

H. B. 686          CHAPTER 104

AN ACT TO AMEND CHAPTER EIGHTY OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-ONE, REGARDING THE OFFICE OF TAX COLLECTOR OF UNION COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That substitute section "2" of chapter eighty of the Public-Local Laws of one thousand nine hundred and thirty-one be and the same is hereby amended by inserting between the word "of" and the word "three" in line two of said section the words "not more than" and by inserting after the word "dollars" in line three the words "nor less than two thousand five hundred ($2,500.00) dollars." That said section be further amended by inserting in line six between the word "of" and the word "one" the words "not more than" and by inserting after the word "dollars" in line six the words "nor less than twelve hundred ($1,200.00) dollars."

SEC. 2. That section three of chapter eighty of the Public-Local Laws of one thousand nine hundred and thirty-one be and the same is hereby amended by adding at the end thereof the following:

"Provided, that the board of county commissioners may require the county accountant to make out the tax books and the tax receipts and turn them over to the tax collector, and the county commissioners may require any deputy or other persons in the employ of the county as now provided by law, to perform such duty in helping the tax collector in better collecting the taxes as they may deem advisable, it being the purpose of this amendment to give the commissioners power and authority to secure in the best way possible the effective and economical collection of the taxes through the office of the tax collector."

SEC. 3. That section four of chapter eighty of the Public-Local Laws of one thousand nine hundred thirty-one be and the same is hereby amended by striking out the last sentence of said section and inserting in lieu thereof the following:

"The commissioners shall have the power to designate one or more of their number as a committee or committees to look after
such details of the duties of the board as are not necessary for the presence of the full board and may allow a reasonable compensation for such services, not to exceed a total of three hundred ($300.00) in any one year for all extra services thus performed."

SEC. 4. That it is the purpose of this act to give the county commissioners of Union County the power, authority and responsibility of securing the collection of the taxes of the county by methods deemed by them to be the most efficient and economical. The said commissioners are hereby given the power to abolish the office of tax collector as established by chapter eighty, Public-Local Laws, one thousand nine hundred and thirty-one, and to reimpose upon the sheriff of the county the duties of collecting the taxes as provided by the general law of the State prior to the enactment of said chapter eighty of the Public-Local Laws of one thousand nine hundred and thirty-one. If the commissioners so elect to abolish the office of tax collector, it shall be evidenced by a vote recorded upon their minutes in which at least four of the five members of the board shall have voted in the affirmative.

SEC. 5. That in case the commissioners elect to so abolish the office of tax collector, then and in that event, this and the following sections of this act shall become effective and the said office shall be abolished as of July first, one thousand nine hundred and thirty-three, and the duties and powers relating to the collection of taxes shall thereafter be placed in the hands of the sheriff of Union County as provided by law. Said sheriff shall be charged with all back taxes and the duties of the collection thereof, and the commissioners are hereby given authority to give him such assistance as they may deem necessary, to be used in such way as they deem most economical.

SEC. 6. That beginning with the first Monday in October, one thousand nine hundred and thirty-three, the tax books shall be turned over to the sheriff of Union County, whose duty it shall be to collect said taxes for the year one thousand nine hundred and thirty-three and all subsequent years, and he shall give such bond as is required by the county commissioners and the State of North Carolina, and be liable for all fines and penalties of said office.

SEC. 7. That the county accountant shall become the tax supervisor of the county, and as such shall list all property for taxes in Monroe township and supervise and make out the tax books of the county, and assume the duties of such tax supervisor on the first day of April, one thousand nine hundred and thirty-three, or as immediate thereto as possible. He shall have general oversight over the listing of property and perform all such duties connected therewith as required by the commissioners and the
said commissioners are hereby vested with the authority to employ such assistance as is necessary for the listing of property and making out the tax books.

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 effect from and after its ratification.

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

H. B. 728

CHAPTER 105

AN ACT APPLYING TO THE COLLECTION OF TAXES IN BRUNSWICK COUNTY.

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 accept United States bonds, bonds of the State of North Carolina, or notes or bonds of the County of Brunswick, as security from any bank or trust company which has been or may be designated as the county depository in lieu of executing a bond with a surety company.

SEC. 2. That when any tax collector of said county shall deposit funds collected by him for said county for any purpose, and takes the receipt of any designated depository, that said tax collector and his surety shall be relieved from any and all liability for any loss which said county may sustain.

SEC. 3. The purpose and meaning of this act is to relieve the tax collector and his surety of any liability whatsoever when said tax collector shall have deposited funds collected by him and taken a proper receipt therefor from any depository designated by the Board of Commissioners of Brunswick 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 full force and effect from and after its ratification.

Ratified this the 3rd day of March, A.D. 1933.
CHAPTER 106
AN ACT TO CONFER CIVIL JURISDICTION UPON THE COUNTY RECORDER'S COURT OF WATAUGA COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That there is hereby conferred upon the Recorder's Court of Watauga County, already established under article nineteen of chapter twenty-seven of the Consolidated Statutes, as amended, sections one thousand five hundred sixty-three to one thousand five hundred eight-two (b), civil jurisdiction to try and determine civil actions wherein the party plaintiff or defendant is a resident of that County.

SECTION 2. That the jurisdiction of such court in civil actions shall be as follows:

(a) Jurisdiction concurrent with the justices of the peace within the County;

(b) Jurisdiction concurrent with the Superior Court in all actions founded on contract, wherein the amount involved exclusive of interest and costs, does not exceed one thousand dollars;

(c) Jurisdiction concurrent with the Superior Court in actions not founded upon contract wherein the amount involved, exclusive of interest and costs, does not exceed the sum of five hundred dollars.

SECTION 3. That Consolidated Statutes section fifteen hundred and ninety-one, Procedure in Civil Actions, down to and including the word "Court" in line three section fifteen hundred and ninety-two, Trial by Jury in Civil Actions; section fifteen hundred and ninety-three, Jurors Drawn and Summoned; section fifteen hundred and ninety-four, Talesmen and Challenges; section fifteen hundred and ninety-five, Jury as in Superior Court; section fifteen hundred and ninety-six, Appeals to Superior Court; section fifteen hundred and ninety-seven, Appeals from Justices of the Peace; section fifteen hundred and fifty, Vice Recorder's Election and Duties; and section fifteen hundred and ninety-eight, Enforcement of Judgment, shall be applicable to said Recorder's Court of Watauga County.

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

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

Ratified this the 6th day of March, A.D. 1933.
CHAPTER 107

AN ACT TO AMEND SENATE BILL No. 11, RATIFIED JANUARY 17, 1933, IT BEING AN ACT TO REPEAL CHAPTER 212, PUBLIC-LOCAL LAWS 1929, ABOLISHING THE OFFICE OF TAX COLLECTOR IN HAYWOOD COUNTY AND PROVIDING FOR THE COLLECTION OF THE TAXES IN SAID COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That Section Two of said Act be amended, in line two thereof, by striking out the words “December, one thousand nine hundred and thirty-four,” and inserting in lieu thereof, “October, one thousand nine hundred and thirty-five.”

Sec. 2. That Section Six of said Act be amended by striking out the words “Monday in December, one thousand nine hundred and thirty-four,” and inserting in lieu thereof the words “October, one thousand nine hundred and thirty-five.”

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

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

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

CHAPTER 108

AN ACT TO AMEND CHAPTER 115 OF THE PUBLIC-LOCAL LAWS OF 1913, ENTITLED “AN ACT TO ESTABLISH A CRIMINAL COURT TO BE CALLED A CRIMINAL COURT FOR THE COUNTY OF SCOTLAND.”

The General Assembly of North Carolina do enact:

Section 1. That section ten, of chapter one hundred and fifteen, of the Public-Local Laws of one thousand nine hundred and thirteen, be amended by striking out the last sentence of said section beginning with the word “The” and ending with the word “court” and inserting in lieu thereof the following: “The said costs and fees shall in no event exceed the sum of Five Dollars for a misdemeanor, and the sum of Ten Dollars for a felony, any provision in the act to the contrary notwithstanding, the distribution of said amount or amounts to be determined by the Board of Commissioners of Scotland County.”

Sec. 2. That section sixteen of chapter one hundred and fifteen, Public-Local Laws of one thousand nine hundred and thirteen, be amended by striking out the last sentence in said section
beginning with the word “The” and ending with the word “dol-
lar.”

Sec. 3. That section twenty-two of chapter one hundred and
fifteen, Public-Local Laws of one thousand nine hundred and
thirteen, be amended by striking out the last sentence in said
act beginning with the word “for” and ending with the word
“case.”

Sec. 4. That all laws and clauses of laws in conflict herewith
are hereby repealed.

Sec. 5. That this act shall be in force from and after its ratifi-
cation.

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

H. B. 293

CHAPTER 109

AN ACT TO AMEND THE LAW RELATING TO THE RECORD-
ER’S COURT FOR THE COUNTY OF BRUNSWICK.

The General Assembly of North Carolina do enact:

Section 1. In all trials in the Recorder’s Court for Brunswick
County, upon demand for a jury trial by either the defendant or
the prosecuting attorney, the Recorder shall transfer said cause
for trial to the Superior Court of Brunswick County, and the de-
fendant thereupon shall be required to execute a new and justi-
fied bond in such amount as may be named by the Recorder for
defendant’s appearance at the next term of the Superior Court of
Brunswick County for trial of criminal cases.

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

H. B. 485

CHAPTER 110

AN ACT TO AMEND CHAPTER 442, PUBLIC-LOCAL LAWS,
1931, RELATIVE TO ISSUANCE AND FILING OF PLEAD-
INGS IN CLAIM AND DELIVERY ACTIONS.

The General Assembly of North Carolina do enact:

Section 1. That section two of chapter four hundred and
forty-two, Public-Local Laws, nineteen hundred and thirty-one,
be and the same is hereby amended by striking out the word
“County” in said section and inserting in lieu thereof the word
“Counties,” and by adding after the word “Pitt,” the words
“Pasquotank and Chowan.”
Conflicting laws repealed.

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

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

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

**H. B. 585**

**CHAPTER 111**

AN ACT TO AMEND CHAPTER 316, PUBLIC-LOCAL LAWS OF 1929, AND CHAPTER 451, PUBLIC-LOCAL LAWS OF 1931, RELATIVE TO DELINQUENT TAXPAYERS IN CRAVEN COUNTY, AND TO RE-ENACT THE SAME AS AMENDED.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter three hundred and sixteen, Public-Local Laws, one thousand nine hundred and twenty-nine, be amended as follows: Strike out words "twenty-eight" in line four of section one and insert in lieu thereof the words "thirty-two." Strike out the word "thirty" in line eleven of section one and insert in lieu thereof the words "thirty-four." Strike out words "twenty-eight" in line four of section three and insert in lieu thereof the words "thirty-two." Strike out the word "thirty" in line twelve of section three and insert in lieu thereof the words "thirty-four."

SEC. 2. That said chapter three hundred and sixteen, Public-Local Laws, one thousand nine hundred and twenty-nine, and chapter four hundred and fifty-one, Public-Local Laws of one thousand nine hundred and thirty-one amending the same, as herein amended, is hereby re-enacted.

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

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

**H. B. 593**

**CHAPTER 112**

AN ACT PROVIDING FOR THE APPOINTMENT OF A SPECIAL DEPUTY SHERIFF FOR THE VILLAGE OF CARALEIGH, RALEIGH TOWNSHIP.

The General Assembly of North Carolina do enact:

SECTION 1. That the sheriff of Wake County is hereby authorized and directed to appoint a special deputy sheriff for Raleigh Township who shall be assigned for duty in the Caraleigh mill
village section of Raleigh township. Said deputy sheriff shall receive no salary but shall be allowed for his services such fees as are provided by law.

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

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

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

H. B. 669  CHAPTER 113

AN ACT TO AMEND CHAPTER 168 OF THE PUBLIC-LOCAL LAWS, SESSION OF 1931, BEING "AN ACT TO CREATE A JURY COMMISSION FOR THE COUNTY OF YANCEY."

The General Assembly of North Carolina do enact:

SECTION 1. That section four of chapter one hundred and sixty-eight of the Public-Local Laws, session of one thousand nine hundred and thirty-one, being: "An act to create a Jury Commission for the county of Yancey," be, and the same is hereby amended, by adding at the end of said section the following: "That the Jury Commission shall not be limited to any number in making up the jury box for said county; and said Jury Commission is authorized to place the names of all male citizens and taxpayers in the jury box who are of sufficient intelligence to serve on the jury and who are of good moral character, and in all other respects qualified to serve as jurors, as now provided 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 full force and effect from and after the first Monday in April, one thousand nine hundred and thirty-three.

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

H. B. 672  CHAPTER 114

AN ACT FOR THE RELIEF OF W. C. RAPE.

Whereas, W. C. Rape, a citizen of Union County, was, on the eleventh day of February, one thousand nine hundred and thirty-three, arrested by a Highway Patrolman and fined by a magistrate in violation of the instructions of the Chief of the Highway Patrol regarding arrests for failure to procure a license tag:

Now, therefore,
The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Education of Union County is hereby authorized and directed to review the facts in the case of the arrest and trial of W. C. Rape before N. L. Flow, Justice of the Peace, on the eleventh day of February, one thousand nine hundred and thirty-three, and if they find that such arrest and fine was contrary to the instructions of the Chief of the Highway Patrol and that said fine was paid into the school fund of Union County, and that the defendant should not have been so arrested and fined, then they shall issue an order or cause to be issued an order upon the Treasurer of Union County for Ten Dollars, the amount of said fine, and the Treasurer of Union County is hereby instructed to refund the fine of ten dollars to the said defendant upon such order, provided such refund is recommended by the magistrate who tried the case.

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

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

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

H. B. 685

CHAPTER 115

AN ACT TO AMEND CHAPTER THREE HUNDRED SEVENTY-EIGHT OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-ONE, RELATING TO APPOINTMENT OF DEPUTY SHERIFFS IN UNION COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter three hundred and seventy-eight, Public-Local Laws, one thousand nine hundred and thirty-one, be and the same is hereby amended by adding at the end of said section the following:

"In case any deputy is allowed by the County Commissioners under this act, said deputy or deputies shall be appointed or selected by the sheriff under whom he is to serve and to whom he is responsible."

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

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

Ratified this the 6th day of March, A.D. 1933.
CHAPTER 116

AN ACT RELATING TO ROAD DISTRICT BONDS HERETOFORE ISSUED BY SWAIN ROAD DISTRICT IN SWAIN COUNTY AND TOWNSHIP ROAD BONDS HERETOFORE ISSUED BY FORNEY'S CREEK TOWNSHIP IN SWAIN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That hereafter the special tax to pay principal and interest on road and bridge bonds heretofore issued by Swain Road District, including Oconaluftee, Charleston, and Nantahala Townships, and now outstanding, shall be levied county-wide in Swain County, and the Board of County Commissioners of Swain County are hereby authorized and empowered to assume the payment of the bonds heretofore issued by Swain Road District for road and bridge purposes, and the said bonds, from and after the date of the ratification of this act, shall become and be county-wide obligations.

Sec. 2. That hereafter the special tax to pay principal and interest on road and bridge bonds heretofore issued by Forney's Creek Township and now outstanding shall be levied county-wide in Swain County, and the Board of County Commissioners of Swain County are hereby authorized and empowered to assume the payment of the bonds heretofore issued by Forney's Creek Township for road and bridge purposes, and the said bonds, from and after the date of the ratification of this act, shall become and be county-wide obligations.

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

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

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

H. B. 726  CHAPTER 117

AN ACT RELATING TO PAYMENT OF TOWNSHIP HIGHWAY BONDS IN MCDOWELL COUNTY.

That whereas, the townships severally in McDowell County have issued or had issued for township account bonds for the improvement of roads and highways the respective proceeds of which were expended in the respective townships on roads and highways which were taken over by the County Highway Commission and became a part of the county system of highways and/or which were taken over by the State Highway Commiss-

Preamble: Issuance of road and bridge bonds by certain townships in McDowell County.
sion and became a part of the State system of highways and are all now under the control of the State Highway System; Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the payment of principal of and interest on all bonds issued by the several townships of McDowell County for the improvement of highways and now outstanding shall be provided by a County-wide tax levy in said County, and the Commissioners of said County are hereby authorized, empowered and directed to include the annual debt service therefor in the County-wide budget and to make appropriation to cover same and to levy County-wide annual tax to provide for payment of principal thereof and interest thereon as same shall mature, and hereafter the said bonds now outstanding shall be and become County-wide obligations of McDowell County.

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 the thirtieth day of June, in the year one thousand nine hundred and thirty-three.

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

H. B. 817  
CHAPTER 118

AN ACT TO ALLOW THE COMMISSIONERS OF UNION COUNTY TO EXTEND TIME OF PAYING 1932 TAXES BY CITIZENS OF MARVIN, WHERE CROPS WERE DESTROYED BY HAIL.

Whereas, in the summer of nineteen hundred and thirty-two, the crops in and around the village of Marvin in Union County were completely destroyed by a hail storm, and by reason of the lateness of the season certain farmers were unable to replant and made no crops whatsoever that year, and as a result thereof have been totally unable to pay their taxes; Now, Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of Union County be, and they are hereby authorized and empowered to remit all interest, penalties and costs arising in connection with the failure of any person in the territory described in the preamble hereto, to pay his taxes for the year nineteen hundred and thirty-two and they are hereby further authorized and empowered to permit the payment of taxes for the year nineteen hundred and thirty-two in three equal annual installments, beginning with the present tax year.
Sec. 2. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

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

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

S. B. 261

CHAPTER 119

AN ACT TO AMEND CHAPTER ONE HUNDRED FIFTY-EIGHT OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED ELEVEN AND CHAPTER THREE HUNDRED FIFTY-THREE OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-ONE RELATIVE TO THE RECORDER’S COURT IN VANCE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section six of chapter one hundred fifty-eight of the Public-Local Laws of one thousand nine hundred eleven, be and the same is hereby amended by inserting between the word “special” in line five and the word “fee” the word “trial” and by striking out the words “for use of the Recorder” in line six of said section and by inserting between the words “peace” and “and” in line nine of said section the words “all of which shall be paid into the General Salary Fund of Vance County” and by adding at the end of said section “that the Recorder shall receive as salary from the General Salary Fund of Vance County Twelve Hundred Dollars per annum, payable in monthly installments of One Hundred Dollars each.”

Sec. 2. That section twenty of chapter one hundred fifty-eight of the Public-Local Laws of one thousand nine hundred eleven be and the same is hereby amended by inserting the word “trial” between the words “a” and “fee” in line three and by striking out the words in line four “for the use of the Recorder” and by adding at the end of said section “and pay into the General Salary Fund of Vance County.”

Sec. 3. That chapter three hundred fifty-three of the Public-Local Laws of one thousand nine hundred thirty-one be, and the same is hereby amended by adding to the end of section two “and deducted from the Recorder’s salary.”

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 first day of December, 1934.

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

Conflicting laws repealed.
CHAPTER 120

AN ACT TO CONSOLIDATE CHARLESTON AND OCONALUFTY TOWNSHIPS IN SWAIN COUNTY INTO ONE TOWNSHIP TO BE KNOWN AS CHARLESTON TOWNSHIP.

The General Assembly of North Carolina do enact:

Section 1. That the territory embraced in the present boundaries of Charleston and Oconalufy Townships in Swain County be consolidated into one township to be known as Charleston Township.

Sec. 2. That the present Justice of Peace in Oconalufy Township, Swain County, shall continue to serve as Justice of Peace in the new consolidated Charleston Township and the Township Constable in the present Charleston Township will continue to serve as the Constable of the new consolidated Charleston Township, supplanting the present Constable in Oconalufy Township.

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 April first, one thousand nine hundred thirty-three.

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

CHAPTER 121

AN ACT TO REPEAL CHAPTER THREE HUNDRED NINETY-SIX PUBLIC-LOCAL LAWS ONE THOUSAND NINE HUNDRED THIRTY-ONE RELATING TO PLACE OF MEETING OF BOARD OF EDUCATION IN CURRITUCK COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That chapter three hundred ninety-six of Public-Local Laws of one thousand nine hundred thirty-one, be and the same is hereby repealed.

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

Ratified this the 5th day of March, A.D. 1933.
H. B. 346

CHAPTER 122

AN ACT TO REPEAL CHAPTER 425 OF THE PUBLIC-LOCAL LAWS OF 1931 RELATIVE TO THE BOUNDARY LINE BETWEEN THE COUNTY OF ASHE AND THE COUNTY OF WILKES.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter four hundred and twenty-five (425) of the Public-Local Laws of 1931, be and the same is hereby repealed.

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

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

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

H. B. 426

CHAPTER 123

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF GREENE AND HERTFORD COUNTIES TO EMPLOY SOME PERSON TO ADMINISTER HOG CHOLERA SERUM AND VIRUS IN GREENE AND HERTFORD COUNTIES.

Whereas, there is no County Farm Demonstration Agent in Greene and Hertford Counties and no active veterinarian in said counties and no person qualified to administer hog cholera serum or virus under the law governing the same; Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the Boards of County Commissioners of Greene and Hertford Counties be and they are hereby authorized and empowered, if they deem it advisable, to secure and employ some person or persons qualified to administer cholera serum or virus to the hogs in Greene and Hertford Counties.

SECTION 2. That the Board of County Commissioners of Greene and Hertford Counties are hereby authorized and empowered to pay to such person so employed such amount as in their judgment may be reasonable for administering said serum or virus, the cost of the serum to be paid for by the owner of the hogs.

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

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

Ratified this the 8th day of March, A.D. 1933.
H. B. 447

CHAPTER 124

AN ACT TO FIX THE SALARY OF THE RECORDER OF THE RECORDER'S COURT OF CAMDEN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Recorder of the Recorder's Court of Camden County shall in lieu of the salary now paid to him as provided in Section eight of Chapter six hundred ninety-four of the Public-Local Laws of Session one thousand nine hundred and thirteen, be paid, from and after the ratification of this act, the sum of thirty-five dollars per month, to be paid monthly at the end of each month.

SEC. 2. That the fees heretofore paid to the Recorder of said Recorder's Court as salary be collected and paid to the County Treasurer and accounted for in the same manner as fines and costs of said Recorder's Court are now paid and accounted for.

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

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

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

H. B. 486

CHAPTER 125

AN ACT TO REPEAL CHAPTER 109, PUBLIC-LOCAL LAWS, 1929, RELATING TO SALARIES OF COUNTY OFFICERS OF RUTHERFORD COUNTY, AND FIXING SALARIES OF CLERK SUPERIOR COURT, REGISTER OF DEEDS AND TREASURER OF SAID COUNTY.

The General Assembly of North Carolina do enact:

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

SEC. 2. That the Clerk of Superior Court of Rutherford County shall receive, in lieu of all other compensation (including his duties as Juvenile Judge), an annual salary of eighteen hundred ($1800.00) dollars, and in addition an annual allowance of six hundred sixty ($660.00) dollars for deputy office clerk, and an annual allowance of five hundred and forty ($540.00) dollars for deputy Recorder's court clerk, said sums to be paid monthly out of the general fund of Rutherford County.

SEC. 3. That the Register of Deeds of Rutherford County shall receive, in lieu of all other compensation, an annual salary of fifteen hundred ($1500.00) dollars, and a further annual allow-
ance for clerk hire of a sum not to exceed nine hundred ($900.00) dollars, which said sums shall be paid monthly out of the general fund of said county.

Sec. 4. That the Treasurer of Rutherford County shall receive, in lieu of all other compensation, an annual salary of twelve hundred ($1200.00) dollars, which sum shall be paid monthly out of the general fund of said county.

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

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

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

H. B. 533

CHAPTER 126

AN ACT RELATING TO THE COMPENSATION OF THE REGISTER OF DEEDS OF YANCEY COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That it shall be the duty of Robert Maney, Register of Deeds of Yancey County, during his term of office, to make tax scrolls, tax lists and tax books for said County of Yancey for which services he shall receive a sum not less than six hundred dollars, and a sum not less than the maximum amount paid for such services per annum for the previous four years.

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

H. B. 613

CHAPTER 127

AN ACT TO FIX AND DETERMINE THE SALARY OR COMPENSATION OF THE SHERIFF OF ALLEGHANY COUNTY AND OTHER OFFICERS THEREOF.

The General Assembly of North Carolina do enact:

Section 1. That on and after the first Monday in December, nineteen hundred and thirty-four, the compensation of the Sheriff of Alleghany County shall be fixed and determined by the Board of Commissioners of said County, which compensation may be either in the form of salary or commissions or a combination of Deeds of Yancey County to prepare tax lists.

Extra compensation.

Conflicting laws repealed.
Tax commissions. thereof, but in no event shall such salary be greater than three and one-half per centum of the total taxes levied in nineteen hundred and thirty-two. He shall also have the fees for serving summons, subpoenas, and other processes, fees and expenses for delivery of prisoners to such place as may be assigned by the courts, and for delivery of patients to eleemosynary institutions, and for holding courts. The Sheriff and Treasurer shall be required to furnish official bond without cost to the county.

Fees. Sec. 2. That the compensation of the Registrars and Judges of Election and all other election officials of said County shall be one dollar and fifty cents ($1.50) per day for each day legally employed as such Registrars and Judges of Election, County Board Officials, markers, etc.

Bond. Sec. 3. That on and after the first Monday in December, nineteen hundred and thirty-four, the members of the Board of Commissioners and members of the Board of Education of said County shall receive each the sum of two dollars ($2.00) per day for such time as they may legally and necessarily be employed in the discharge of their respective offices and mileage at the rate of five cents (5c.) per mile for each mile traveled in going to and returning from the county seat in the discharge of their duties.

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

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

H. B. 615 CHAPTER 128 AN ACT TO LIMIT THE PAY OF JURORS IN PASQUOTANK COUNTY.

The General Assembly of North Carolina do enact:

Sec. 1. That the County Commissioners of Pasquotank County shall be required to pay to all regular jurors the sum of two dollars per day and mileage, and to all tales jurors the sum of one dollar and fifty cents per day, and no more.

Sec. 2. That this act shall apply only to the County of Pasquotank.

Conflicting laws repealed. Sec. 3. That all laws and clauses of laws in conflict with this act 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 8th day of March, A.D. 1933.
H. B. 623  

CHAPTER 129

AN ACT TO AMEND CHAPTER 489, PUBLIC-LOCAL LAWS 1929, EXEMPTING CLEVELAND COUNTY FROM THE REAL ESTATE COMMISSION LAW.

The General Assembly of North Carolina do enact:

SECTION 1. That section five of chapter four hundred and eighty-nine of the Public-Local Laws of one thousand nine hundred and twenty-nine be and the same is hereby amended by striking out the word "Cleveland" in line four of said section.

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

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

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

H. B. 694  

CHAPTER 130

AN ACT RELATING TO THE MUNICIPAL-COUNTY COURT OF LENOIR COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Joe Dawson is hereby appointed Recorder for the Municipal-County Court of Lenoir County, to hold office from the ratification of this Act until the first Monday in December, 1934.

SEC. 2. That in the event of a vacancy in said office in the future the County Commissioners of Lenoir County and the Board of Aldermen of the City of Kinston shall have power and authority to appoint a Recorder for the unexpired term by a majority vote of the members of said Boards.

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 8th day of March, A.D. 1933.
CHAPTER 131
AN ACT TO ABOLISH THE OFFICE OF TREASURER OF LINCOLN COUNTY AND TO DESIGNATE A DEPOSITORY FOR COUNTY FUNDS.

The General Assembly of North Carolina do enact:

Section 1. That at the expiration of the term of the present treasurer of Lincoln County the office of treasurer for said county be and the same is hereby abolished.

Sec. 2. That the First National Bank of Lincolnton, or some other bank in the State to be approved by the county commissioners, is hereby designated to act as depository for county funds, and no compensation shall be allowed said depository for handling said funds. Any bank acting as said depository shall be required to give bond as provided for in section thirty-two of chapter sixty, Public Laws of one thousand nine hundred and thirty-one, the same being known as the Local Government Act.

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

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

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

CHAPTER 132
AN ACT REQUIRING THE BOARD OF COUNTY COMMISSIONERS OF RUTHERFORD COUNTY TO PAY THE PREMIUMS ON THE OFFICIAL BONDS OF THE REGISTER OF DEEDS, CLERK OF SUPERIOR COURT AND COUNTY TREASURER OF RUTHERFORD COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the Board of County Commissioners of Rutherford County is hereby authorized and directed hereafter to pay the premiums on the official bonds of the Register of Deeds, Clerk of Superior Court and County Treasurer of Rutherford County, all bonds to be given through some accredited Surety Company authorized to do business in North Carolina.

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

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

Ratified this the 8th day of March, A.D. 1933.
S. B. 301  CHAPTER 133

AN ACT TO PERMIT THE COUNTY OF ROBESON AND ANY MUNICIPALITY OF ROBESON COUNTY TO ACCEPT UNITED STATES GOVERNMENT BONDS, NORTH CAROLINA STATE BONDS AND SUCH OTHER OBLIGATIONS OF GOVERNING AGENCIES AS MAY BE APPROVED BY LOCAL GOVERNMENT COMMISSION AS SECURITIES FOR DEPOSITS IN LIEU OF SURETY BONDS.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of Robeson County and the governing board of any municipality of Robeson County may, in their discretion, accept United States Government Bonds, North Carolina State Bonds, their own obligations and such other obligations of the political subdivisions of North Carolina as may be approved by the Local Government Commission, as security for any deposit of public funds belonging to said county and/or municipality, whether said funds be deposited in the name of said county and/or municipality, or in the name of some of its officers for the use of said county and/or municipality in lieu of a surety bond.

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 and effect from and after its ratification.

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

S. B. 346  CHAPTER 134

AN ACT REGULATING THE COMPENSATION OF THE SHERIFF OF BLADEN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Sheriff of Bladen County shall receive an annual salary of two thousand one hundred ($2,100) dollars, payable monthly, and in addition thereto shall also receive the following compensation as Sheriff and Tax Collector of said county, to wit:

(a) For collecting taxes, a commission of one and one-half per centum up to and including the first fifty thousand ($50,000.00) dollars of taxes collected, and two per centum for all taxes collected in excess of fifty thousand dollars ($50,000.00) and over one hundred thousand dollars ($100,000.00) one-half per cent.
Also process fees.

(b) For serving process, all fees as now allowed by law, including a fee of fifty cents for each levy made on personal property in the collection of taxes, and also such fees as allowed in Committee Substitute for House Bill No. 158, Public Laws of the General Assembly of one thousand nine hundred and thirty-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 full force and effect from and after April first, one thousand nine hundred and thirty-three.

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

S. B. 347  
CHAPTER 135

AN ACT PROVIDING FOR THE CONTINUANCE OF FARM AND HOME DEMONSTRATION WORK IN BLADEN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners and the county board of education of Bladen County be, and they are hereby, authorized, empowered and directed to provide for the remainder of the current fiscal year and for the next biennium or fiscal years 1933-1935, for the continuance of the farmers cooperative extension work and the home demonstration work in said county, as the same has heretofore existed and is being carried on by cooperation with agencies of the State and Federal Governments.

SEC. 2. That the said board of commissioners and county board of education of Bladen County are hereby authorized, empowered and directed, in accordance with the provisions of this act, to make the necessary appropriations for the services of the farm demonstration agent and the home demonstration agent for said county, in accordance with the plans and arrangements heretofore existing in said county between said boards on the one part and the agencies of the State and Federal Governments on the other, and the salaries paid out of county funds to said home demonstration agent and said farm demonstration agent shall be subject to the same percentage cut as has been or may be made under the provisions of law in the salaries of the clerk of the Superior Court, the register of deeds and the auditor of said county.

SEC. 3. That the said board of commissioners of Bladen County be, and they are hereby, authorized, empowered and directed to make the necessary appropriation and to levy the
necessary tax for the fiscal or tax years beginning July first, one thousand nine hundred and thirty-three, and July first, one thousand nine hundred and thirty-four, to provide the funds for the payment of said county's share or part of the salaries of said farm demonstration agent and said home demonstration agent in accordance with the provisions of this act, and said tax levy sufficient for said purposes is hereby declared to be a special tax levy for said Bladen County.

Sec. 4. That the board of commissioners and county board of education of Bladen County, the auditor, county accountant, the treasurer and/or the fiscal or financial agent and any and all other officers having control of the finances or funds of said county be, and they are hereby, authorized, empowered and directed to provide funds and to pay the share or part of Bladen County of the salaries of said farm demonstration agent and said home demonstration agent under the plans and arrangements heretofore existing between the said county on the one part and State and Federal agencies on the other as required by this act.

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

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

S. B. 54

CHAPTER 136

AN ACT TO PLACE A BOUNTY UPON THE SCALPS OF COYOTES, WILD CATS AND CROWS KILLED IN MACON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the County Commissioners of Macon County are hereby authorized and directed to pay a bounty of ten dollars ($10.00) each for the scalps of coyotes, three dollars ($3.00) each for the scalps of wild cats and twenty-five cents (25c) each for the scalps of crows killed in Macon County from and after the ratification of this act.

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

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

Ratified this the 10th day of March, A.D. 1933.
S. B. 130

CHAPTER 137

AN ACT RELATING TO THE ELECTION OF JUSTICES OF THE PEACE FOR THE COUNTY OF WAYNE.

The General Assembly of North Carolina do enact:

SECTION 1. At the next general election held in Wayne County, and biennially thereafter, there shall be elected for each Township in said County, except Goldsboro Township, two Justices of the Peace and no more; there shall be elected for Goldsboro Township five Justices of the Peace and no more; the duties and terms of office of such Justices shall be as now prescribed by law.

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

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

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

S. B. 231

CHAPTER 138

AN ACT TO AMEND CHAPTER 775 OF PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTEEN RELATING TO DISORDERLY CONDUCT AND PUBLIC DRUNKENNESS IN MITCHELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter seven hundred seventy-five of Public-Local Laws of one thousand nine hundred thirteen be amended by striking out in the last line of Section two the words "and Mitchell," it being the purpose of this act to exempt Mitchell County from the provisions of said act as well as from the provisions of Chapter ninety-eight of Public-Local Laws of one thousand nine hundred and twenty-one.

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

Ratified this the 10th day of March, A.D. 1933.
S. B. 260  

CHAPTER 139

AN ACT TO REPEAL CHAPTER ONE HUNDRED SEVENTY-SIX OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED TWENTY-SEVEN RELATIVE TO SALE OF FIREWORKS OR OTHER EXPLOSIVES IN VANCE COUNTY.

The General Assembly of North Carolina do enact:

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

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

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

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

S. B. 309  

CHAPTER 140

AN ACT FOR THE RELIEF OF CERTAIN CITIZENS OF HOUSE CREEK, LEESVILLE, BARTON'S CREEK AND NEW LIGHT TOWNSHIPS IN THE COUNTY OF WAKE.

Whereas, in August, 1931, certain portions of the townships of House Creek, Leesville, Barton's Creek and New Light in the County of Wake were visited by a devastating hail storm, which totally destroyed the crops in the path of said storm; and

Whereas, by reason of the lateness of the season it was impossible to plant other crops and great hardship and loss was thereby caused to the farmers affected; Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of Wake County be and they are hereby authorized and empowered to remit all interest, penalties and costs arising in connection with the failure of any person in the territory described in the preamble hereto to pay his taxes for the year 1931, and they are hereby further authorized and empowered to permit the payment of taxes for the year 1931 in three equal annual installments, beginning with the present tax year: Provided, that the failure to pay any such annual installment shall have the same effect and be treated in the same manner as the failure to pay taxes for the current year.

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

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

Ratified this the 10th day of March A.D., 1933.
Chapter 141

Preamble: Irregularity in official acts of L. S. Thompson, Beaufort County Justice of the Peace.

AN ACT TO VALIDATE PROCESS AND PROCEEDINGS BY L. S. THOMPSON, A JUSTICE OF THE PEACE OF BEAUFORT COUNTY, FROM AUGUST FIRST, ONE THOUSAND NINE HUNDRED AND THIRTY, TO JANUARY FIFTEENTH, ONE THOUSAND NINE HUNDRED AND THIRTY-THREE.

Whereas, L. S. Thompson was duly appointed or elected as a Justice of the Peace but between the dates of August first, one thousand nine hundred and thirty, and January fifteenth, one thousand nine hundred and thirty-three, lived in one or more townships of Beaufort County but had his office, issued process, conducted trials and did other official acts in Washington Township for which township he was not so appointed or elected; and

Whereas, the said L. S. Thompson was on January thirteenth, one thousand nine hundred and thirty-three, duly appointed a Justice of the Peace for Washington Township in which he now lives;

The General Assembly of North Carolina do enact:

Section 1. That all official acts and proceedings of said L. S. Thompson as a Justice of the Peace between the dates of August first, one thousand nine hundred and thirty, and January fifteenth, one thousand nine hundred and thirty-three, are hereby validated in so far as the same might be attacked or invalidated on the ground that the said L. S. Thompson lived in one or more townships of Beaufort County while his official acts and proceedings were performed in Washington or another township of said County.

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

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

Chapter 142

AN ACT TO REPEAL CHAPTER 123, PUBLIC-LOCAL LAWS 1921, AND CHAPTER 28, PUBLIC-LOCAL LAWS 1929, RELATING TO FEES OF SHERIFF FOR CAPTURING ILLICIT DISTILLERIES IN MITCHELL COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That chapter one hundred and twenty-three of the Public-Local Laws of one thousand nine hundred and twenty-one and chapter twenty-eight of the Public-Local Laws of one thousand nine hundred and twenty-nine, be and the same are hereby repealed.
1933—Chapter 142—143—144

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

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

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

H. B. 247  CHAPTER 143
AN ACT TO REPEAL CHAPTER 283 PUBLIC-LOCAL LAWS, SESSION OF 1931, RELATING TO PAY OF COUNTY COMMISSIONERS OF COLUMBUS COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That Chapter two hundred and eighty-three, Public-Local Laws of one thousand nine hundred and thirty-one, relating to pay of County Commissioners of Columbus County, 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 10th day of March, A.D. 1933.

H. B. 294  CHAPTER 144
AN ACT TO AMEND CHAPTER 498, PUBLIC-LOCAL LAWS OF 1923, RELATING TO SALARIES OF BRUNSWICK COUNTY OFFICIALS.

The General Assembly of North Carolina do enact:

Section 1. That section four of chapter four hundred ninety-eight of Public-Local Laws of 1923 be and same is hereby repealed and the following substituted in lieu thereof: The Clerk of the Superior Court shall receive a salary of two thousand dollars per annum in lieu of all other compensation whatsoever, and said clerk shall not receive any additional salary as Clerk to Recorder's Court or Judge of Juvenile Court. Said Clerk of the Superior Court shall be allowed one deputy or assistant clerk who shall be paid by the County of Brunswick an annual salary of not less than seven hundred and fifty dollars and not more than nine hundred dollars to be fixed by the Board of County Commissioners, said salary to be paid in equal monthly installments.

Ch. 283, Public-Local Laws 1931, repealed, as to pay of Columbus County Commissioners.

Ch. 498, Public-Local Laws 1923, amended.

Salary of Clerk Superior Court of Brunswick County.

Salary.

Assistant.
Again amended.

Pay of other assistants.

Conflicting laws repealed.

Sec. 2. That section five of said chapter be and same is hereby amended by adding at the end of said section the following: And that said clerk or assistant shall be paid by the County of Brunswick an annual salary of not less than seven hundred and fifty dollars and not more than nine hundred dollars, to be fixed by the Board of County Commissioners and to be paid in equal monthly installments.

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

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

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

H. B. 543

CHAPTER 145

AN ACT TO AUTHORIZE AND EMPOWER THE BOARD OF COUNTY COMMISSIONERS OF GRAHAM COUNTY TO PURCHASE THE GRAHAM COUNTY BANK BUILDING AND TAKE OVER ALL OTHER REAL ESTATE AND ASSETS OF SAID BANK, COLLECT SAME, AND APPLY THE PROCEEDS THEREOF TO THE INDEBTEDNESS DUE BY GRAHAM COUNTY BANK TO GRAHAM COUNTY.

Whereas, on the ninth day of April, one thousand nine hundred and twenty-seven, pursuant to chapter one hundred ninety-six, Public-Local Laws, one thousand nine hundred twenty-seven, the Graham County Bank was designated and appointed by the Board of County Commissioners of Graham County Depository and Treasurer of the public funds of Graham County; and

Whereas, on the twentieth day of November, one thousand nine hundred and thirty, the American National Bank of Asheville, North Carolina, an approved depository of the Graham County Bank, closed, in which bank the Graham County Bank had on deposit the public funds of Graham County the sum of thirty-five thousand and fifty-nine dollars and eighty cents, being a part of the current taxes of Graham County for the year one thousand nine hundred and thirty; and

Whereas, the Graham County Bank closed on the fourteenth day of March, one thousand nine hundred and thirty-two, and was taken over for liquidation by the Commissioner of Banks, and during the period from November the twentieth, one thousand nine hundred and thirty, to that date the Graham County Bank reduced its indebtedness to Graham County of the current taxes for the year one thousand nine hundred and thirty to the sum of twenty-four thousand, one hundred and forty-four dollars and nine cents; and
Whereas, since the said Graham County Bank closed, Graham County has received on the receiver's certificate issued by the American National Bank to the Graham County Bank, which certificate was duly assigned by the Graham County Bank to Graham County before it closed, the sum of three thousand six hundred and fifty-two dollars and eighty-one cents, thereby reducing the indebtedness of the Graham County Bank to said county for the current taxes for the year one thousand nine hundred and thirty to the sum of twenty thousand four hundred and ninety-two dollars and twenty-eight cents; and

Whereas, when said Graham County Bank closed it was indebted to Graham County in the sum of twenty-one thousand three hundred and six dollars and ninety-six cents of sinking funds, represented by certificates of deposit for which Graham County now holds, in part, pledged assets of said bank; and

Whereas, it now appears desirable and to the best interests of both the Graham County Bank, on relation of the Commissioner of Banks for the State of North Carolina, and Graham County, that when all debts, obligations and liabilities of the said Graham County Bank have been paid off and discharged, other than the indebtedness to Graham County, the Board of County Commissioners of said county be authorized and empowered, in the exercise of its discretion, to purchase the Graham County Bank Building and to take over all other real estate and assets of the said bank and apply the proceeds thereof to the indebtedness due Graham County; Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners of Graham County be and it is hereby authorized and empowered, in the exercise of its discretion, after all the debts, obligations and liabilities of said Graham County Bank have been paid off and discharged, other than the indebtedness due Graham County, as may appear from a certificate by the Commissioner of Banks, to purchase the Graham County Bank building for public use or for the purpose of sale or for such other purpose as the said board may deem to the best interests of Graham County, and to take over all other real estate and assets of said bank or so much thereof as is required to cover the indebtedness due Graham County and convert the same into cash and apply the proceeds thereof to the payment of the indebtedness due said county.

SEC. 2. That after all the debts, obligations, and liabilities of the said Graham County Bank, other than the indebtedness due Graham County, have been paid off and discharged, and after the said Board of County Commissioners have, in the exercise of its discretion, purchased the bank building and taken over all

Balance of indebtedness due.

Advisability of taking over bank building and other assets on debt account.

Commissioners authorized to take over bank building and assets.

Application on debt.

County may enforce collection of assets.
the other real estate and assets of the said Graham County Bank, the said Board of Commissioners are hereby authorized and empowered to institute suits in the name of the Graham County Bank, on relation of the Commissioner of Banks, to collect the notes and other evidences of debts due said bank, to sell and convey any real estate taken over from said bank; to foreclose all mortgages and deeds of trust executed to said bank to secure the payment of notes; to collect all judgments in favor of the said bank, and to do and perform all other acts and things necessary and requisite to carry out the purpose and intent of this act.

Sec. 3. That the said Board of Commissioners are hereby authorized and empowered, in the exercise of its discretion, to authorize by proper resolution the use of the banking room and vault and the fixtures therein for the office of Register of Deeds for the better protection of the public records of Graham County; and the said Board of Commissioners may appoint the County Accountant of Graham County ex officio clerk to the said Board of Commissioners, who shall perform all the duties now required of the Register of Deeds as ex officio clerk to said board, and for such services he shall receive such additional compensation as said Board of Commissioners may deem fair and reasonable, not to exceed one hundred dollars per annum, to be paid out of the general county funds.

Sec. 4. That for the purpose of carrying out the provisions of this act the said Board of Commissioners may employ some suitable and competent person who shall be required to give a bond in an amount to be determined by the said commissioners to handle the assets so taken over, and liquidate the same in the manner provided by this act, and for his services he shall receive such compensation as the said Board of Commissioners may deem reasonable and just, not to exceed five per cent commission on the sale of the real estate so taken over and for the collection of the notes and other evidences of debts due said bank: Provided, that the person so employed to handle the assets so taken over shall not receive any commission from the sale of the bank building by the Commissioner of Banks to Graham County.

Sec. 5. That this act shall in no way be construed to affect the liability of any bond or bonds now existing for the security of the indebtedness due Graham County by the Graham County Bank.

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 10th day of March, A.D. 1933.
CHAPTER 146
AN ACT TO CREATE THE OFFICE OF DEPUTY TOWNSHIP CONSTABLE FOR WAYNESVILLE TOWNSHIP, HAYWOOD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the office of Deputy Township Constable for Waynesville Township, Haywood County, be and is hereby created, and the person hereinafter designated as such Deputy Township Constable for said township, and his successors in office, shall be, and he is hereby clothed with the same power to serve civil and criminal process within the limits of said township as is now or may hereafter be enjoyed by the constable of said township.

SEC. 2. That J. C. Kerly be, and he is hereby, appointed Deputy Constable of Waynesville Township in Haywood County, to serve until the next general election and until his successor is elected and qualified.

SEC. 3. That at each biennial election hereafter held a Deputy Constable for said Waynesville Township shall be nominated and elected by the qualified voters therein.

SEC. 4. That as compensation for services rendered in said office of Deputy Constable for Waynesville Township the said deputy shall receive the fees now provided by law for constables.

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

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

H. B. 600 CHAPTER 147
AN ACT TO REPEAL SECTIONS 7, 8, 9, AND 10 OF CHAPTER 415, PUBLIC-LOCAL LAWS 1927, RELATING TO SALARIES OF THE OFFICERS OF MARTIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That sections seven, eight, nine, and ten of chapter four hundred and fifteen of the Public-Local Laws of one thousand nine hundred and twenty-seven be and the same are hereby repealed.

SEC. 2. That on the first Monday in December, one thousand nine hundred and thirty-four, and biennially thereafter, the county commissioners of Martin County are hereby authorized and directed to fix the salaries of all county officers, clerks and employees of said county for the term for which they have been elected or appointed.
Sec. 3. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

Sec. 4. That this act shall be in full force and effect from and after the first Monday in December, one thousand nine hundred and thirty-four.

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

S. B. 328

CHAPTER 148

AN ACT TO APPOINT THE COUNTY ACCOUNTANT OF CATAWBA COUNTY AS TAX COLLECTOR.

The General Assembly of North Carolina do enact:

SECTION 1. That from and after the first day of October, 1933, all taxes levied and assessed by the County of Catawba shall be collected by the County Accountant.

Sec. 2. That from and after the first day of October, 1933, the County Accountant of Catawba County shall take over, exercise and succeed to all of the powers, duties and privileges now or hereafter conferred upon sheriffs by law with respect to the collection of taxes and special assessments collected as taxes within said county, including the authority and duty of enforcing the payment of taxes and assessments by distraint, garnishment, levy or other process, the execution of tax sales and certificates and generally to perform all functions with respect to the collection of taxes which are now, or hereafter may be, vested in sheriffs by law, including Schedule "B" taxes.

Sec. 3. The Board of Commissioners of Catawba County, before turning over the tax lists to said County Accountant as tax collector, shall require him to give such bond or bonds for the faithful collection and accounting for the tax lists which go into his hands as are now or may hereafter be required of sheriffs when performing the duty of tax collector.

Sec. 4. The said County Accountant shall receive no additional compensation for his services as tax collector.

Sec. 5. That from and after the first day of October, 1933, the Sheriff of Catawba County, after having made final settlement with the Board of Commissioners, shall be relieved of all further duties relating to the collection of taxes in Catawba County.

Sec. 6. This act shall be in force from and after the first day of October, 1933.

Ratified this the 11th day of March, A.D. 1933.
H. B. 483  
CHAPTER 149  
AN ACT RELATING TO THE SALARIES OF THE OFFICERS OF BERTIE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That on the first Monday in December in each year the County Commissioners of Bertie County shall fix the salaries of the county officers for the ensuing year, which said salaries shall in no case exceed the amount herein fixed, as follows:

Judge of the County Court—two thousand five hundred and fifty dollars;
Solicitor of County Court—nine hundred and eighteen dollars;
Clerk of the Superior Court—three thousand dollars;
Register of Deeds—three thousand five hundred dollars;
Treasurer—one thousand and twenty dollars;
Sheriff—three thousand dollars.

The above salaries shall include all office and clerical help, and there shall be no extra allowance for same above the salary fixed by the Board of County Commissioners.

Sec. 2. That from and after the ratification of this act the taxes of Bertie County shall be collected by a tax collector to be appointed by the Board of County Commissioners for one year and whose salary shall be fixed by said board: Provided, that if said County Commissioners deem best, they may appoint a tax collector for each of the nine townships in Bertie County and fix the salaries of said tax collectors.

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

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

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

S. B. 230  
CHAPTER 150  
AN ACT TO REPEAL CHAPTER 99 OF PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED TWENTY-ONE, RELATIVE TO THE MANUFACTURE AND SALE OF INTOXICATING LIQUORS IN AVERY, MITCHELL, AND YANCEY COUNTIES.

The General Assembly of North Carolina do enact:

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

Sec. 2. That this act shall not apply to Yancey County.

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

Ratified this the 13th day of March, A.D. 1933.
S. B. 310  

CHAPTER 151

AN ACT INCREASING THE NUMBER OF COMMISSIONERS OF NORTHAMPTON COUNTY, AND CREATING FIVE DISTRICTS FOR THE NOMINATION OF SAID COMMISSIONERS.

The General Assembly of North Carolina do enact:

Section 1. That from and after the first day of April, 1933, the Board of County Commissioners of Northampton County shall be composed of five instead of three members.

Sec. 2. That there are hereby created five districts in Northampton County for the nomination of County Commissioners, one commissioner to be nominated from each district, the districts to be numbered and designated as follows:

No. 1.
No. 2.
No. 3.
No. 4.
No. 5.

Sec. 3. That the following are hereby appointed Commissioners for Northampton County who shall take office April 1, 1933, and serve until their successors are elected and qualified:

District Number One, W. T. Liles, Kirby Township;
District Number Two, J. T. Bolton, Rich Square Township;
District Number Three, C. E. Parker, Roanoke and Jackson Townships.
District Number Four, W. G. Edwards, Seaboard and Wiccanee Townships;
District Number Five, H. S. Ellis, Occoneechee, Pleasant Hill and Gaston Townships.

Sec. 4. That at the next primary or convention to be held in Northampton County for the nomination of county officers there shall be nominated one commissioner from each of the five districts herein provided for, and those participating in said primary, both as candidates and voters, shall be restricted to the qualified voters of said districts. The candidate receiving a majority of the votes cast in said election shall be declared to be the candidate of his political party duly nominated for the general election.

Sec. 5. That the candidates so nominated from the respective districts shall in the general election be voted on by all of the
qualified voters of Northampton County: Provided, only one commissioner from any district shall be declared elected.

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 April 1, 1933.

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

S. B. 332

CHAPTER 152

AN ACT TO AUTHORIZE, EMPOWER AND DIRECT THE SHERIFF AND OTHER TAX COLLECTORS IN RANDOLPH COUNTY AND MUNICIPALITIES IN SAID COUNTY TO ESTABLISH A PARTIAL PAYMENT PLAN FOR THE COLLECTION OF TAXES.

The General Assembly of North Carolina do enact:

SECTION 1. That the sheriff and other tax collecting officers of Randolph County and the tax collectors of the municipalities in said county be and they are hereby authorized, empowered and directed to accept partial payments on taxes of not less than ten per cent of the total amount of the taxes due said county or municipalities by any taxpayer thereof; that for the now due and unpaid 1932 taxes, the first installment payment shall be on or before the 10th day of April, 1933; that subsequent installment payments shall be due and payable on or before the 10th of each month thereafter until the full amount of such taxes of such taxpayer has been paid: Provided, however, that upon failure to make payment of any installment payment in any month when due, advertisement and sale of the property may be made as now provided by law: Provided further, that no installment payment or payments shall operate as a discharge of the tax lien provided by law until the amount of taxes of the taxpayer making such installment payment or payments shall have been paid in full.

Sec. 2. That this act shall apply to Randolph County.

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

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

Ratified this the 13th day of March, A.D. 1933.
H. B. 160  CHAPTER 153
AN ACT TO REPEAL CHAPTER 38 OF THE PUBLIC-LOCAL LAWS OF 1929 RELATING TO THE CAPTURE OF STILLS IN YANCEY COUNTY.

The General Assembly of North Carolina do enact:

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

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

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

H. B. 275  CHAPTER 154
AN ACT TO REPEAL CHAPTER 15 OF THE PUBLIC-LOCAL AND PRIVATE LAWS OF 1923, BEING AN ACT TO PROHIBIT THE SALE OR USE OF FIREWORKS IN CURRITUCK AND CHEROKEE COUNTIES, IN SO FAR AS THE SAME APPLIES TO CHEROKEE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That chapter fifteen of the Public-Local and Private Laws of one thousand nine hundred and twenty-three, in so far as the same applies to Cherokee County, be and the same is hereby repealed.

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

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

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

H. B. 411  CHAPTER 155
AN ACT REQUIRING THE STORE-ROOM KEEPER OF BUNCOMBE COUNTY TO FILE A REPORT OF ALL DISBURSEMENTS IN THE OFFICE OF THE CLERK OF THE SUPERIOR COURT.

The General Assembly of North Carolina do enact:

Section 1. From and after the ratification of this act it shall be the duty of the store-room keeper, who distributes food and clothing upon the order of any branch of the welfare department
in the City of Asheville and the County of Buncombe, to file once each month in the office of the Clerk of the Superior Court a report showing the name and address of all persons receiving any article from said store-room, said report to show the article or articles disbursed, and that this report shall not be furnished for publication; however, this report shall be open to the inspection of the public at all times, and it shall be recorded in a book especially provided for that purpose, which book shall be indexed.

Sec. 2. That Rutherford, Northampton, Transylvania, Chowan and Pasquotank Counties be included within the provisions of this act.

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

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

H. B. 501

CHAPTER 156

AN ACT RELATING TO THE DUTIES OF STATE FARM DEMONSTRATION AGENT IN NORTHAMPTON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the State Farm Demonstration Agent, assigned to or employed by Northampton County, may vaccinate hogs for cholera with either or both hog cholera serums and/or virus.

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

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

H. B. 571

CHAPTER 157

AN ACT REPEALING CHAPTER 183 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, EXTRA SESSION OF 1924, AND REGULATING THE FEES OF THE CLERK OF THE SUPERIOR COURT OF SCOTLAND COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and eighty-three of the Public-Local Laws of North Carolina, Extra Session of nineteen hundred and twenty-four, entitled "An Act Regulating the Fees of the Clerk of the Superior Court of Scotland County," be and the same is hereby repealed.

Sec. 2. That section three thousand nine hundred and three of article seven of chapter seventy-one of the Consolidated Statutes of North Carolina shall apply to and fix the fees of the Clerk of the Superior Court of Scotland County.
Sec. 3. That the fee of the Clerk of the Superior Court of Scotland County for filing and recording reports of disbursement of funds arising from sales of lands by trustees under the power of sale contained in deeds of trust shall be one dollar where the amount of said funds does not exceed one thousand dollars, and in all cases where the amount of said funds exceeds one thousand dollars said fee shall be two dollars.

Sec. 4. That the Clerk of the Superior Court of Scotland County shall not be required to charge or account for any fees for taking the affidavit, including jurat, official seal and certificate, of any person engaged in agriculture in North Carolina on or connected with any application by such person to any regional agricultural corporation or other governmental agency for any loan to be used for crop production.

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

H. B. 609  
CHAPTER 158

AN ACT FIXING THE FEES OF THE JUSTICES OF THE PEACE OF CASWELL COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the fees of the Justices of the Peace of Caswell County shall in all civil and criminal cases be two dollars and a half ($2.50): Provided, that if a case is transferred to another justice as provided by law, then the trial justice shall receive one-half of the fees above provided for.

Sec. 2. That in the event the county has to pay any of said fees then it shall only be liable for one-half.

Sec. 3. That this act shall apply only to Caswell County.

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

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

Ratified this the 13th day of March, A.D. 1933.
H. B. 663  
CHAPTER 159  
AN ACT TO REPEAL CHAPTER 799 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA RELATING TO COSTS IN THE COURTS OF THE JUSTICES OF THE PEACE OF BUNCOMBE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That Chapter 799 of the Public-Local Laws of North Carolina of 1913 be and the same is hereby repealed.

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

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

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

H. B. 670  
CHAPTER 160  
AN ACT TO AMEND CHAPTER 42, PUBLIC LAWS 1927, RELATING TO REWARDS FOR THE CAPTURE OF STILLS IN UNION COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section two of chapter forty-two of the Public Laws of one thousand nine hundred and twenty-seven be and the same is hereby amended by striking out the word "Union" in line five of said section, it being the intent and purpose of this act to exempt Union County from all laws requiring the payment of rewards by said county for the capture of stills.

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

H. B. 679  
CHAPTER 161  
AN ACT TO AMEND CHAPTER 157 OF THE PUBLIC-LOCAL LAWS OF 1929, RELATING TO THE SALARIES OF THE OFFICERS OF PAMLICO COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section one of chapter one hundred and fifty-seven of the Public-Local Laws of one thousand nine hundred and twenty-nine be and the same is hereby amended by striking out the word "eighteen" in lines five and six and in-
Chapter 162

AN ACT TO AMEND CHAPTER EIGHTY-TWO, PUBLIC-LOCAL LAWS ONE THOUSAND NINE HUNDRED AND THIRTY-ONE, RELATING TO THE SALARY OF THE COUNTY ACCOUNTANT OF UNION COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section three of chapter, eighty-two of the Public-Local Laws of one thousand nine hundred and thirty-one be and the same is hereby amended by striking out the word “less” in line two of said section and inserting in lieu thereof the word “more.”

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

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

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

H. B. 713

CHAPTER 163

AN ACT FIXING THE SALARIES AND FEES OF THE OFFICERS OF ALEXANDER COUNTY, ABOLISHING THE OFFICE OF TAX COLLECTOR AND THE RECORDER’S COURT OF SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That from and after September one, one thousand nine hundred and thirty-three, the office of tax collector of Alexander County be and the same is hereby abolished, and that beginning with the collection of taxes for the year one thou-
sand nine hundred and thirty-three the same shall be collected
by the sheriff of said county under the same provisions as said
taxes were collected prior to the establishment of the office of
tax collector for Alexander County, and for collecting said taxes
the sheriff shall receive no other compensation than that pro-
vided herein.

Sec. 2. That the Recorder's Court heretofore established for
Alexander County be and the same is hereby abolished.

Sec. 3. That the Board of County Commissioners of Alex-
ander County are hereby authorized to fix the salaries for the
county officers of said county beginning the first Monday in De-
cember, one thousand nine hundred and thirty-two, but in no
case shall the said salaries exceed the amount herein provided,
to wit:

Clerk of the Court, fifteen hundred dollars and an allowance
of three hundred dollars for clerical help;

Register of Deeds, one thousand dollars with an allowance of
three hundred dollars for clerical help and seven hundred dollars
for an accountant;

Sheriff, two thousand five hundred dollars and four hundred
dollars allowance for office help. He shall also receive the
present fees allowed by law on all processes served or executed
by him and his commissions on executions collected by him
now allowed by law;

Welfare Officer, including expenses, six hundred dollars;
Keeper of the County Home, nine hundred dollars;
Janitor for the Courthouse, two hundred and forty dollars.

Sec. 4. That the Sheriff of Alexander County or his deputies
shall be allowed the amount of their actual expenses for con-
veying prisoners to or from other counties, or to or from the
State Prison, for taking insane persons to or from the State
Hospital; and it 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. 5. That all laws and clauses of laws in conflict with the
provisions of this act are hereby repealed.

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

Ratified this the 13th day of March, A.D. 1933.
H. B. 769  
CHAPTER 164  
AN ACT TO SUSPEND THE COLLECTION OF SPECIAL SCHOOL TAXES IN THE PEACHTREE PUBLIC SCHOOL DISTRICT OF CHEROKEE COUNTY FOR THE PERIOD OF TWO YEARS.

Whereas, the Peachtree Public School District of Cherokee County has an authorized special tax levy of not less than fifteen cents nor more than fifty cents on the one hundred dollars valuation of real and personal property; and

Whereas, said school district is entirely made up of farmers and is a farming community; and

Whereas, owing to present economic conditions and the low price of farming products it is burdensome and well nigh impossible for the citizens of said district to pay the said special school tax; and

Whereas, it is not the desire of the community to completely wipe out said tax unless and until the State shall provide an eight months school term, and it is the desire of said community to retain the authority to have said tax levied when economic conditions will permit; Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the levy and collection of any and all special school taxes in the Peachtree Public School District of Cherokee County be, and the same is hereby, suspended for the period of two years from and after the ratification of this act.

Sec. 2. That for the years one thousand nine hundred thirty-three and one thousand nine hundred thirty-four the Board of County Commissioners of Cherokee County shall not levy and the Tax Collector of said county shall not collect any special school tax upon the property in said Peachtree Public School District: Provided, however, that should there be any bond or other indebtedness against the said school district to which the said special tax is applicable and for which it must be levied, then and in such event the Board of County Commissioners of Cherokee County is authorized to levy so much of said fifty-cent special tax rate only as will be sufficient to pay the interest and maturities of such indebtedness.

Sec. 3. That all laws and clauses of laws in conflict with this act 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 13th day of March, A.D. 1933.
H. B. 915  

CHAPTER 165

AN ACT TO PROVIDE FOR THE COMPLETION OF THE EXTENDED TERM IN THE VARIOUS SPECIAL TAX SCHOOL DISTRICTS IN BEAUFORT COUNTY.

Whereas, due to the slow collection of taxes levied for extended terms in the several districts in Beaufort County; and

Whereas, said regular terms will expire on Tuesday, March fourteenth, one thousand nine hundred and thirty-three; and

Whereas, the Board of Education of Beaufort County now have on hand several thousand dollars as a result of special tax levies to create a sinking fund to pay off and discharge school building bonds heretofore sold; and

Whereas, none of said bonds will reach a date of maturity before July first, one thousand nine hundred and thirty-six;

Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. The Board of Education of Beaufort County are hereby authorized and empowered, by and with the consent and approval of the Board of County Commissioners of said county, to borrow from said sinking funds a sum not to exceed one thousand dollars, to the end that the extended term in the various special tax districts in said county may be continued and completed.

SEC. 2. The said sum so borrowed shall be replaced and repaid to the funds from which it is taken from the first collection of any taxes now due which may have been levied for the purpose of the extended school term, and none of said collections shall be used for any other purpose until the said amount so borrowed shall have been repaid in full.

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

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

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

S. B. 262

CHAPTER 166

AN ACT CREATING THE OFFICE OF TAX COLLECTOR IN CUMBERLAND COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That there shall be created for Cumberland County a tax collecting department in which all taxes for the county or local districts, both current and back taxes, whether general, special or privilege, shall be collected.
Sec. 2. That the County Commissioners of Cumberland County shall appoint a Tax Collector for Cumberland County who shall qualify and be responsible for the collection of all taxes, both current and back taxes, whether general, special or privilege, to the end that all taxes shall be collected by one department as herein provided.

Sec. 3. That the Tax Collector hereunder shall have all the powers conferred by law for the collection of taxes and all duties and penalties heretofore imposed by law upon the sheriff in his capacity as Tax Collector, and all such powers, duties and penalties are hereby transferred to the said Tax Collector to be exercised and performed by him.

Sec. 4. That the County Commissioners shall have complete control over the Tax Collector, who shall hold office at their will, and shall fix his compensation, to be paid either in their discretion out of the general fund of the county or by allowing fees or commission upon the taxes collected.

Sec. 5. That upon all taxes collected, if office be placed upon a salary basis, there shall be allowed for the collection of same a fee or commission of two and one-half per cent, which shall be charged against the respective funds and credited to or turned over to the general fund of the county; but if the County Commissioners elect to place the office upon the fee or commission basis, then they shall fix the fee or commission to be allowed the Tax Collector, which shall not be in excess of two and one-half per cent of the total taxes collected under each respective fund.

Sec. 6. That the Tax Collector shall be required to give bond as now required by law of the Sheriff in his capacity as Tax Collector and any additional bond the County Commissioners may require, the premium of such bonds to be paid for by the county out of the general fund.

Sec. 7. That the Tax Collector shall at the end of each fiscal year make a complete report and settlement with the County Commissioners for all taxes collected during the year, together with such other reports as may be required by the County Commissioners and by the laws governing the collection of taxes, and he shall make his distributions as now required by law.

Sec. 8. That the County Commissioners shall employ annually an auditor, approved by the Director of Local Government, who shall make a complete audit of the Tax Collector’s office for the fiscal year.

Sec. 9. That the rural policemen of the county are authorized and empowered, under the direction of the Tax Collector, to make levies and garnishee in his name and assist him in the collection of taxes in the manner and to such extent as may be approved by the County Commissioners.
Sec. 10. That the office, herein provided for, may be created and the Tax Collector appointed at any time after the ratification of this act, but same shall be done on or before the first Monday of October, 1933.

Sec. 11. That the County Commissioners may, in their discretion, combine the office of Tax Collector with any other appointive office, and may, in their discretion, appoint such other officer as Tax Collector in addition to his other duties.

Sec. 12. That this act shall apply only to Cumberland County.

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

Sec. 14. That this act shall be in full force and effect from and after its ratification, except as otherwise specified therein.

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

S. B. 287

CHAPTER 167

AN ACT RELATING TO AND PROVIDING FOR EXTENSION OF TIME FOR THE PAYMENT OF TAXES AND INTEREST CHARGES UPON DELINQUENT TAXES IN MACON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That all delinquent taxpayers of Macon County, and of any municipality or other sub-division of government of said county, shall have five years from the date of the ratification of this act in which to pay all such delinquent taxes which have been heretofore levied and assessed against them, upon condition that all such delinquent taxpayers shall, within each year of the said five-year period, pay one-fifth of such unpaid and delinquent taxes now owed by them, and shall hereafter promptly pay, during each fiscal or tax year, all taxes levied and assessed against such taxpayers for such fiscal or tax year.

Sec. 2. That all delinquent taxpayers of Macon County, and of any municipality or any other sub-division of government in said county, whose lands have been sold for taxes and purchased by the county or other municipality or sub-division of government to which such taxes are or were due, shall have five years from the date of the ratification of this act in which to pay all back taxes upon said lands and six per cent interest per annum upon all such delinquent taxes from the date when said lands were so sold.

Sec. 3. That all unpaid and delinquent taxes in Macon County, and any municipality or other sub-division thereof, except such as those upon which tax sales have been had, or tax foreclosure suits brought, shall bear interest at the rate of six per centum
Taxes payable at par up to June subsequent to due date.

156

1933—Chapter 167—168

per annum from and after June thirtieth, subsequent to the time when such taxes become due and payable.

Sec. 4. That all taxes in the County of Macon, and any municipality or sub-division thereof, shall be payable at the face amount of such taxes, if paid before June thirtieth immediately subsequent to the date when such taxes are due and payable, and thereafter such delinquent tax shall bear interest at the rate of six per centum per annum.

Sec. 5. This act shall apply to Macon County only.

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

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

H. B. 590  Chapter 168

An act to prohibit the carrying or exploding dynamite cartridges and bombs, except for mechanical purposes, in Cherokee County.

The General Assembly of North Carolina do enact:

Section 1. If any person shall have in his possession, or fire off or explode, or cause to be fired off or exploded, except for mechanical purposes in a legitimate business, any dynamite cartridge, bomb or other explosive of a like nature, he shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not to exceed fifty dollars or be imprisoned not exceeding thirty days.

Sec. 2. That the possession of such dynamite bomb or other explosive shall be prima facie evidence of the unlawful possession thereof.

Sec. 3. That this act shall apply only to Cherokee County, 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 and effect from and after its ratification.

Ratified this the 15th day of March, A.D. 1933.
H. B. 700  

CHAPTER 169

AN ACT TO REGULATE THE SPEED OF BOATS ON WHITE LAKE IN BLADEN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. It shall be unlawful for any person or persons to operate a boat on White Lake in Bladen County at a rate of speed greater than fourteen miles per hour; and any person or persons found guilty of the violation of this act shall be guilty of a misdemeanor and pay a fine of not less than ten dollars and not more than twenty-five dollars, in the discretion of the court.

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 15th day of March, A.D. 1933.

H. B. 787  

CHAPTER 170

AN ACT TO REPEAL CHAPTER ONE FORTY-SEVEN OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-ONE AND ESTABLISHING THE OFFICE OF TAX COLLECTOR AND RE-DEFINING THE DUTIES OF THE SHERIFF OF POLK COUNTY AND FIXING HIS SALARY.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter one forty-seven of Public-Local Laws of one thousand nine hundred thirty-one is herewith repealed.

SEC. 2. That the County Commissioners of Polk County shall appoint some capable person to act as tax collector for the County of Polk and act as treasurer of same under the supervision and regulations which said County Commissioners may prescribe, and that the said County Commissioners shall fix a reasonable compensation for such services, to be paid from the general fund, and that the tax collector shall serve at the will of the County Commissioners and may be removed by them without cause.

SEC. 3. That the Sheriff of Polk County shall receive a salary not to exceed twenty-four hundred dollars ($2,400.00) and not to be less than eighteen hundred dollars ($1,800.00), and that said salary shall be fixed by the Board of County Commissioners of Polk County, and said salary as fixed by said board shall be paid in monthly installments from the first Monday of December, one thousand nine hundred thirty-two.
SEC. 4. That in addition to such salary the sheriff shall receive fees according to schedule in Chapter two hundred and forty-five of the Public-Local Laws of one thousand nine hundred twenty-five, entitled An act to regulate fees to be charged by the Sheriff of Polk County.

Chapter 5. That as a special reward for diligence in the enforcement of the prohibition laws the sheriff or his deputies or any other lawful officer of said county, charged with the enforcement of the criminal laws, who shall capture any still within the boundaries of Polk County shall receive a fee of five dollars, provided said still is delivered to the jailer of Polk County and there destroyed; and Provided further, that before said fee is allowed, the jailer must make affidavit that said still has been destroyed.

For having in possession for the purpose of sale or for transporting such liquor in the quantity of one gallon or more, a fee of five dollars, to be taxed in the bill of cost against the person convicted: Provided, that if any person so convicted shall for any reason fail to pay the cost and fees herein provided, said officer shall only be entitled to receive such fees as are fixed by general statute.

SEC. 5. That when any officer shall capture any vehicle transporting in said county intoxicating liquors contrary to law, and the said vehicle is forfeited and sold under provision of the law, said officer shall be entitled to receive a fee of ten per cent of any sums derived from such sale, and the remainder shall be paid over to the proper authorities as required by law.

SEC. 6. That this act shall be retroactive and have effect from and after the first Monday of December, one thousand nine hundred thirty-two.

SEC. 7. That this act shall only apply to the County of Polk.

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

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

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

H. B. 799

CHAPTER 171

AN ACT AUTHORIZING THE COMMISSIONERS OF SAMPSON COUNTY TO RETIRE SINKING FUND LOANS WITH COUNTY BONDS.

Whereas, under the authority granted in chapter thirty, Public-Local Laws of one thousand nine hundred fifteen, the Commissioners of Sampson County have invested the said county’s sink-
AN ACT

district, the are part ing lina and/or the indebtedness that further, hereby are Literary Fund district severally at partly and equipped, in districts in redemption for the said H. B. the Director that no value the accepted in of said loans of hereby are of here. Now, therefore.

The General Assembly of North Carolina do enact:

Section 1. The Board of Commissioners of Sampson County are hereby authorized, empowered and directed to accept at par value the bonds of said county in payment and discharge of the loans made from the sinking funds of said county: Provided, that no bond or bonds shall be accepted without the approval of the Director of the Local Government Commission: Provided further, that only term road bonds shall be accepted in payment of loans made from sinking funds set aside for the retirement of said term road bonds, and that only funding bonds shall be accepted in payment of loans made from sinking funds set aside for the retirement of said funding bonds.

Sec. 2. That only the borrower or the owner of the equity of redemption in the security shall have the right to discharge the said loans by payment with bonds.

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 15th day of March, A.D. 1933.

H. B. 816  CHAPTER 172

AN ACT RELATING TO PAYMENT OF INDEBTEDNESS OF SPECIAL AND SPECIAL CHARTER SCHOOL DISTRICTS INCURRED IN ERECTING AND EQUIPPING SCHOOL BUILDINGS NECESSARY FOR THE CONSTITUTIONAL SIX MONTHS SCHOOL TERM IN MCDOWELL COUNTY.

That whereas, in the several special and special charter school districts in McDowell County school buildings have been erected and equipped, some wholly at the expense of the county, others partly at the expense of the county and partly at the expense of the district, and others wholly at the expense of the district, and the indebtedness for all that part of which so provided by the district severally was lawfully incurred by loans from the State Literary Fund and/or the Special Building Fund of North Carolina and/or by bond issues, portions of which are now outstanding and unpaid; and

Whereas, all of such school buildings so erected and equipped are part of the constitutional six months school system and

Loans may be discharged by bonds of county at par.

Bonds must correspond to sinking funds furnishing loans.

Application of act.

Conflicting laws repealed.

Preamble: Debts incurred in construction of school buildings by school districts in McDowell County.

Necessary for constitutional term.
necessary to the maintenance of the six months school term required by the Constitution of North Carolina in McDowell County; and

Whereas, the County Board of Education of McDowell County, with the approval of the Board of County Commissioners of said county, included in the debt service fund in the budget for the fiscal year one thousand nine hundred thirty-two— one thousand nine hundred thirty-three, the indebtedness of all the special school districts, including the Special Charter District in said county, and the Board of County Commissioners of said county made county-wide appropriation and tax levy to cover same, all as provided by the State-wide school law; Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the County Board of Education of McDowell County shall include in the debt service fund in the annual budget the indebtedness of all the several special school districts, including Special Charter District, in McDowell County so lawfully incurred in erecting and equipping such school buildings necessary for the constitutional six months term, and the Board of County Commissioners of said county is hereby authorized, empowered and directed to approve and to make appropriation to cover same, and at the time of levying other taxes to make a levy of a sufficient annual county-wide tax on all taxable property in said county to provide for the payment of the principal of and interest on all such indebtedness as same shall mature, and hereafter all such outstanding indebtedness of the several special school districts, including the Special Charter District, shall be and become an obligation of the county as a whole.

SEC. 2. That the action of the County Board of Education of McDowell County, with the approval of the Board of County Commissioners, in so including in the debt service fund in the budget for the fiscal year one thousand nine hundred thirty-two— one thousand nine hundred thirty-three the indebtedness of all special school districts, including Special Charter District, in said county, and the action of Board of County Commissioners of said county in so making appropriation and tax levy to cover same are hereby approved and ratified.

SEC. 3. That the making and preparing of the school budget in McDowell County, except as in this act provided to the contrary, shall be in full accord with the provisions of the State-wide school law.

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 and effect from and after its ratification.

Ratified this the 15th day of March, A.D. 1933.
H. B. 845

CHAPTER 173

AN ACT TO AUTHORIZE, EMPOWER AND DIRECT THE SHERIFF AND/OR TAX COLLECTOR OF CRAVEN COUNTY TO ACCEPT COUNTY VOUCHERS IN PAYMENT OF TAXES.

The General Assembly of North Carolina do enact:

SECTION 1. That the Sheriff and/or Tax Collector of current or back taxes of Craven County be and he is hereby authorized, empowered and directed to accept in payment of all taxes due said county vouchers and/or warrants issued by the County of Craven under the authority of the Board of Commissioners of said county and/or the Board of Education of said county, when said vouchers and/or warrants are so issued in satisfaction and settlement of the obligations of said county and/or Board of Education of said county and/or any special tax school district of said county for services rendered to or purchases made by it or them, and the said vouchers and/or warrants to be accepted by said Sheriff and/or Tax Collector shall be included in and accepted by the said Board of Commissioners of Craven County in any settlement of taxes submitted and made by said Sheriff and/or Tax Collector.

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 15th day of March, A.D. 1933.

H. B. 858

CHAPTER 174

AN ACT TO AUTHORIZE, EMPOWER AND DIRECT THE TAX COLLECTOR OF CARTERET COUNTY TO ACCEPT COUNTY VOUCHERS IN PAYMENT OF TAXES.

The General Assembly of North Carolina do enact:

SECTION 1. That the tax collector of Carteret County be, and he hereby is, authorized, empowered and directed to accept in payment of taxes for the year nineteen hundred and thirty-one, and years prior thereto, vouchers and/or notes issued by and/or under authority of the Board of Commissioners of the said county when such vouchers and/or notes have been or are issued in satisfaction and settlement of the obligations of said county for services rendered to the said county or any of its institutions for the payment of which the said county is responsible, or when such vouchers and/or notes have been or are issued in settlement of purchases made by and on behalf of said county; and the said

Vouchers acceptable in payment of taxes in Craven County.

Conflicting laws repealed.

Vouchers acceptable in payment of back taxes in Carteret County.
vouchers and/or notes so accepted by said tax collector shall be received by the Board of Commissioners of said county, or its duly authorized agent empowered to receive moneys collected by said tax collector, and full credit shall be given therefor in lieu of cash.

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 15th day of March, A.D. 1933.

H. B. 859  CHAPTER 175

AN ACT TO ALLOW CERTAIN DISCOUNTS IN THE PAYMENT OF DELINQUENT TAXES IN MOREHEAD CITY AND THE COUNTY OF CARTERET.

The General Assembly of North Carolina do enact:

SECTION 1. That the tax collector and/or other officials charged with the duties and responsibilities of receiving and/or collecting delinquent taxes of the Town of Morehead City and the County of Carteret for the year nineteen hundred and thirty-one and all years prior thereto be, and they are hereby, authorized and directed to allow the following named discounts:

(a) On all such delinquent taxes paid on or before April thirtieth, nineteen hundred and thirty-three, a discount of four per cent; on all such delinquent taxes paid on or after May first, and not later than May thirty-first, nineteen hundred and thirty-three, a discount of three and one-half per cent; on all such delinquent taxes paid on or after June first and not later than June thirtieth, nineteen hundred and thirty-three, a discount of three per cent; on all such delinquent taxes paid on or after July first, and not later than July thirty-first, nineteen hundred and thirty-three, a discount of two and one-half per cent; on all such delinquent taxes paid on or after August first and not later than August thirty-first, nineteen hundred and thirty-three, a discount of two per cent; on all such delinquent taxes paid on or after September first, and not later than September thirtieth, nineteen hundred and thirty-three, a discount of one and one-half per cent; on all such delinquent taxes paid on or after October first, and not later than October thirty-first, nineteen hundred and thirty-three, a discount of one per cent; on all such delinquent taxes paid on or after November first, and not later than November thirtieth, nineteen hundred and thirty-three, a discount of one-half per cent.
(b) On all such delinquent taxes paid on or after December first and not later than December thirty-first, nineteen hundred and thirty-three, no discount of any kind shall be allowed.

Sec. 2. That amount of payment or payments to be made under the schedule set forth in section one of this act shall be computed and determined by allowing the discount or discounts appropriate to be made from the principal face amount of the tax sales certificate or certificates now outstanding and held by the said Town of Morehead City or County of Carteret or any other agency on its or their behalf. That is to say, the allowances above provided for shall be deducted from the face value of the certificates without the addition of any penalties or interest since the date of issuance of said certificates: Provided, however, that the provisions of this act shall not apply to the payment and/or redemption of certificates now outstanding and in the possession of third parties holding for value at the time of the ratification of this act: Provided further, that nothing in this act shall be construed to authorize or allow the Town of Morehead City or County of Carteret, through its or their collecting agency or agencies, to impose in the payment or settlement above provided for any court costs or other expenses heretofore incurred on account of foreclosure proceedings instituted for enforcement of payment.

Sec. 3. In any and all cases where there have been made no sales of the properties of delinquent taxpayers for the year nineteen hundred and thirty-one and years prior (if any such cases there may be), and there are no outstanding tax certificates evidencing the tax claims and liens, the same discounts as above provided shall be allowed, and the “principal amount” in such cases shall be deemed and construed as the aggregate amount of taxes and accrued interest at the time of the sheriff’s and/or tax collector’s sale of other properties for such years.

Sec. 4. That on and after January first, nineteen hundred and thirty-four, payments of all delinquent taxes for the year nineteen hundred and thirty-one and prior thereto shall be made under the conditions and provisions of the general law at that time existing.

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 15th day of March, A.D. 1933.
H. B. 924  

CHAPTER 176

AN ACT TO EMPOWER THE COUNTY COMMISSIONERS OF NASH COUNTY TO FIX THE SALARIES OF OFFICERS OF NASH COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter three hundred and fifteen of the Public-Local Laws of North Carolina, session of one thousand nine hundred and thirty-one, be amended by striking out section one and inserting in lieu thereof the following: "That on the first Monday in April, one thousand nine hundred and thirty-three, and biennially thereafter, the County Commissioners of Nash County shall fix the annual salaries of the Clerk of the Superior Court, the Register of Deeds, the Sheriff, the Treasurer, and the County Commissioners of Nash County as follows: The Clerk of the Superior Court at an amount not to exceed three thousand five hundred dollars and not less than two thousand dollars; the Register of Deeds not to exceed three thousand dollars and not less than eighteen hundred dollars; the Sheriff not to exceed three thousand five hundred dollars and not less than two thousand dollars; the Treasurer not to exceed eighteen hundred dollars and not less than nine hundred dollars; and the Sheriff shall receive, in addition to his salary, an allowance of five hundred dollars per year for expenses, which amount shall be paid him in monthly installments of forty-one dollars and sixty-six cents per month; the County Commissioners shall receive for their services in attending to their official duties amounts not to exceed the following: The Chairman of the Board of County Commissioners, twelve dollars and fifty cents per day in attending the meetings of the board or while engaged in business for the county, and the other commissioners ten dollars per day each; but said chairman and commissioners shall not be allowed to collect for more than twenty-five days each in any one year; and in addition to the salary hereby fixed, the chairman and other commissioners are to receive mileage to and from their respective places of business at five cents per mile, but the total amount received for mileage shall not exceed fifty dollars per year each. All of said salaries shall be paid monthly out of county funds."

SEC. 2. 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. 3. That this act shall take effect from and after its ratification.

Ratified this the 15th day of March, A.D. 1933.
CHAPTER 177

AN ACT REQUIRING THE REGISTER OF DEEDS OF JACKSON COUNTY TO PREPARE THE TAX LIST AND PROVIDING THE COMPENSATION THEREFOR.

The General Assembly of North Carolina do enact:

Section 1. That the Register of Deeds of Jackson County shall, for the years nineteen hundred and thirty-three and nineteen hundred and thirty-four, prepare the tax list of said county, as provided by law and as directed by the Board of Commissioners of said county, and shall receive for making out the original list and the copies required to be made the sum of seven hundred ($700.00) dollars per annum, to be paid by the Board of Commissioners 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 full force and effect from and after its ratification.

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

CHAPTER 178

AN ACT AUTHORIZING THE COMMISSIONERS OF CURRITUCK COUNTY TO APPOINT A PROSECUTING ATTORNEY FOR SAID COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the County Commissioners of Currituck County be and they are hereby authorized and empowered, in their discretion, to elect a prosecuting attorney for the Recorder's Court of Currituck County. Said prosecuting attorney shall receive for his services three dollars ($3.00) for each conviction secured, to be taxed in the bill of costs against the defendant, and no other compensation shall be allowed him: Provided, that when the defendant fails to pay the costs the county shall pay only one-half fees to the prosecuting attorney.

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

Ratified this the 15th day of March, A.D. 1933.
H. B. 107  

CHAPTER 179

AN ACT TO CONSOLIDATE THE OFFICE OF SUPERINTENDENT OF PUBLIC WELFARE WITH THE OFFICE OF COUNTY SUPERINTENDENT OF SCHOOLS IN CLEVELAND COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That on and after February one, one thousand nine hundred and thirty-three, the office of County Superintendent of Public Welfare for Cleveland County be and the same is hereby abolished, and the duties heretofore performed by said officer are transferred to the office of Superintendent of Schools of Cleveland, and the said Superintendent of Schools shall perform such duties without any additional compensation to that now paid him.

Sec. 2. That on or after July one, one thousand nine hundred and thirty-three, that the Board of County Commissioners of Cleveland County and the Board of Education are authorized and empowered to elect some competent person to act as Public Welfare Officer for Cleveland County if said boards deem it advisable, said Superintendent of Public Welfare to be elected and approved according to law.

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

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

Ratified this the 16th day of March, A.D. 1933.

H. B. 565  

CHAPTER 180

AN ACT TO AMEND CHAPTER 520 OF THE PUBLIC-LOCAL LAWS OF 1915, BEING AN ACT TO ESTABLISH A SPECIAL COURT FOR FORSYTH COUNTY, WITH CIVIL JURISDICTION, TO BE KNOWN AS FORSYTH COUNTY COURT, AND THE AMENDMENTS THERETO, RELATING TO TERMS OF COURT.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter five hundred twenty, Public-Local Laws of one thousand nine hundred fifteen, as amended, be and the same is hereby amended as follows:

That section four of the said chapter, as amended by the Public-Local Laws of one thousand nine hundred twenty-five, be amended so as to read as follows: "That the terms of Forsyth
County Court shall be of two weeks each, beginning on Monday, as follows:

Eighth Monday before the first Monday of March.
Fourth Monday before the first Monday of March.
First Monday of March.
Fourth Monday after the first Monday of March.
Eighth Monday after the first Monday of March.
Thirteenth Monday after the first Monday of March.
Seventeenth Monday after the first Monday of March.
First Monday before the first Monday of September.
Fourth Monday after the first Monday of September.
Ninth Monday after the first Monday of September.
Thirteenth Monday after the first Monday of September."

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

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

Ratified this the 16th day of March, A.D. 1933.

S. B. 117

CHAPTER 181

AN ACT TO AUTHORIZE ELECTIONS TO BE HELD IN SCHOOL DISTRICTS IN ROWAN COUNTY FOR THE PURPOSE OF SUBMITTING TO THE VOTERS THE QUESTION OF REVOKING SPECIAL SCHOOL TAXES.

The General Assembly of North Carolina do enact:

SECTION 1. Upon petition of one-third of the qualified voters residing in any Special School Taxing District, or in any other duly organized school taxing district in Rowan County, established under any law of North Carolina, the same shall be endorsed and approved by the County Board of Education, and the Board of County Commissioners shall thereupon order an election in the district and fix a date therefor for the purpose of submitting to the qualified voters therein the question of revoking the special tax to supplement the school fund therein, said election to be held as near as may be possible under the provisions of the school laws for holding other elections, as now provided for. It shall be the duty of the Board of Education to endorse the petition when presented, containing the proper number of names of qualified voters, and this provision is mandatory. If at the election a majority of the qualified voters in the district shall vote “Against Special Tax,” the tax to supplement the school fund shall be deemed revoked and shall not be levied.
Levies for bonds or other debts unaffected.

Number of elections limited.

Expense of election.

Act supplemental to present law.

Sec. 2. Nothing in this act contained shall be construed to authorize an election to revoke any tax heretofore voted in any duly organized district to pay the principal or interest on bonds and to retire outstanding bonds. No election hereunder shall be construed to revoke any school district or to effect the organization of any school district, or to revoke any tax heretofore voted for the payment of indebtedness of any kind.

Sec. 3. No election for revoking a special tax to supplement the school fund of any district shall be ordered or held hereunder oftener than once in any one year.

Sec. 4. The expense of holding said election shall be paid by the County Board of Education out of the operating and equipment funds of the county.

Sec. 5. This act shall be construed as supplemental to laws now in force and not as a repeal of any law, and shall be in force from and after its ratification.

Ratified this the 16th day of March, A.D. 1933.

S. B. 240 CHAPTER 182

AN ACT TO PREVENT THE TAKING AND CATCHING OF GAME AND WILD ANIMALS IN STEEL TRAPS IN SAMPSON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That it shall be unlawful for any person, firm or corporation to set or cause to be set any steel trap or log trap usually used for the purpose of catching game and wild animals in Sampson County.

Sec. 2. That any person violating any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine not exceeding fifty ($50.00) dollars, or imprisoned not more than thirty days.

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

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

Ratified this the 16th day of March, A.D. 1933.
CHAPTER 183

AN ACT TO AMEND CHAPTER TWO HUNDRED FORTY-ONE, PUBLIC-LOCAL LAWS ONE THOUSAND NINE HUNDRED TWENTY-SEVEN, RELATIVE TO THE REAL ESTATE COMMISSION EXEMPTING WAKE COUNTY FROM THE PROVISIONS THEREOF.

The General Assembly of North Carolina do enact:

Section 1. That section seventeen of chapter two hundred forty-one of the Public-Local Laws one thousand nine hundred twenty-seven be amended by striking out the word "Wake" in the third line of said section, it being the purpose of this act to exempt Wake County from the provisions of said chapter.

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

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

Ratified this the 16th day of March, A.D. 1933.

CHAPTER 184

AN ACT VALIDATING OFFICIAL ACTS OF F. N. ROUP, JUSTICE OF THE PEACE OF GAP CIVIL TOWNSHIP, ALLEGHANY COUNTY, NORTH CAROLINA.

Whereas, F. N. Roup has for several years been an acting Justice of the Peace in Gap Civil Township, Alleghany County, North Carolina, and has performed his duties in an honorable and conscientious manner; and

Whereas, his term of office expired on December 1, one thousand nine hundred thirty-two, and the said F. N. Roup continued in good faith to perform the ordinary duties of a Justice of the Peace after the expiration of his term; Now, therefore,

The General Assembly of North Carolina do enact:

Section 1. That all the official acts of the said F. N. Roup executed by him from December first, one thousand nine hundred thirty-two, to February twentieth, one thousand nine hundred thirty-three, are hereby validated, confirmed and made legal, regular and binding in all respects.

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

Ratified this the 16th day of March, A.D. 1933.
S. B. 360  
CHAPTER 185

AN ACT TO AMEND CHAPTER 179, PUBLIC-LOCAL LAWS 1931, RELATING TO THE SALARY OF THE JUDGE AND SOLICITOR OF THE GENERAL COUNTY COURT IN WILSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter one hundred and seventy-nine of the Public-Local Laws of one thousand nine hundred and thirty-one be and the same is hereby amended by striking out in lines seven and eight of said section the words and figures "at not less than three thousand dollars ($3,000.00)" and inserting in lieu thereof the words and figures "at not more than two thousand seven hundred dollars ($2,700.00)."

Sec. 2. That section two of chapter one hundred and seventy-nine of the Public-Local Laws of one thousand nine hundred and thirty-one be and the same is hereby amended by striking out in lines seven and eight of said section the words and figures "at not less than two thousand one hundred dollars ($2,100.00)" and inserting in lieu thereof the words and figures "at not more than one thousand five hundred dollars ($1,500.00)."

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

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

Ratified this the 16th day of March, A.D. 1933.

H. B. 198  
CHAPTER 186

AN ACT TO AUTHORIZE BUNCOMBE COUNTY AUTHORITY TO REVALUE PROPERTY FOR TAXATION IN CERTAIN CASES.

That whereas, there are certain hospitals in Buncombe County which have been operated on a charitable or semi-charitable basis for several years, but not to such an extent as to exempt said hospitals from taxation:

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of Buncombe County, or other board or agency authorized by law in said county to value and assess real estate and personal property for taxation, be and it is hereby authorized and empowered to revalue and reassess all property, both real and personal, for a period of three years prior to the passage of this act, owned by
any hospital in said county which has operated on a charitable or semi-charitable basis for three years prior to the passage of this act, and if upon said revaluation the value of said property is lowered or decreased, the said hospital owning said property shall be reimbursed the taxes paid by it to the extent of the amount or value so lowered or decreased, and if such taxes have not been paid they shall be rebated: Provided, the taxes due the State of North Carolina by any such hospital shall not be rebated but shall be paid in full.

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

Ratified this the 16th day of March, A.D. 1933.

H. B. 458   CHAPTER 187

AN ACT TO AMEND CHAPTER 60 OF THE PUBLIC-LOCAL LAWS OF 1929, RELATING TO THE NOMINATION OF MEMBERS OF THE BOARD OF EDUCATION OF CAMDEN COUNTY.

The General Assembly of North Carolina do enact:

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

"Section 3. That the candidates participating in said primary shall be voted on by all of the qualified voters of said county, and each qualified voter shall be entitled to vote for three of said candidates."

Sec. 2. That section four of chapter sixty of the Public-Local Laws of one thousand nine hundred and twenty-nine be and the same is hereby repealed and the following is inserted in lieu thereof:

"Section 4. That the candidate receiving the highest number of votes in the district in which he shall reside shall be declared to be the nominee of his said district for membership upon the county board of education of Camden County."

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

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

Ratified this the 16th day of March, A.D. 1933.
H. B. 873  

CHAPTER 188

AN ACT TO FIX FEES AND COMMISSIONS TO BE CHARGED BY THE CLERK OF THE SUPERIOR COURT OF FORSYTH COUNTY AND THE CLERK OF THE FORSYTH COUNTY COURT.

The General Assembly of North Carolina do enact:

SECTION 1. That the fees and commissions to be charged by the Clerk of the Superior Court of Forsyth County and the Clerk of the Forsyth County Court shall be the following, and no other, namely:

Advertising and selling under mortgage or Deed of Trust in lieu of bond; for sale of real estate, five dollars; for sale of personal property, two dollars and fifty cents.

Adoption: Petition, Affidavit, Order, Letters and recording, three dollars.

Affidavit, including jurat and certificate, twenty-five cents.

Appeal, docketing, from clerk of any other court, one dollar.

Appeal to Supreme Court, including certificate and seal, two dollars.

Attachment, order in, one dollar.

Apprenticing an infant, including indenture, three dollars.

Apprentice, order for appearance of, on complaint of master, one dollar.

Apprentice, order for appearance of master, on complaint of apprentice, one dollar.

Administrators, application, oath, appointment, original letters and one copy, with bond when surety company is given, three dollars.

Administrators, application, oath, appointment, original letters and one copy, with bond when personal surety of two, five dollars, and one dollar for each surety over two.

Administrators, copy of letters, fifty cents each.

Accounts: Auditing annual or final accounts of receivers, executors, administrators, administrators with will annexed, collectors, guardians or trustees for incompetents; where the value of the personal property of the estate or ward does not exceed ten thousand dollars the fee shall be fifty cents for each one hundred dollars or fraction thereof through one thousand dollars, and five cents for each one hundred dollars or fraction thereof from one thousand dollars through ten thousand dollars; where the value of the personal property of the estate or ward exceeds ten thousand dollars the fee shall be one-tenth of one per cent on each one hundred dollars or fraction thereof, these fees to be charged only on receipts: Provided, that when stocks, bonds, or any other personal property is transferred or delivered to any heir or distributee, without converting same into cash,
these fees shall be computed and charged on same, price to be
cash value at date of death or qualification of guardian or
trustee. But in no instance shall the fee be less than one dollar
or exceed one hundred dollars on any annual or final account
filed.

Accounts: Auditing final accounts of trustees, mortgagees, or
other persons, firms or corporations selling real estate under
foreclosure proceedings required to render such final report,
minimum fee, one dollar and fifty cents. Twenty-five cents on
each one hundred dollars through one thousand dollars; ten
cents per one hundred dollars for everything above one thousand
dollars, with a maximum auditing fee to be charged in any
foreclosure proceeding, twenty-five dollars.

Affidavit, twenty-five cents.
Arrest: Order of arrest, $1.00 as to each defendant.
Automobile tax report, fifty cents.
Bill of costs, preparing, fifty cents.

Bond or recognizance, including justification for all bonds not
otherwise provided for, one dollar for each person justifying on
bond and fifty cents for approval of each bond without seal:
Provided, this fee shall not apply to officers receiving a regular
salary from county as such officer.

Bond: Prosecution bond for costs, including justification, fifty
cents.

Bonds: All bonds must be justified before a Justice of the
Peace, Judge or Clerk of the Court.
Capias: Each defendant, one dollar, whether defendant is
arrested or not.

Caveat to Wills: Entering and docketing same for trial, two
dollars and fifty cents, and ten cents for entering on cross-index
as to each party in the proceeding.

Certificate and Seal: Fifty cents, except where it is a charge
against the county, and in that instance no fee is to be charged.

Claim and Delivery: Order of Claim and Delivery, one dollar.
Commissions: Appointing and issuing, fifty cents.

Commissions: Five per cent commissions shall be allowed the
clerk on all fines, penalties, amercements and taxes paid the
clerk by virtue of his office.

Commissions: The clerk shall receive three per cent on all
sums of money placed in his hands by virtue of his office, except
on judgments, decrees and executions; and three per cent on all
disbursements made by him from such funds, except the final
payment to minor on reaching his majority or to any other per-
son to whom same belongs which is paid in a lump sum.

Continuance: Thirty cents, except when a case is continued
without any legal excuse being offered for such continuance the
fee shall be one dollar.

Maximum and minimum.
Auditing fore-
closure accounts.
Affidavit.
Arrest.
Auto tax report.
Bill of costs.
Bond or recognizance.
Bond for costs.
Capias.
Caveat.
Certificate and 
seal.
Claim and 
delivery.
Commissions.
Same.
Continuance.
Copies of records: Copies of Records: Verifying, to be certified to without certificate and seal, ten cents per copy sheet of one hundred words and fifty cents additional for certificate and seal, when used.

Commissioner's return. Commissioners: Return on sale by commissioner where fund is turned over to the administrator, one dollar.

Confirmation of sale. Confirmation of sale: Where signed by the Clerk or Judge, one dollar.

Cross-indexing. Cross-indexing: The clerk shall receive ten cents for each name in all instruments that are cross-indexed.

Deed, probate. Deed: Order for registration of deed or other writing, fifteen cents.

Same. Deed: Probate of deed or other writing proved by a subscribing witness, including affidavit and probate, forty cents.

Same. Deed: Probate of deed or other writing acknowledged by the signers or makers, including all except married women, who acknowledge at the same time with the certificate thereon, fifteen cents for the certificate and twenty-five cents for the acknowledgment and twenty-five cents for private examination of each married woman signing same.

Dower. Dower: Issuing writ of dower, two dollars.

Ex-parte proceedings. Ex parte proceedings: Docketing, one dollar; ten cents for entering on cross-index as to each party in the proceeding.

Execution. Execution: Issuing, against property, regular form, fifty cents to Forsyth County and twenty-five cents additional for seal when issued out of Forsyth County when regular form judgment, and twenty cents per one hundred words for copying long judgment form in execution in addition to fifty cents for issuing and twenty-five cents for seal when issuing same to another county.

Same. Execution against the person, one dollar without seal.

Same. Execution for specific property, one dollar without seal.

Same. Execution for possession of property, one dollar without seal.

Executors. Executors: Application, oath, appointment, bond with surety company and original letters with one copy, three dollars.

Same. Executors: Application, oath, order of appointment, bond where two personal sureties are given, original letter and one copy, five dollars, and one dollar for each surety over two, each copy of letters, fifty cents.

Execution return. Execution: Docketing return on execution when money is collected, fifty cents.

Filing. Filing papers: Ten cents for each paper filed by the clerk.

Guardian. Guardian: Application, appointment, oath and original letter and one copy where a surety company bond is given, three dollars.

Same. Guardian: Application, appointment, oath and original letter and one copy where personal sureties of two are given, five dollars; one dollar for each surety over two.

Same. Guardians: Each copy of letters, fifty cents.
Guardian: Notifying solicitor of removal of guardian, one dollar.

Guardian ad litem: Appointment of, one dollar.

Hearing before the clerk, fifty cents per hour for each hour over two, with a minimum fee of one dollar and a maximum fee of ten dollars.

Indictment: Docketing for each defendant in bill, fifty cents.

Indictment: Certificate on bill of indictment, fifty cents.

Injunction: Order for, one dollar.

Inventory of administrators, executors, guardians, collectors, inventories, and trustees for incompetents, twenty-five cents for affidavit; ten cents for filing; twenty cents per one hundred words for recording, and fifty cents for auditing.

Incorporations: Recording Certificates of Incorporation, where same does not contain more than four legal sheets, three dollars; where same contains more than four legal sheets, twenty cents per one hundred words in addition to the three dollars for each sheet over four.

Justices of the Peace: Appointment and qualifying, to be paid by the justices, five dollars: Provided, there shall be no charge for appointing and qualifying successors to a Justice of the Peace caused by death, resignation or otherwise.

Judgment: Docketing judgment, fifty cents minimum for a regular short form judgment and twenty cents per one hundred words additional for long form judgments.

Judgment: Each certificate of satisfaction with seal, fifty cents.

Judgment: Indexing on cross-index book, for each party in the judgment, including plaintiff and defendant, ten cents each.

Judgment: Final, in all civil actions, one dollar.

Judgment: By confession, without notice, all services, three dollars.

Judgment Nisi: Entering against a defaulting witness or juror, on bail bond or recognizance, one dollar for each person against whom same is entered.

Judgment Nisi: Recording each, fifty cents.

Judgment: Docketing transcript of judgment, regular form, fifty cents with twenty cents per one hundred words in addition to the fifty cents for long form judgments.

Jury: Impaneling, twenty-five cents.

Jury: Tax, four dollars minimum, to be taxed in every case appearing on the trial docket, with three dollars per hour in addition for each hour over one hour jury is used, time to be computed from time selection of jury is commenced through time of Judge's charge to the jury.

Lis Pendens: Recording fee, twenty cents per one hundred words.
Lis Pendens: Cancelling notice of lis pendens, fifty cents.

Lien: Minimum fee, one dollar and fifty cents, for recording clerk's regular form. If lien consists of more than clerk's regular form lien, twenty cents per one hundred words additional to be charged for recording in addition to the one dollar and fifty cents.

Minutes: Recording of, twenty cents per copy sheet of one hundred words for each paper recorded in the minutes of the court, whether signed by Judge or Clerk.

Motion: Motion: Entry and record of, twenty-five cents.

Mortgage, chattel: Mortgages, Chattel: Probate of chattel mortgage, fifteen cents.

Same: Mortgage, Chattel: Probate of chattel mortgage where proven by a subscribing witness, including order of registration, forty-five cents.

Same: Acknowledgment of chattel mortgage or conditional sale contract, twenty-five cents and twenty-five cents for the privy examination of each married woman.

Notice and orders: Notice and Orders: All notice and orders whether signed by Judge or Clerk, fifty cents.

Notary: Notary Public: Qualifying and indexing, fifty cents.

Nurses: Nurses: Registering trained nurses, including certificate of registration and seal, fifty cents.

Next friend: Next friend: Appointment of, one dollar.

Officers: Officers: Qualifying deputy sheriff, constable, surveyor, coroner or any other officer, fifty cents.

Partnership: Partnership: Probate of regular or limited partnership certificate and recording same, fifty cents.

Process agent: Process Agent: Recording appointment of process agent, for nonresident, one dollar.

Petition: Petition: Affidavit and filing, thirty-five cents.

Presentment: Presentment, each defendant in same, one dollar.

Publication: Publication: Order of, one dollar.

Pauper: Pauper: Order to sue as a pauper, one dollar.

Recording: Recording: Papers, per copy sheet of one hundred words, twenty cents.

Relinquishment: Relinquishment of right to administer or qualify as executor; recording, filing and noting same, twenty-five cents.

Record: Record: Transcript of any matter of record or papers on file, per copy sheet of one hundred words, twenty cents.

Referee: Referee: Stating any account as referee, pursuant to order of the Judge, such allowance as the Judge may make.

Summons: Summons: Docketing, twenty-five cents, and ten cents for cross-indexing each name over two.

Seal: Seal of office, twenty-five cents.

Subpoena: Subpoena: Each name in same, fifteen cents.

Summons: Summons: Issuing original in any action, one dollar.

Same: Summons: Every copy of same, twenty-five cents.
Sheriff's Levy: Docketing Sheriff's levy, twenty cents per one hundred words.

Stenographer: Court stenographer, two dollars per hour with a minimum of two dollars and maximum of ten dollars per day. This fee to be charged in civil and criminal cases, time to be computed from time selection of jury is commenced through the Judge's charge to the jury.

Stenographer: There shall be a fee of two dollars charged for the court stenographer in each case where the jury is impaneled whether used or not.

Transcript: Issuing, regular form, fifty cents, with twenty cents per one hundred words additional for long form judgment, this in addition to the fifty cents and without seal.

Transcript on issues of law joined, one dollar.

Widow's year's support: Docketing report on allotting of, one dollar.

Widow's year's support: Docketing judgment for deficiency, one dollar.

Will: Probate of will in common form, one dollar.

Will: Recording of, twenty cents per one hundred words.

Witness ticket: Including jurat, in civil and criminal actions, to be taxed in the bill of cost against the losing party, ten cents for each witness ticket proven.

No jury tax is to be charged in civil cases where clerk signs judgment.

Grand juries and petit jurors summoned to serve in Forsyth County, and serving, shall receive the sum of two dollars and fifty cents per day and mileage for such service for one round trip for each week at five cents per mile.

Tales jurors shall not be entitled to receive any compensation unless required to be in attendance at court for a period in excess of one hour from the time of their appearance in court, in which event they shall each be entitled to one-half the per diem compensation of a regular juror. If sworn and used they shall be entitled to the same per diem compensation as regular jurors.

That whenever any regular juror summoned for the beginning of any term of court is excused by the Judge holding said court he shall not receive any compensation for attending as such juror.

Criminal cases: The Judge, in his discretion, may strike out jury tax and court stenographer fee, either or both, where the defendant pleads guilty, and jury is not impaneled and court stenographer does not begin the taking of evidence. If trial is begun, jury impaneled and court stenographer started to take evidence, in the event the defendant pleads guilty, without the
jury passing upon same, court stenographer and jury tax to be charged according to schedule.

Sec. 2. The Clerk of the Superior Court of Forsyth County shall be allowed to charge the following solicitor’s fees and jury tax in criminal cases only and no other, namely:

<table>
<thead>
<tr>
<th>Solicitor’s Fee</th>
<th>Jury Tax</th>
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<tbody>
<tr>
<td>Nonsupport</td>
<td>$ 5.00</td>
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<tr>
<td>Simple assault</td>
<td>5.00</td>
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<tr>
<td>Vagrancy</td>
<td>5.00</td>
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<tr>
<td>Giving worthless check</td>
<td>5.00</td>
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<tr>
<td>Resisting officer</td>
<td>10.00</td>
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<td>Carrying concealed weapon</td>
<td>10.00</td>
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<td>Forcible trespass</td>
<td>5.00</td>
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<tr>
<td>Violating automobile law</td>
<td>5.00</td>
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<tr>
<td>Operating automobile intoxicated</td>
<td>10.00</td>
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<tr>
<td>Reckless driving—automobile</td>
<td>10.00</td>
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<tr>
<td>Cruelty to animals</td>
<td>10.00</td>
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<tr>
<td>Disturbing graves</td>
<td>10.00</td>
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<tr>
<td>Malicious injury to property</td>
<td>10.00</td>
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<tr>
<td>Disposing mortgaged property</td>
<td>5.00</td>
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<tr>
<td>Assault, deadly weapon</td>
<td>10.00</td>
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<td>Speeding</td>
<td>5.00</td>
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<tr>
<td>Possessing liquor</td>
<td>10.00</td>
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<tr>
<td>Crime against nature</td>
<td>15.00</td>
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<tr>
<td>House-breaking</td>
<td>15.00</td>
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<tr>
<td>Larceny</td>
<td>15.00</td>
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<tr>
<td>Receiving stolen goods</td>
<td>15.00</td>
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<td>False pretense</td>
<td>20.00</td>
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<td>Fornication and adultery</td>
<td>10.00</td>
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<tr>
<td>Abandonment</td>
<td>10.00</td>
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<tr>
<td>Violation prohibition law</td>
<td>20.00</td>
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<tr>
<td>Manufacturing liquor</td>
<td>20.00</td>
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<tr>
<td>Transporting liquor</td>
<td>10.00</td>
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<tr>
<td>Embezzlement</td>
<td>20.00</td>
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<tr>
<td>Assault with intent to commit rape</td>
<td>20.00</td>
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<tr>
<td>Manslaughter</td>
<td>20.00</td>
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<td>Bigamy</td>
<td>20.00</td>
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<td>Perjury</td>
<td>20.00</td>
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<td>Seduction</td>
<td>20.00</td>
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<tr>
<td>Highway robbery</td>
<td>20.00</td>
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<tr>
<td>Larceny and robbery</td>
<td>20.00</td>
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<tr>
<td>House-breaking, larceny, robbery</td>
<td>25.00</td>
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<tr>
<td>Forgery</td>
<td>30.00</td>
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<tr>
<td>Rape</td>
<td>50.00</td>
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<tr>
<td>Murder</td>
<td>50.00</td>
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<tr>
<td>Burglary</td>
<td>50.00</td>
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<tr>
<td>Arson</td>
<td>50.00</td>
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SEC. 3. That this act shall apply to the County of Forsyth only.

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

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

Ratified this the 16th day of March, A.D. 1933.

H. B. 891  
CHAPTER 189

AN ACT TO AMEND CHAPTER 253, PUBLIC-LOCAL LAWS OF 1931, CREATING A BOARD OF FINANCIAL CONTROL FOR BUNCOMBE COUNTY AND THE CITY OF ASHEVILLE.

The General Assembly of North Carolina do enact:

SECTION 1. That Section two of Chapter two hundred fifty-three of the Public-Local Laws of one thousand nine hundred and thirty-one be and the same is hereby amended by striking out all of said section “two” down to and including the word “successors” in the fifth line from the bottom of page two hundred and twelve of the Public-Local Laws of one thousand nine hundred and thirty-one, chapter two hundred and fifty-three, and the following inserted in lieu thereof:

“Section 2. Said Board of Financial Control shall consist of five members, all of whom shall be qualified electors of Buncombe County, two known as the Asheville members shall be residents of the City of Asheville; one known as the county member shall be a resident of said county outside of the corporate limits of said City of Asheville, and two shall be known as members at large. Tenche C. Cox and Weaver Wilson as Asheville members, S. M. Mears as county member, and Frank E. Laycock and Guy Weaver as members at large are hereby appointed members of said Board of Financial control to hold office as follows:

Guy Weaver, a member at large, until the second Monday in February, one thousand nine hundred and thirty-four; county member S. M. Mears and city member Weaver Wilson until the second Monday in February, one thousand nine hundred and thirty-five, and member at large Frank E. Laycock and city member Tenche C. Cox until the second Monday in February, one thousand nine hundred and thirty-six, and until the election and qualification of their respective successors.”

SEC. 2. That section three of said chapter two hundred fifty-three be amended by striking out all of said section three down to and including the word “thirty-two” in line six thereof, and that the following be substituted therefor:
First meeting.

Election of chairman.

Tax supervisor not mandatory.

Elimination of employees and salary reductions.

Reassessment of property for 1933.

Quadrennial assessments.

Liquidating agent.

Salary.

"Section 3. The Board of Financial Control of Buncombe County shall hold its first meeting at noon on the third Monday in March following the ratification of this act, and that at said meeting said board shall elect one of its number as chairman to serve as such until the second Monday in February, one thousand nine hundred and thirty-four."

Sec. 3. That the provisions of chapter two hundred fifty-three of the Public-Local Laws of one thousand nine hundred and thirty-one, providing for the appointment of a tax supervisor shall not hereafter be construed as mandatory, but such power shall hereafter be merely permissive, and the Board of Financial Control may appoint a tax supervisor for such period or periods of time as it may deem necessary.

Sec. 4. That the said Board of Financial Control of Buncombe County is hereby authorized and empowered to effect economies in the Department of Tax Assessments and Records and in the Department of Tax Collections by elimination of employees, deputies or assistants, and by the reduction of salaries of such employees, deputies or assistants; however, the Board of Financial Control of Buncombe County shall not be permitted to increase the salaries of any such deputies, assistants, clerks or their employees.

Sec. 5. That the Board of Financial Control of Buncombe County is hereby required to cause all the taxable property, real and personal, in said county to be re-assessed for taxes for the year one thousand nine hundred and thirty-three by the appointment of assessors and appraisers, and in making such reassessment the assessors and appraisers shall not be controlled by any provision of the general laws of North Carolina as to the total amount of reductions in assessments that may be made in any county. The said Board of Financial Control of Buncombe County is hereby authorized and empowered to proceed to make the quadrennial assessments of property in Buncombe County in the manner provided by the general law of North Carolina, except that the same shall be done by the Board of Financial Control of Buncombe County as provided in said act, chapter two hundred fifty-three, Public-Local Laws of one thousand nine hundred and thirty-one.

Sec. 6. That on the first Monday in June, one thousand nine hundred and thirty-three, the said Board of Financial Control shall appoint or engage a liquidating agent to perform the duties of said liquidating agent as set out in said chapter two hundred and fifty-three, Public-Local Laws of one thousand nine hundred and thirty-one, who shall hold such position at the pleasure of the said board, and shall receive as compensation for his services as such liquidating agent a sum not in excess of twenty-four hundred dollars ($2,400.00) per annum, payable monthly.
Sec. 7. That the Board of Financial Control of Buncombe County shall not authorize any settlement to be made upon securities held for liquidation at less than par value without first having filed a petition with a Judge of the Superior Court, holding the courts of Buncombe County, in the nature of an ex parte proceeding, and after notice to the governing authorities of the county of Buncombe and the city of Asheville and obtaining an order from such Judge approving the amount, nature and terms of such proposed settlement: Provided, however, that such procedure shall be necessary only in instances where one thousand dollars ($1,000.00) or more are involved.

Sec. 8. That the Board of Financial Control of Buncombe County as now constituted shall continue to exist and discharge the duties imposed upon it by law until the third Monday in March, one thousand nine hundred and thirty-three.

Sec. 9. That all laws and parts of laws in conflict with this act are hereby repealed.

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

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

H. B. 218  CHAPTER 190

AN ACT TO REPEAL CHAPTER ONE HUNDRED FOURTEEN,
PUBLIC-LOCAL LAWS OF NINETEEN HUNDRED AND
TWENTY-FIVE, RELATIVE TO THE ENFORCEMENT OF
PROHIBITION LAW IN CERTAIN COUNTIES.

The General Assembly of North Carolina do enact:

Section 1. That chapter one hundred fourteen, Public-Local Laws of nineteen hundred twenty-five, is by this act hereby repealed.

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 effective from and after its ratification.

Ratified this the 17th day of March, A.D. 1933.
AN ACT TO PROVIDE FOR THE COLLECTION OF TAXES IN THE CITY OF WILMINGTON, TOWN OF CAROLINA BEACH AND COUNTY OF NEW HANOVER.

The General Assembly of North Carolina do enact:

SECTION 1. That in order to avoid duplication of work, save expenses, and afford convenience to the taxpayers, there is hereby created a consolidated tax collection agency for city, town and county taxes as herein provided. That for the year nineteen hundred thirty-three and subsequent years, only one set of tax books, one set of tax receipt books, and one set of other necessary records in connection with the collection of taxes shall be required for the City of Wilmington, Town of Carolina Beach and County of New Hanover, and subject to an ad valorem tax, as is now or may hereafter be provided by law, instead of separate tax records for said city, town and county as heretofore. Nothing herein contained shall be construed to prohibit the making of copies of any or all said tax records, if deemed best by the proper authorities.

SEC. 2. That the office of the Consolidated City-County Tax Collector is hereby created for the purpose of collecting all the taxes for the City of Wilmington, Town of Carolina Beach and the County of New Hanover, as provided by law. The said Consolidated City-County Tax Collector shall also collect all license taxes due, or to become due, to the City of Wilmington, Town of Carolina Beach and/or County of New Hanover, together with street assessments, poll, dog and all license taxes, water and sewerage rents due said city, town and/or county. The said Consolidated City-County Tax Collector shall be elected by the joint vote of the City Commissioners of Wilmington and the Board of Commissioners of New Hanover County. His term of office shall be for two years from the date of his election and until his successor is elected and qualified. The said governing body of the city and county shall, on or before the first Monday of September, nineteen hundred thirty-three, and every two years thereafter, elect such Consolidated City-County Tax Collector in the manner specified. In the election of such Consolidated City-County Tax Collector the Board of City Commissioners shall have one vote and the Board of County Commissioners one vote, irrespective of the number of members of which either governing body may be composed at the time of such election, and each member shall be entitled to his proper pro rata fractional vote according to the ratio that one member of each board bears to the whole. A majority, fractionally, of said two votes shall be sufficient for election. In case of a tie the joint boards shall
call in the Clerk of the Court of New Hanover County and it shall be his duty to cast the deciding vote.

Sec. 3. That the said Consolidated City-County Tax Collector shall collect the said taxes due, or to become due, the City of Wilmington, Town of Carolina Beach and County of New Hanover for the year nineteen hundred thirty-three and thereafter. That before entering upon the performance of his duties the said Consolidated City-County Tax Collector shall take the oath of office as required of tax collectors, and such oaths, if any, as may be required by law. He shall give separate bonds to the City of Wilmington, Town of Carolina Beach and County of New Hanover; the bond to the City of Wilmington to be approved by the city governing body and the bond to the Town of Carolina Beach to be approved by the governing body of said town, and the bond to the County of New Hanover to be approved by the County Commissioners, the said bonds in all respects to be as now or hereafter required by law for the collection, remittance and settlement of taxes and the proper performance of his duties.

Sec. 4. That the said Consolidated City-County Tax Collector, in the collection of taxes, shall have all the power and authority now or hereafter conferred by law upon the City Tax Collector of the City of Wilmington and/or the Tax Collector of the Town of Carolina Beach, and upon the sheriffs or other tax collectors for the collection of taxes of the County of New Hanover.

Sec. 5. That the said Consolidated City-County Tax Collector shall be given such assistants and clerks as the city governing body and the Board of County Commissioners may, in their joint judgment, determine reasonable and necessary. The compensation of the said Consolidated City-County Tax Collector, his assistants and clerks, shall be fixed by the joint action of the said governing bodies, but the compensation of the said Consolidated City-County Tax Collector shall not exceed three thousand ($3,000.00) dollars per annum, and said compensation shall be in lieu of any and all other compensation, fees or salaries. The number of office employees provided under this bill, in addition to the Consolidated City-County Tax Collector, is hereby limited to not more than three whole-time employees, one of whom shall be designated to attend to such field or outside work as may be necessary for the proper conduct of said office. In the event that in the opinion of the governing body of the City of Wilmington and the Board of County Commissioners of New Hanover County the said Consolidated City-County Tax Collector is unable to properly discharge the duties of his office without additional temporary assistance, such may be provided by the appointment of one additional clerk with the approval of said governing body of the City of Wilmington and the Board of County Commissioners of New Hanover County, who shall fix
the compensation and length of service of such temporary employee. The three employees herein provided for the Consolidated City-County Tax Collector's office shall receive respectively as salaries sums not to exceed two thousand ($2,000.00) dollars, eighteen hundred ($1,500.00) dollars and fifteen hundred ($1,800.00) dollars per annum each.

Sec. 6. The property taxes collected through and by said Tax Collector, his assistants and clerks, subject to proper adjustment on account of poll taxes, dog taxes, rebates, penalties, and/or other items not the subject of proportionate divisions between the city and county, be divided between the City of Wilmington and the County of New Hanover in the proportion that the city tax rate bears to the county tax rate, and nothing herein contained shall interfere with the amount of tax levied by the city or county as otherwise provided by law. The said Consolidated City-County Tax Collector shall on each business day make daily deposits, placing to the credit of the city, town and county the respective proportion of collections due each. The Commissioners of each governing body shall designate where the daily funds shall be deposited by the said Consolidated City-County Tax Collector, and he shall deposit accordingly, and furnish to the City Treasurer, the Mayor of Carolina Beach, and the County Auditor a statement showing the amount of property taxes, poll taxes, license taxes, etc., making up the amount of the deposit. The said Consolidated City-County Tax Collector shall be subject to all the pains and penalties, and shall be required to perform all duties as now or hereafter imposed by law upon sheriffs or other tax collectors, with respect to the collection and remittances of taxes to the proper authorities.

Sec. 7. That the cost and expense of making out the tax books and the tax receipt books, records, blanks, supplies and other expense incidental thereto, shall be borne by the city and county in the proportion that the total amount of taxes received by the city bears to the total amount received by the county through and by the tax office hereby created; and the Town of Carolina Beach shall pay all actual expense incident to the preparation of its tax books, blanks and records, and obtaining of supplies therefor. It shall be the duty of said Consolidated City-County Tax Collector to collect license taxes, property taxes, poll taxes, penalties, street assessments and water and sewerage rents due, or to become due, to the City of Wilmington, and to collect all taxes for the Town of Carolina Beach, and to collect the license taxes, property taxes, poll taxes, dog taxes, and penalties due, or to become due, to the County of New Hanover. That if in the joint judgment of said city and county governing boards economies may be effected by the collection of street assessments, water and sewerage rents and other items in which
the county has no interest, and by collection through said office of drainage assessments, or other items, in which the city has no interest, then and in that event a fair and reasonable adjustment shall be made in the division of the expense thereof between the city and county. However, should the property taxes of the county be reduced by the State taking over the schools, then and in that event a fair and reasonable adjustment shall also be made. There shall be deducted from all taxes collected for the Town of Carolina Beach by the Consolidated City-County Tax Collector's office a commission of two and one-half (2½) per cent, which shall belong to and be placed in the General Salary Fund of New Hanover County. The office of the said Tax Collector shall be either in the City Hall of Wilmington or in the courthouse of New Hanover County, that to be determined by the joint action of the boards. In designating said location, the governing bodies shall determine which place will be the most economical and convenient to the taxpayers.

Sec. 8. That, in addition to the aforesaid duties, it shall be the duty of said Consolidated City-County Tax Collector to collect all delinquent taxes due the said City of Wilmington, Town of Carolina Beach and County of New Hanover. Whenever, in the opinion of the said Tax Collector, delinquent tax items cannot be collected without the institution of an action at law, he shall be entitled to, and is hereby authorized to, employ a practicing attorney of the Wilmington Bar for such purpose. The compensation for legal services rendered said Tax Collector shall be approved by the Tax Collector, who shall deduct the sum from the taxes so collected by the attorney, and the receipt given by the Consolidated City-County Tax Collector shall be in full settlement, satisfaction and release of the taxes so collected.

Sec. 9. That the taxpayers shall have the right to pay their taxes in four installments as now provided by law, and where partial payments are made, said payments shall be divided between the city and county in proportion that the tax rate bears to each other.

Sec. 10. That in the event of a vacancy in the office of the Consolidated City-County Tax Collector a meeting shall be called of the joint board, and they shall have the power to fill the vacancy as prescribed by Section two. The said joint boards shall also have the power to remove from office, for good and sufficient cause, either the Tax Collector or any of his assistants or clerks.

Sec. 11. The County Auditor is hereby required to furnish to the city the total amount of real and personal property assessed within the City of Wilmington, together with the number of polls, so that the governing body will have the necessary
chapter 191—192

rights and powers of collector.

conflicting laws repealed.

information needed to make the tax rate. the governing bodies of the city of wilmington, town of carolina beach and county of new hanover are hereby required to furnish the county auditor, in writing, the rate on property and polls immediately upon the fixing of said rates as required by law, and in sufficient time to provide for the prompt making of the tax books for the tax collector.

sec. 12. that said consolidated city-county tax collector is hereby invested with all the rights and powers prescribed by law for collecting taxes; and all laws and clauses of laws in conflict with this act are hereby repealed to the extent of such conflict.

sec. 13. that all laws or clauses of laws in conflict with this act shall be and the same are hereby repealed.

sec. 14. that this act shall be in full force and effect from and after its ratification.

ratified this the 17th day of march, a.d. 1933.

s. b. 395 chapter 192

an act validating acts of the clerk of the superior court of alamance county in taxing costs in criminal actions, as provided in chapter 302, public-local laws of 1929, and repealing said chapter 302, public-local laws of 1929.

the general assembly of north carolina do enact:

section 1. that all acts of the clerk of the superior court of alamance county in taxing and collecting costs in criminal actions and paying said costs to officers of the county, as provided in chapter 302 of the public-local laws of 1929, for the enforcement of the prohibition law, be and the same are validated and ratified.

sec. 2. that chapter 302 of the public-local laws of 1929 be and the same is hereby repealed.

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

sec. 4. that this act shall be in force from and after its ratification.

ratified this the 17th day of march, a.d. 1933.
AN ACT TO AUTHORIZE WAYNE COUNTY TO ASSUME CERTAIN SCHOOL BUILDING AND EQUIPMENT BONDS OF SCHOOL DISTRICTS IN SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners of Wayne County be, and they are hereby, authorized, empowered and directed, on behalf of Wayne County, to assume and agree to pay school building and equipment bonds of Mount Olive Graded School District in the aggregate amount of $118,000.00, consisting of: (a) one issue of $10,000.00 dated January 1, 1914, and due January 1, 1934; (b) $3,000.00 serial bonds of an original issue of $6,000.00 dated July 1, 1915; (c) $86,000.00 serial bonds of an original issue of $100,000.00 dated June 1, 1924, and (d) $19,000.00 serial bonds of an original issue of $20,000.00 dated June 1, 1929.

SEC. 2. That all funds now held by Board of Trustees of Mount Olive Graded School District as a sinking fund for any of the bonds referred to in the preceding section of this act be immediately delivered by Board of Trustees of Mount Olive Graded School District to the Board of Education of Wayne County, to be used by said Board of Education only for the purpose of retiring said bonds as they mature.

SEC. 3. That the indebtedness due by Wayne County to the Board of Trustees of Mount Olive Graded School District, as set out in Chapter 178 of the Public-Local Laws of 1931, be and the same is hereby cancelled.

SEC. 4. That the Board of Commissioners of Wayne County be, and they are hereby, authorized, empowered and directed, on behalf of said county, to assume and agree to pay the $25,000.00 bonds of Fork Township School District dated April 1, 1922, and due April 1, 1942.

SEC. 5. That all funds now in the sinking fund of said Fork Township School District for the retirement of said bonds be held by the Board of Education of Wayne County and applied only to the retirement of said bonds.

SEC. 6. That the previous action of the Board of County Commissioners of Wayne County in assuming and agreeing to pay, on behalf of said county, the bond issues of other school districts in Wayne County be, and the same is hereby, validated.

SEC. 7. That the Board of County Commissioners of Wayne County is hereby authorized, empowered and directed, as a part of the county-wide tax for school building bond debt service, to levy annually on all real and personal property in Wayne County a sufficient tax, in addition to all other taxes authorized by law, to pay the principal and interest on the bonds referred to in this
Conflicting laws repealed.

Act as the same become due. The tax so levied is to be paid to the Board of Education of Wayne County for use as a part of the county-wide school debt service.

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

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

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

H. B. 201 CHAPTER 194

AN ACT TO REPEAL CHAPTER 134, PUBLIC-LOCAL LAWS 1927, RELATING TO ENFORCEMENT OF THE PROHIBITION LAW IN CHEROKEE COUNTY.

The General Assembly of North Carolina do enact:

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

Sec. 2. That this act shall apply to Cherokee County only.

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

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

H. B. 490 CHAPTER 195

AN ACT TO AMEND CHAPTER 358, PUBLIC-LOCAL LAWS OF 1927, AS AMENDED BY CHAPTER 133, PUBLIC-LOCAL LAWS OF 1931, RELATIVE TO THE ENFORCEMENT OF THE TURLINGTON ACT IN FRANKLIN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section one of chapter three hundred and fifty-eight of the Public-Local Laws of one thousand nine hundred and twenty-seven, and amendments thereto, be and the same is hereby repealed.

Sec. 2. That section two of said act be stricken out and a new section inserted in lieu thereof as follows:

"Section 2. That the sheriff or other duly constituted officer of Franklin County shall receive for the capture and conviction of each operator of a distillery in said county the sum of five dollars, which sum may, in the discretion of the court, be taxed as a part of the costs against the person convicted: Provided, that in all cases where the said sum of five dollars is charged
in said bill of costs and it appears that the same cannot for any reason be collected from the person or persons convicted for the manufacture of intoxicating liquors within the County of Franklin, said county shall not be liable or required to pay said sum of five dollars to any person or persons for making such capture or procuring such conviction."

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

H. B. 579 CHAPTER 196
AN ACT AUTHORIZING THE BOARD OF COUNTY COMMISSIONERS OF JACKSON COUNTY TO ASSUME CERTAIN BONDED INDEBTEDNESS OF DILLSBORO TOWNSHIP.

Whereas, on January 1, 1914, Dillsboro Township issued certain bonds for the construction of roads in the sum of fifteen thousand ($15,000.00) dollars and provided a sinking fund for the purpose of providing for the payment of said bonds in the year 1934; and

Whereas, an amount sufficient to pay said bonds, together with interest thereon, has been levied and collected in said township; and

Whereas, the sums so levied and collected have been spent for general county road purposes, rather than for the payment of said bonds: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners of Jackson County is hereby authorized and empowered to assume the payment of said bonds, and to levy and collect county-wide taxes sufficient to pay said bonds, together with interest accrued thereon.

SEC. 2. The Board of County Commissioners of Jackson County, with the approval of the Local Government Commission, is hereby authorized and empowered to fund or refund said bonded indebtedness under such terms and conditions as approved by the Local Government Commission.

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

Ratified this the 20th day of March, A.D. 1933.
H. B. 804  CHAPTER 197

AN ACT TO FIX THE COMPENSATION OF JURORS IN DURHAM COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That all jurors who shall be duly summoned as regular or special jurors in Durham County shall receive the mileage now allowed by law, and as compensation shall receive the sum of three dollars per day.

SEC. 2. That all laws or parts of laws in conflict herewith are hereby repealed.

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

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

H. B. 814  CHAPTER 198

AN ACT TO EXTEND THE TIME FOR BEGINNING ACTIONS AGAINST A. J. FAGG, FORMER CLERK OF SUPERIOR COURT OF STOKES COUNTY, AND HIS OFFICIAL BOND.

Whereas, at the time of the suspension of business by the Bank of Stokes County A. J. Fagg, Clerk of the Superior Court of Stokes County, had on deposit in said bank official funds then in his hands as Clerk of Superior Court, and for the protection of said deposit said bank had delivered certain collateral, which is now held by the said clerk, and which said collateral is claimed to be sufficient to secure said deposit; Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That no civil action or court proceedings shall be instituted on account of any of the official funds of A. J. Fagg, Clerk of the Superior Court of Stokes County, deposited in the Bank of Stokes County prior to April first, one thousand nine hundred and thirty-five.

SEC. 2. That nothing in this act shall be construed or have the effect of relieving A. J. Fagg, Clerk of the Superior Court of Stokes County, or the surety on his official bond, from any liability which may now exist on account of said deposits, and shall become effective when his sureties on this official bond shall file their written acceptance with the Board of Commissioners of Stokes County, and this act when so accepted shall have the effect of extending the Statute of Limitations to bar actions the length of time this act postpones the right of action.
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 and acceptance by sureties as above provided.

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

H. B. 819

CHAPTER 199

AN ACT TO ESTABLISH A CONSOLIDATED GOVERNING BODY FOR THE CITY OF DURHAM AND DURHAM COUNTY.

The General Assembly of North Carolina do enact:

Section 1. There is hereby created and established as a joint governing body for the City of Durham and Durham County a commission consisting of seven members, which body is designated as the Durham Consolidated Commission. Said Durham Consolidated Commission shall be vested with all of the rights, powers, duties and functions of the existing City Council of the City of Durham and of the Board of County Commissioners of Durham County, subject only to the restrictions hereinafter set out.

Sec. 2. Five of the members of the Durham Consolidated Commission shall be citizens, residents and qualified voters of the City of Durham, and the remaining two members shall be citizens, residents and qualified voters of Durham County not residing within said city. The five members who shall be citizens and residents of said city shall be elected from the city at large by the registered qualified voters thereof. The two members who shall be citizens residing in said county, but outside of said city, shall be elected by the registered qualified voters of the entire county, including the voters within said city.

Sec. 3. The existing City Council of said city and the Board of County Commissioners of said county shall continue in office, with all of the rights, powers, duties and functions heretofore vested in them under the existing law, until the first Durham Consolidated Commission shall have been elected and qualified as herein provided, whereupon said City Council and Board of County Commissioners and their respective offices shall stand abolished.

Sec. 4. The election of the Durham Consolidated Commission shall take place on the first Tuesday after the first Monday in May, 1934, and on the first Tuesday after the first Monday in May quadrennially thereafter. For the purpose of said elections the various voting precincts as now established in said city
Voting precincts.

Notice of precincts to be published.

Nomination by petition.

Contents.

Declining to become candidate.

Printing of ballots.

Outside ballot.

City ballot.

and county shall be used, but said Consolidated Commission shall have full power to fix and establish different or additional voting precincts or polling places and to combine or abolish any voting precincts or polling places, as the convenience of voters may hereafter require. Notice showing the various voting precincts and the boundaries thereof, together with the location of the polling places within said precincts designated by names or numbers, shall be given by publication once a week for four successive weeks in a daily newspaper published in the City of Durham immediately preceding each election. No voting precinct shall embrace territory lying both within and without the limits of said city.

Sec. 5. Candidates for membership on the Durham Consolidated Commission shall be nominated by petition. The name of any candidate shall be printed on the ballot: Provided, that not less than ten days prior to the date of such election there is filed with the City Clerk, or such other officer as may hereafter be designated as Clerk of said Consolidated Commission, a separate nominating petition setting forth the name and place of residence of the nominee and stating specifically whether the nominee is a candidate from within said city or from without said city. Each nominating petition for candidates from within said city must be signed by at least twenty-five registered qualified voters of said city. Each nominating petition for candidates from without said city must be signed by at least twenty-five registered qualified voters residing anywhere in said county. All such petitions must show definitely the place of residence of the nominee and of the several signers, giving the name of street or road, and house number wherever such exists. Any person thus nominated may file with the officer designated to receive such nominating petition a statement in writing that he declines to be a candidate, and in case such declination is filed before the ballots have been printed his name shall be omitted therefrom.

Sec. 6. For the purpose of conducting the elections herein provided for, the City Clerk or such other officer as may hereafter be designated as Clerk of said Consolidated Commission shall cause to be printed two sets of ballots. The ballots to be used in the voting precincts outside the city shall contain the names, arranged alphabetically, of all candidates nominated from outside the city, and immediately above shall appear the words "Candidates From Without the City—Vote for Two." The ballots to be used in the voting precincts within the city shall contain two groups of names, to wit: first, the same group that is printed on the ballots to be used outside the city, preceded by the words "Candidates From Without the City—Vote for Two"; second, the names, arranged alphabetically, of all candidates nominated from inside the city, which second group shall be preceded by the words, "Candidates From Within the City—
Vote for Five." All ballots shall be printed on plain, substantial, white paper, and shall be headed, "Candidates for Durham Consolidated Commission." At the bottom of said ballots shall be printed the words, "Place a cross (X) mark in the square preceding the names of persons for whom you desire to vote." The officer charged with the duty of having said ballots printed shall also cause a sufficient number thereof to be delivered at each polling place, and no other ballots shall be used. At the close of said election the election officers at each precinct shall count the ballots and determine the results. They shall appoint one of their number to attend a meeting to be held at the office of the City Clerk or at the office of the clerk hereafter appointed by said Consolidated Commission, at noon on the next succeeding day, to canvass the election and declare the result thereof. The two candidates from without the city and the five candidates from within the city receiving the highest number of votes shall be declared elected. In case of a tie vote, the result shall be determined by lot conducted by and in the presence of said Canvassing Board. Said Canvassing Board shall certify the final result of said election to the governing authority of said city and county.

Sec. 7. Except as otherwise provided for in this act, said elections shall be held and conducted in accordance with the general election laws of the State applicable to the election of members of the General Assembly, including registration, advertisement and appointment of registrars.

Sec. 8. The members of the Durham Consolidated Commission, before entering upon their duties, shall take, before some officer authorized to administer oaths, an oath that they will fairly and impartially perform the duties of their office. The members of said Consolidated Commission shall hold office for a term of four years and until their successors have been elected and qualified.

Sec. 9. The members of the Durham Consolidated Commission shall at noon, on the second day following their election, after qualifying, convene for the transaction of business. At said first meeting the members elected from within the city shall elect one of their number who shall be known and who shall act and serve as the Mayor of the City of Durham. In the selection of said Mayor, the two members elected from outside the city shall have no vote. The Mayor shall preside at all meetings of said Consolidated Commission, and shall have all powers and duties now vested in the Mayor of said city pursuant to the provisions of the existing charter of the City of Durham, and particularly those set out in section 12 of chapter 142 of the Private Acts of 1921 not inconsistent with this act. He shall also be known and shall serve as the Chairman of the Durham
Compensation. Consolidated Commission, and shall receive a salary of one thousand dollars per annum, payable monthly, the same to be paid out of funds of the city. In case of the disability or absence from the city of the Mayor, the functions of his office shall devolve upon that member of said Consolidated Commission who shall be designated as president pro tempore, and who also shall be chosen by the members elected from within the city at said first meeting. The president pro tempore shall preside at all meetings of said Consolidated Commission in the absence of the Mayor.

Regular meetings. Sec. 10. After said first meeting, the Durham Consolidated Commission shall meet in regular session at least twice a month at such hour and place in the City of Durham as may be designated by ordinance duly adopted. The Mayor, any three members of the Consolidated Commission, or the City-County Manager, hereinafter provided for, may call special meetings of the Consolidated Commission at any time upon at least twelve hours written notice to each member, served personally or left at his usual place of residence or business. A special meeting may be held at any time without prior notice, provided all members attend. All meetings of the Consolidated Commission shall be public, and any citizen of the county shall have access to the records and minutes thereof at all reasonable times. A majority of the members shall constitute a quorum for the transaction of business, except that whenever any action is to be taken only by the members elected from within the city, then the presence of a majority of such members shall be necessary to constitute a quorum for the transaction of such business. The ayes and noes shall be taken upon the passage of all ordinances or resolutions and entered by the clerk upon the Journal of the Proceedings of the Durham Consolidated Commission, and every ordinance or resolution shall require for its passage the affirmative vote of a majority of the members of said Consolidated Commission: Provided, that where the two members elected from without the city are, as herein provided, precluded from voting on an ordinance or resolution which relates merely to the affairs of the City of Durham, then only a majority vote of those voting who are members elected from within the city shall be required for the adoption of such ordinance or resolution. Except where the two members elected from without the city are disqualified from voting, as herein provided, no member shall be excused from voting on any question unless his official conduct or financial interest be involved therein.

Vacancy in office.

Special meetings.

Notice of.

Meetings and records to be public.

Quorum.

Recording votes on ordinances.

Voting mandatory.

Salary of members other than Mayor.

Sec. 11. The Durham Consolidated Commission shall have authority to vote each of its members, not including the Mayor, a salary not exceeding two hundred fifty dollars per annum, payable monthly, as in the case of the Mayor; the salaries of the
four members of said Commission elected from within the city shall be paid out of funds of the city; the salaries of the two members of said Commission elected from outside the city shall be paid out of funds of the county. For each absence of a member, including the Mayor, from a regular meeting, there shall be deducted from his pay the sum of five dollars. Absence from five consecutive regular meetings shall operate to vacate the seat of a member, including the Mayor, unless the absence is excused by the Consolidated Commission by resolution setting forth the reason therefor, which resolution shall be entered upon the Journal. The Consolidated Commission by vote of five of its members, in meeting assembled, shall have power to remove from office the Mayor or any other member for misfeasance, malfeasance, corruption, neglect of duty or other misconduct in office, but the member thus proceeded against shall have at least ten days notice in writing of the motion to remove him, accompanied by a copy of the charges alleged as the grounds for his proposed removal. He shall then have the right to be heard in person or by counsel in his defense. In case of the removal of the Mayor or any member the vacancy shall be filled by the remaining members: Provided, that where the member removed was originally elected from within the city his successor shall be selected from within the city, and similarly where the member removed was originally elected from without the city his successor shall be selected from without the city. The persons elected to fill such vacancies shall take office for the remainder of the unexpired term, but before entering upon their duties shall take the oath of office required for qualifying members of the Commission. If any person thus chosen to fill a vacancy or if any person regularly elected to membership on the Commission should refuse or fail to qualify and serve, or if by reason of death or any other cause a vacancy occurs or exists in said Consolidated Commission, then the remaining members shall elect persons from the city or county, as the case may be, to fill out the unexpired term.

SEC. 12. The Mayor or any other member of the Durham Consolidated Commission may be recalled in the manner now prescribed in the existing charter of the City of Durham as set out in sections 15a to 15h, inclusive, of Chapter 142 of the Private Laws of 1921. Where the words "City Council" or "Council" appear in said sections they shall be construed to mean "Durham Consolidated Commission," and where the words "City Clerk" or "Clerk" appear they shall be construed to mean "the person designated as Clerk of the Durham Consolidated Commission." Where a petition seeks the recall of a member elected from within the city, then such petition must bear the required number of signatures of registered voters of the city, and only reg-
istered voters of the city shall be permitted to vote in such recall election. Where a petition seeks the recall of a member elected from without the city, then such petition may bear the required number of signatures of registered voters residing anywhere within the county, and all registered voters residing anywhere within the county shall be permitted to vote in such recall election.

**Sec. 13.** No person elected to the Durham Consolidated Commission, whether he qualify or not, shall, during the term for which he was elected, be elected or appointed to any position or office of trust or profit under the Consolidated City-County Government or any branch thereof. However, when a vacancy exists or occurs in the office of Mayor, a member of the Consolidated Commission shall not be debarred from election to such office for the existing term or unexpired part of the term. Except for the purpose of inquiry, the Consolidated Commission and its members shall deal with the administrative service of said city and county solely through the City-County Manager hereinafter provided for, except as otherwise provided by law. Neither the Consolidated Commission nor any of its members shall dictate, either directly or indirectly, the appointment or employment of any person or persons whom said City-County Manager may be authorized to appoint in the administrative service of said city and county, nor shall they give orders to any of such appointees, either publicly or privately, it being the purpose of this act that said City-County Manager shall be left free to exercise his independent judgment in the appointing, employing and directing of all such appointees and employees.

**Sec. 14.** At the first meeting of the Durham Consolidated Commission, held as hereinbefore provided, or as soon thereafter as practicable, there shall be elected a City-County Manager, in the selection of whom all members of said Consolidated Commission shall be entitled to vote. Said City-County Manager shall function as the administrative head of the city and county governments. The powers, duties, rights, manner of selection, compensation, term of office, removal, absence, disability and other matters pertaining to said City-County Manager shall be governed by the provisions of the existing charter of the City of Durham as set out in sections 18 to 20, inclusive, of Chapter 142 of the Privaté Acts of 1921, in which sections the words “City Manager” shall, for the purposes of this act, be construed to mean the City-County Manager herein provided for, and the words “City Council” shall, for the purposes of this act, be construed to mean the Durham Consolidated Commission herein provided for. Upon the election of said City-County Manager, the separate offices of City Manager of the City of Durham and County Manager of Durham County shall stand abolished.
Sec. 15. The Durham Consolidated Commission shall appoint a clerk who shall serve as clerk for said Consolidated Commission, pursuant to the terms of and in the manner provided in the existing charter of the City of Durham as set out in section 21 of chapter 142 of the Private Acts of 1921.

Sec. 16. The Durham Consolidated Commission shall appoint a City-County Attorney who shall serve as legal adviser, attorney and counsel for both the city and county, pursuant to the terms of and in the manner provided in the existing charter of the City of Durham as set out in section 22 of chapter 142 of the Private Acts of 1921.

Sec. 17. The Durham Consolidated Commission shall by ordinance establish a single Department of Finance, which shall be under the direct supervision of the City-County Manager and which shall function for both the city and county, pursuant to the terms of and in the manner provided in the existing charter of the City of Durham as set out in section 23 of chapter 142 of the Private Acts of 1921. Said Department of Finance shall maintain two complete sets of records, one showing all revenues accruing to the City of Durham with all the charges against such revenues and all expenditures therefrom, together with all other financial accounts of said city, and the other showing all the revenues accruing to Durham County with all the charges against such revenues and expenditures therefrom, together with all other financial accounts of said county.

Sec. 18. The Durham Consolidated Commission shall appoint a City-County Treasurer who shall function for both the city and county, pursuant to the terms of and in the manner provided in the existing charter of the City of Durham as set out in section 24 of chapter 142 of the Private Acts of 1921. Said City-County Treasurer shall keep the funds and revenues of said city and said county in two separate accounts, and the same shall not in any wise be mingled.

Sec. 19. The Durham Consolidated Commission shall appoint a City-County Auditor who shall function for both the city and county, pursuant to the terms of and in the manner provided in the existing charter of the City of Durham as set out in section 25 of chapter 142 of the Private Acts of 1921. It shall be his duty to keep separate and distinct records for both the city and the county, and in issuing warrants he shall draw separate warrants against the funds of the city and of the county for payment of proper charges against said separate funds.

Sec. 20. The Durham Consolidated Commission shall appoint a City-County Tax Collector who shall function for both the city and county, pursuant to the terms of and in the manner provided in the existing charter of the City of Durham as set out in sections 26 to 31, inclusive, sections 59 to 63, inclusive, and section
67 of chapter 142 of the Private Acts of 1921. Said City-County Tax Collector shall keep separate and distinct accounts of city and county taxes, and of all tax revenues accruing to the city and to the county, and shall account for the same separately.

Sec. 21. Upon the appointment of the several city-county officers provided for in the preceding sections 15 to 20, inclusive, all the corresponding and similar offices heretofore existing in the governments of the City of Durham and Durham County shall stand abolished and all the rights, duties and functions thereof shall be merged into and vested in the appropriate consolidated offices designed to serve for both the city and county as herein provided. Wherever reference is made in said preceding sections 15 to 20, inclusive, or elsewhere in this act, to existing provisions of the charter of the City of Durham, the words "City Manager" and "City Council" appearing in such charter provisions shall be construed to mean "City-County Manager" and "Durham Consolidated Commission," respectively.

Sec. 22. The Durham Consolidated Commission shall provide for a City-County Police Department, which shall function for both said city and said county, under the general supervision and control of the City-County Manager, pursuant to the terms of, and in the manner provided in, the charter of the City of Durham as set out in sections 39, 41 and 42 of chapter 142 of the Private Acts of 1921. The jurisdiction of said Police Department and of its various officers, patrolmen and employees, for the purpose of enforcing all State laws, shall extend throughout said city and county, and for the purpose of enforcing all city ordinances such jurisdiction shall extend throughout said city. It shall be the duty of the duly elected Sheriff of Durham County to cooperate in all matters as a peace officer with said Police Department. Said Consolidated Commission shall have power to determine the number of deputies which shall be appointed by said Sheriff and to fix their compensation, and in so doing regard shall be had for the fact that the work of said deputies will be largely that of aiding said Sheriff in the execution of civil process and in the performance of other civil duties, since the entire county shall be policed by said City-County Police Department. The custody and control of the existing city and county jail and of all other city and county property, records and paraphernalia heretofore used by the Police Department of the City of Durham and by the Sheriff of Durham County in policing, preserving peace, and enforcing the laws in said city and county, shall be vested in said City-County Police Department.

Sec. 23. The Fire Department of the City of Durham shall be under the general control of the Durham Consolidated Commission, through the City-County Manager, except that in the exer-
cise of such control only the five members of said Consolidated Commission elected from within the city shall be entitled to vote, and the two remaining members elected from without the city shall have no vote or voice in respect thereto. Subject to the foregoing, said Fire Department shall function for said city pursuant to the terms of, and in the manner provided in, the existing charter of the City of Durham as set out in sections 40 to 42, inclusive, of chapter 142 of the Private Acts of 1921.

Sec. 24. The Water Department of the City of Durham shall be under the general control of the Durham Consolidated Commission, through the City-County Manager, except that in the exercise of such control only the five members of said Consolidated Commission elected from within the city shall be entitled to vote, and the two remaining members elected from without the city shall have no vote or voice in respect thereto. Subject to the foregoing, said Water Department shall function for said city pursuant to the terms of, and in the manner provided in, the existing charter of the City of Durham as set out in section 43 of chapter 142 of the Private Acts of 1921, and chapter 63 of the Private Acts of 1929.

Sec. 25. The Durham Consolidated Commission shall, except as otherwise provided for in this act, fix by ordinance the salary and compensation of all officers and employees of said city and county and of all officers, clerks, assistants, stenographers, deputies or other persons whose nomination or appointment has heretofore been vested by law in said City Council or said Board of County Commissioners, and whose salary or compensation is to be paid out of city or county funds, either separately or jointly. Said Consolidated Commission shall also fix by ordinance the number and compensation of any and all clerks, deputies, assistants, stenographers, or other persons whose compensation is payable out of city or county funds, either separately or jointly, even though the actual selection or appointment of such clerks, deputies, assistants, stenographers or other persons be by law vested in some authority other than the governing body of said city and county. In the fixing of salaries and compensation of the officers and employees in said Fire Department and said Water Department, and of any others who function solely for said city, only the five members of said Consolidated Commission elected from within said city shall vote, and the two remaining members elected from without the city shall have no vote or voice in respect thereto. The entire amount of said salaries of officers and employees in said Water Department and said Fire Department, together with all operating and other expenses of said departments, shall be charged against and be paid from the funds and revenues of said city; and the same shall be done with respect to the salaries of all other officers and
employees and all operating and other expenses of all other departments functioning solely for said city. In the fixing of salaries and compensation of all officers and employees functioning solely for said county, all the members of said Consolidated Commission shall be entitled to vote, and the entire amount of such salaries, together with all operating and other expenses of all departments functioning solely for said county, shall be charged against and be paid from the funds and revenues of said county. In the fixing of salaries and compensation of all officers and employees functioning both for said city and said county, and in meeting all operating and other expenses of all departments so functioning, the following procedure shall be followed: First, the five members of said Consolidated Commission elected from within said city shall, by ordinance, fix the fair proportionate amount thereof to be borne by the city, and in the passage of such ordinance the two members elected from without the city shall have no vote or voice; next, the entire Consolidated Commission shall, by ordinance, fix the fair proportionate amount thereof to be borne by the county, and in the passage of such ordinance all members shall be entitled to vote; upon such apportionment being made, said salaries, compensation and expenses shall be charged and paid accordingly out of the respective funds thus designated. Any officer or employee functioning for the city, the county, or both, may be required to give bond as provided in the existing charter of the City of Durham in section 44 of chapter 142 of the Private Acts of 1921.

Sec. 26. In the appointment and election of all officers for the City of Durham, such as city sinking fund trustees, city members of the Board of Health of the city and County of Durham, City Hospital Trustees, members of the City Board of Education, City Board of Equalization, and the like, only those five members of said Consolidated Commission elected from within the city shall have the right to vote, and the two remaining members elected from without the city shall have no voice or vote in respect thereto. In the appointment and election of all similar officers for Durham County, and in the appointment and election of all officers heretofore selected jointly by the governing bodies of said city and county, all members of said Consolidated Commission shall be entitled to vote.

Sec. 27. The Durham Consolidated Commission shall, by ordinance, divide the administrative work of said city and county into such departments, in addition to those provided for herein, as shall be required, or it may combine and redistribute the functions and duties of any departments, or it may discontinue any department or departments, in order to promote efficiency and economy. Said Consolidated Commission shall also have
the power to combine the office of Register of Deeds with that of the clerk or some other appropriate office; when and if such consolidation be effected, thereafter no Register of Deeds shall be elected by popular vote in Durham County in the manner now prescribed by law. Said Consolidated Commission shall also have the power to abolish the office of county surveyor and to delegate the functions of the county surveyor to some other appropriate office; when and if such action be taken, thereafter no county surveyor shall be elected by popular vote in Durham County in the manner now prescribed by law. Said Consolidated Commission shall also have the power to combine or to abolish any and all townships within said county; when and if such action be taken, thereafter no constables shall be elected, nor shall any other township officers now provided for by law be elected in the abolished townships.

Sec. 28. The Durham Consolidated Commission shall determine upon the date of beginning of the fiscal year of the city and county, and shall cause to be prepared separate plans for financing the city and county during said fiscal year, which plans shall be known as the budgets, and shall be based upon detailed estimates furnished by the several departments and other divisions of the city and county governments. In so determining the fiscal year and providing for the preparation of said budgets, the Consolidated Commission shall act in the manner now or hereafter provided by the laws of this State.

Sec. 29. All provisions of the existing Charter of the City of Durham, to wit, chapter 142 of the Private Acts of 1921, with all amendments thereto not in conflict or inconsistent with the provisions and purport of this act, shall continue in force with respect to said city. In exercising any of the power conferred by law upon said city in the enactment of city ordinances, the raising of city revenues, the imposition of special city taxes and licenses, the granting of franchises therein, fixing of the city budget, sale or control of city property, and with respect to city bond issues or any other matter or thing in which said City of Durham and not Durham County shall be interested, only those five members of the Consolidated Commission elected from within the city shall be entitled to vote, and the two remaining members elected from without the city shall have no vote or voice in respect thereto. All provisions of the general laws relating to the government of counties in this State and all provisions of special laws which are applicable to Durham County, and which are not in conflict or inconsistent with this act, shall continue in force with respect to said county. In exercising any of the powers conferred by law upon said county for its government, the raising of county revenues, the imposition of special county taxes and licenses, the granting of franchises therein, fixing of
the county budget, sale or control of county property, and with respect to county bond issues or any other matter or thing in which said county may be interested, either solely or jointly with said City of Durham, all members of said Consolidated Commission shall be entitled to vote.

**SEC. 30.** Nothing in this act shall be construed as affecting or impairing the separate corporate existence of said City of Durham or of Durham County, or as impairing any existing contracts or obligations thereof, or as depriving either of said governmental units of its property held and owned in its private or corporate capacity, or as making either of said corporations in any wise liable for the indebtedness of the other. It is the purpose of this act to create, for the sake of economy and efficiency, a consolidated governmental agency to function for both units, and to effectuate this purpose this act shall be liberally construed. 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 of this act, but such adjudication 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, it being hereby declared to be the legislative intent that the remaining valid parts of this act should stand, and that the same would have been enacted by the Legislature with such invalid parts stricken out. All laws or parts of laws, whether Public, Public-Local or Private, inconsistent or in conflict with this act are hereby repealed. All existing ordinances of the City of Durham, and all resolutions now in effect and heretofore adopted by the Board of County Commissioners of Durham County, shall, unless they are in conflict with this act, continue in force until altered or repealed as herein provided.

**SEC. 31.** This act shall not be in effect until and unless it shall be approved by a majority vote of the electors of Durham County, as hereinafter provided. When and if a petition, signed by qualified voters of Durham County, amounting in number to at least twenty per cent of the total vote cast in said county in the last general election for the office of Governor, shall be filed with the County Board of Elections of Durham County asking that an election be held, pursuant to the provisions of this act, to determine whether it is the will of the voters in said county that this act shall become law applicable to the City of Durham and Durham County, it shall thereupon be the duty of said County Board of Elections, within ten days from the date of the filing of said petition, to issue a call for such an election in said county, said call to provide that said election shall be held on a specified date not less than forty-five nor more than
sixty days from the date on which said call is issued. On the date thus fixed there shall be held throughout Durham County an election, at which all voters who are then registered and qualified to vote shall be entitled to vote for the purpose of determining whether it is the will of such voters that this act shall become law applicable to the City of Durham and Durham County. Said election shall be held and shall be conducted pursuant to the general law governing elections for members of the General Assembly in said county. The County Board of Elections of said county shall advertise said election for a period of twenty consecutive days prior to the holding thereof by advertisement inserted in each daily newspaper published in said county. The registration books of said county shall be open for the registration of voters for twenty days preceding such election, and notice of registration shall be advertised and registrars appointed in the same manner as is now prescribed by law for election of the members of the General Assembly. Said County Board of Elections shall cause to be printed and provided for use at each voting place a sufficient number of ballots on which shall be printed the following words: “For the Consolidated Plan” on one line and “Against the Consolidated Plan” on the next line. Underneath shall be printed the following: “Place a cross (X) mark in the square preceding the proposition for which you desire to vote.” No other ballots than those furnished by said County Board of Elections shall be used in said election. The election officers for each precinct in said county, including said City of Durham, shall, within six hours from the time the polls are closed at said election, count the ballots and immediately certify the returns to the County Board of Elections. Said County Board of Elections shall, within twenty-four hours thereafter, canvass the election and formally declare whether a majority of those voting have voted “For the Consolidated Plan” or “Against the Consolidated Plan,” and said County Board of Elections shall in turn certify the result of said election to the City Council of the City of Durham and to the Board of County Commissioners of Durham County, which bodies shall spread upon their respective minutes a record of the result of said election. If it shall appear that a majority of those voting at such election have voted “For the Consolidated Plan,” then this act shall at once become effective and become law applicable to the City of Durham and Durham County, as herein provided. The cost of said election shall be borne equally by the City of Durham and Durham County, and the governing bodies thereof are hereby required to appropriate and pay out the necessary funds therefor.

Sec. 32. This act shall be in force from and after its ratification.

Ratified this the 20th day of March, A.D. 1933.
H. B. 824  CHAPTER 200
AN ACT TO REPEAL CHAPTER 532, PUBLIC-LOCAL AND PRIVATE LAWS OF 1927, THE SAME BEING AN ACT TO PROVIDE FOR BETTER ENFORCEMENT OF THE PROHIBITION LAW IN POLK AND TRANSYLVANIA COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter 532, Public-Local and Private Laws of 1927, be and the same is hereby repealed.

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

H. B. 825  CHAPTER 201
AN ACT TO AMEND CHAPTER THREE HUNDRED SEVENTY-TWO, PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-ONE, RELATING TO NOTICES OF PUBLIC SALES AND FORECLOSURE SALES IN HYDE COUNTY AND GATES COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter three hundred seventy-two, Public-Local Laws of one thousand nine hundred thirty-one, be and the same is hereby amended by inserting between the word "assessments" and the word "and" in line seven the words "and foreclosure suits upon tax sale certificates."

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

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

H. B. 841  CHAPTER 202
AN ACT TO AUTHORIZE THE COMMISSIONERS OF CASWELL COUNTY TO LEVY A SPECIAL TAX FOR THE SUPPORT OF THE POOR, THE MAINTENANCE OF COUNTY HEALTH WORK, AND FOR RUNNING THE COURTS OF SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of Caswell County be and is hereby authorized and empowered to levy a special tax of five cents on the one hundred dollars valuation of property in said county for the year one thousand nine hundred
and thirty-three and the year one thousand nine hundred and thirty-four, the amount of said tax so levied and collected to be used in providing for the poor of the county, maintaining the county health work, and running the courts of said county, and for no other purpose whatsoever.

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

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

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

H. B. 852

CHAPTER 203

AN ACT TO FIX THE AMOUNT OF THE OFFICIAL BOND OF THE CLERK OF THE SUPERIOR COURT OF YANCEY COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the amount of the official bond of the Clerk of the Superior Court of Yancey County shall be the sum of five thousand dollars for the performance of his official duties and for all other purposes.

Sec. 2. That said bond may be given with a bonding company as surety or with individuals as surety; and in case a bonding company is given as surety it shall be the duty of the county to pay the premium on the said bond.

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

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

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

H. B. 832

CHAPTER 204

AN ACT TO AMEND CHAPTER 109, PUBLIC-LOCAL LAWS OF 1931, RELATING TO A JURY COMMISSION FOR CHEROKEE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. Amend section six, chapter one hundred and nine, Public-Local Laws of one thousand nine hundred and thirty-one, by striking out the word “three” in line two thereof and inserting in lieu thereof the word “two.”
Personnel of Commission.

Term of office.

Conflicting laws repealed.

Sec. 2. Amend by striking out all of section seven and inserting in lieu thereof: "Harve Whitaker, Andrews, North Carolina; Tom King, Ranger, North Carolina, and Bascomb Carroll, Murphy, North Carolina, be and the same are hereby appointed as the Jury Commission for Cherokee County, to serve for the biennium one thousand nine hundred and thirty-three and one thousand nine hundred and thirty-four."

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

H. B. 965 CHAPTER 205

AN ACT TO AMEND CHAPTER 667 OF THE PUBLIC-LOCAL LAWS OF 1913, RELATIVE TO CONFERRING APPELLATE JURISDICTION UPON THE RECORDER'S COURT OF CUMBERLAND COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter six hundred and sixty-seven of the Public-Local Laws of the year nineteen hundred and thirteen be amended by inserting after subsection (5) in section four thereof the following subsection, to be known as subsection (6) of section four in said chapter:

"(6) Original exclusive jurisdiction of all appeals from justices of the peace in said county in all criminal actions arising in said county within the jurisdiction of justices of the peace."

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 20th day of March, A.D. 1933.
H. B. 967

CHAPTER 206

AN ACT TO REPEAL CHAPTER 415 OF THE PUBLIC-LOCAL LAWS OF THE GENERAL ASSEMBLY OF NORTH CAROLINA OF 1929 ENTITLED, "AN ACT TO RESTORE FULL BALLOT RIGHTS TO VOTERS ENTITLED TO PARTICIPATE IN MUNICIPAL PRIMARIES," IN SO FAR AS SAID ACT APPLIES TO THE CITY OF FAYETTEVILLE IN CUMBERLAND COUNTY, NORTH CAROLINA, SO THAT THE CANDIDATE FOR ALDERMAN FOR EACH WARD SHALL BE NOMINATED BY THE ELECTORS OF SUCH WARD.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter four hundred and fifteen of the Public-Local Laws of the General Assembly of North Carolina of one thousand nine hundred and twenty-nine be, and the same is hereby, repealed in so far as said chapter applies to the city of Fayetteville in Cumberland County, and all laws repealed or modified by said act are hereby in all respects revived.

SECTION 2. That this act shall apply only to the city of Fayetteville in Cumberland County, and shall not take effect until the same shall have been ratified by a majority of the votes cast upon this question in the primary election to be held in the city of Fayetteville, April the eighteenth, in the year one thousand nine hundred and thirty-three, at which election the board of elections of the city of Fayetteville shall submit said question to the electors and shall prepare the necessary ballots and provide the necessary machinery for holding said election, including the appointment of such pollholders as may be necessary for holding said election, and shall do any and all things necessary to submit said question to the electors of the city of Fayetteville at said general election.

SECTION 3. That all electors desiring to vote for the ratification of this act shall vote a ballot with the words "For ratification" written or printed thereon, and all electors desiring to vote against the ratification of this act shall vote a ballot with the words "Against ratification" written or printed thereon.

SECTION 4. That the said board of elections shall canvass the ballots upon this question at the same time and place that the ballots cast for municipal officers are canvassed, and the result thereof shall be declared and reported in writing to the board of aldermen of the city of Fayetteville at its next regular meeting, which board shall order the same recorded in the minutes of said board.

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

Ratified this the 20th day of March, A.D. 1933.
H. B. 982  
CHAPTER 207
AN ACT TO REQUIRE THE SHERIFF, CLERK OF COURT AND REGISTER OF DEEDS FOR RICHMOND COUNTY TO KEEP A PERMANENT RECORD OF RECEIPTS AND EXPENDITURES OF THEIR OFFICES.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be the duty of the Sheriff, Clerk of the Superior Court, and Register of Deeds of Richmond County to keep an itemized, true, correct and permanent record of all receipts and disbursements of fees received in their respective offices.

SEC. 2. That in keeping such record of receipts and disbursements of said fees, the said officers may list items of twenty-five cents and under, coming in the same class, in the aggregate, and gross receipts from any office or department of the county or State government may be listed in totals, and where receipts and disbursements are itemized and totaled in other permanent records kept in connection with the office, such sums may be listed in the aggregate: Provided, that in so listing reference shall be made, in so far as possible, to the original record or entry of such receipts and disbursements.

SEC. 3. That it shall be the duty of the Auditor, upon request, to furnish the aforesaid officers with any and all books or records which may be necessary to enable them to comply with the provisions of this act, and it shall be the further duty of the Auditor to audit the records of each of the said officials every six months and report his findings to the Board of County Commissioners.

SEC. 4. The Sheriff, Clerk of Superior Court, and Register of Deeds shall each be paid the sum of five dollars per month out of the general fund, payable monthly, for keeping the said records.

SEC. 5. That if any of the said officers shall fail to comply with the provisions of this act he shall be subject to a penalty of three hundred dollars for the use and benefit of any person entering suit for the same.

SEC. 6. That all laws and clauses of laws in conflict herewith be, and the same are hereby, repealed.

SEC. 7. That this act shall be and remain in full force and effect from and after July first, one thousand nine hundred and thirty-three.

Ratified this the 20th day of March, A.D. 1933.
AN ACT RELATING TO COSTS, AND TO TRIAL BY JURY, IN CRIMINAL ACTIONS TRIED IN THE COUNTY RECORDER'S COURT OF MECKLENBURG COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the party adjudged guilty in the trial of a criminal action in the County Recorder's Court of Mecklenburg County shall pay, in so far as applicable, the following costs of prosecution:

For issuing warrant of arrest, including the affidavit, one dollar.
For issuing subpoena, each name, ten cents.
For issuing capias, fifty cents.
For taking bond, including justification, twenty-five cents.
For continuance for defendant, twenty-five cents.
For issuing scire facias, seventy-five cents.
For docketing judgment, twenty-five cents.
For seal of court, when necessary, twenty-five cents.
Actual necessary expense incurred for postage, telegraph, and telephone.
For preparing bill of cost, twenty-five cents.
For serving warrant of arrest, seventy-five cents.
For serving capias, seventy-five cents.
For serving scire facias, seventy-five cents.
For serving subpoena, each witness, thirty cents.
For commitment to prison, thirty cents.
For release from prison, thirty cents.
Actual necessary expense incurred in bringing defendant from beyond the borders of the county.
Jail fees, as approved by the Board of County Commissioners.
For the emergency and pension fund of Mecklenburg County, one dollar, subject to the exemptions now provided for by law.
For State witnesses, subpoenaed from counties other than Mecklenburg, thirty cents, plus mileage in an amount to be approved by the Board of County Commissioners.
For trial and judgment, each defendant, one dollar.

SEC. 2. That in no criminal action tried in the County Recorder's Court of Mecklenburg County shall the county be liable to pay any costs or fees, except to witnesses subpoenaed from counties other than Mecklenburg, and to officers serving process in counties other than Mecklenburg.

SEC. 3. That upon demand for a jury trial by the defendant or the solicitor, made at the time plea is entered, the recorder shall immediately order the action transferred to the Superior Court for trial, and shall require the defendant to enter into a

Prosecution costs in Mecklenburg County Recorder's Court.
For issuing warrant.
Subpoena.
Capias.
Bond.
Continuance.
Sci. fa.
Judgment.
Court seal.
Miscellaneous expense.
Cost bill.
Serving warrant.
Capias.
Sci. fa.
Subpoena.
Commitment.
Release.
Other expenses.
Jail fees.
Pension fund.
Witnesses.
Trial and judgment.
Limitation of County's liability.
Removal to Superior Court on demand for jury.
new bond, conditioned as required by law, for his appearance at the next term of the Superior Court.

That jurisdiction is hereby conferred upon the Superior Court of all actions transferred to said court pursuant to the provisions of this section.

Sec. 4. That in all trials in said County Recorder's Court, said court shall take judicial notice of the ordinances of the City of Charlotte and of the Board of County Commissioners of Mecklenburg 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 and effect from and after its ratification.

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

H. B. 367

CHAPTER 209

AN ACT TO PROHIBIT THE SETTING OF STEEL TRAPS IN GREENE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person or persons to set any steep trap or log trap on any land belonging to another in Greene County.

Sec. 2. That it shall be unlawful for any person owning or having control of any land in Greene County to grant any person permission to set any steel trap or log trap on said land other than persons residing on said land or in the employ of said owner.

Sec. 3. That any person violating the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be punished in the discretion of the court.

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

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

Ratified this the 20th day of March, A.D. 1933.
H. B. 435  

CHAPTER 210
AN ACT RELATING TO HUNTING WILD HOGS, RACCOON AND O'POSSUM IN GRAHAM COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That it shall be unlawful for any person to hunt with dog and/or gun wild hogs, known as Russian hogs, in Graham County for a period of two years from the ratification of this act.

Sec. 2. That raccoon and o'possum may be hunted with dog and/or gun in Graham County only from November 1st to February 15th.

Sec. 3. That any person violating the provisions of either Section one or Section two of this Act shall be guilty of a misdemeanor and shall be fined not exceeding fifty dollars or imprisoned not exceeding thirty days.

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

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

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

H. B. 605  

CHAPTER 211
AN ACT TO AMEND CHAPTER 291 OF THE PUBLIC-LOCAL LAWS OF 1931, RELATIVE TO THE SALARY OF THE TAX COLLECTOR AND THE EXPENSE OF THE COLLECTION OF TAXES IN FRANKLIN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section three of chapter two hundred and ninety-one of the Public-Local Laws of one thousand nine hundred and thirty-one be, and the same is hereby, amended by striking out in the last line thereof the words "twenty-five thousand dollars" and inserting in lieu thereof the words "ten thousand dollars." Amend said section further by changing the period at the end of said section to a comma, and adding the following: "which bond shall be furnished by the Board of Commissioners of said County."

Sec. 2. That section seven thereof be amended by striking out in line two the words "two thousand dollars" and inserting in lieu thereof the words "fifteen hundred dollars."

Sec. 3. That section eight of said act be stricken out and a new section enacted in lieu thereof as follows:
"Section 8. The County Commissioners of Franklin County are hereby authorized, upon the request of the tax collector, to expend for the collection of taxes a sum not to exceed twelve hundred dollars per annum, for the express purpose of employing such clerical assistants or deputy collectors as in his opinion may be necessary for the effective collection of taxes in the various townships, which assistants or deputy collectors shall be, after their appointments by the Board of County Commissioners and the tax collector, under the supervision of the tax collector of said county; and said assistants or deputy collectors shall each give such bonds as said commissioners may deem necessary before assuming the duties of office. Said bonds of the deputy collectors shall be furnished without expense to the county. Said tax collector and such deputies as may be hereinafter appointed shall be allowed by the County Commissioners of said County such sums as are actually necessary, not to exceed the sum of six hundred dollars per annum, for the purpose of paying all traveling expenses, costs of levies, and other expenses incidental to the levying on property and for the collection of taxes in said county. Said maximum sums of twelve hundred dollars and six hundred dollars herein provided for, or such parts thereof as the tax collector may deem necessary, shall be paid by the County Commissioners, only upon verified, itemized statements presented to them, showing the amounts paid to the tax collector, deputy tax collector or his assistants for their salaries or expenses incurred."

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

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

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

H. B. 630  CHAPTER 212

AN ACT TO REGULATE THE FEES OF THE VARIOUS JUSTICES OF THE PEACE OF MECKLENBURG COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the various Justices of the Peace of Mecklenburg County shall receive the following Fees, and none other:

Issuing Attachment Papers with one defendant, Fifteen (15c) Cents, and for more than one defendant, Five (5c) Cents for each additional defendant; for Transcript of Judgment, Ten (10c) Cents; for Issuing Summons, Ten (10c) Cents, if more than one defendant in the same case, for each additional defendant, Five (5c) Cents; Issuing Subpœna, Five (5c) Cents, for each witness;
for Trial and Judgment, One Dollar and Fifty ($1.50) Cents; for Taking Affidavit, Twenty-five (25c) Cents; for a Jury Trial and Verdict, One ($1.00) Dollar; for Issuing Execution, Ten (10c) Cents, and Five (5c) Cents for each Renewal of Execution; for Return of Notice of Appeal, Ten (10c) Cents; for Order of Arrest in Civil and Criminal Cases, Twenty-five (25c) Cents; for Warrant of Arrest (Criminal Cases). Twenty-five (25c) Cents; for Warrant of Commitment, Twenty-five (25c) Cents; for Taking Deposition, Ten (10c) Cents for each copy sheet; for Garnishment of Taxes, Twenty-five (25c) Cents; for Certificate of Return, Fifteen (15c) Cents; for Examination of Woman in Bastardy Proceedings, Twenty-five (25c) Cents; for Widows' Year's Allowance, Seventy-five (75c) Cents; for Filing and Docketing Lien, Twenty-five (25c) Cents; for Probate of Deed, Twenty-five (25c) Cents, and Twenty-five (25c) Cents for each signer thereof; for Probate of Chattel Mortgage, Twenty-five (25c) Cents, and Twenty-five (25c) Cents additional for each signer thereof; for Issuing Claim and Delivery Papers, Twenty (20c) Cents; for recognizing Witnesses, Five (5c) Cents for each Witness; for Order of Removal, Ten (10c) Cents; for Capias and Order, Fifty (50c) Cents.

Sec. 2. Provided, that when cases shall be moved from one Justice of the Peace to another or to the County Civil or Recorder's Court the Justice before whom the writ is issued shall send to the Justice before whom the case is moved or to the County Civil or Recorder's Court the Trial Fee of One Dollar and Fifty ($1.50) Cents.

Sec. 3. The Board of County Commissioners shall immediately upon ratification of this Act print, at the cost of the County, copies of this Act to be furnished all Justices of the Peace in Mecklenburg County, and it shall be the duty of said Justices to post a copy of same at 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 20th day of March, A.D. 1933.
H. B. 698  CHAPTER 213

AN ACT TO AMEND CHAPTER 431 OF PUBLIC-LOCAL LAWS OF 1927 AND CHAPTER 234 OF PUBLIC-LOCAL LAWS OF 1931 RELATING TO MIGRATORY WILD FOWL IN CURRITUCK COUNTY AND PROVIDING FOR ELECTION OF GAME COMMISSIONERS.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred thirty-four of Public-Local Laws of one thousand nine hundred thirty-one be amended by striking out section two and inserting in lieu thereof the following:

"Section 2. That section fourteen of said act be amended as follows: By striking out the first paragraph of said section and inserting in lieu thereof the following: 'That a game commission for Currituck County is hereby created and appointed, which commission shall consist of five members. Each member shall be thoroughly acquainted with migratory water-fowl shooting, both ashore and afloat. They shall be selected and appointed by the Board of County Commissioners of said county, with the approval of the Representative of said county and the Senator of the district residing nearest Currituck Sound, and these officials may, on unanimous vote, remove any member. One shall be chosen from the district South of the Narrows, one from the district North of the Narrows and South of the Northerly end of Church's Island, one from the district North of Church's Island on the Westerly side of the Sound, one from the district North of Church's Island on the Easterly side of the Sound. In the event of a vacancy the successor shall be similarly selected and appointed. The Clerk of the Superior Court shall be ex officio a member of the game commission and shall act as its secretary, and in addition to the fees allowed said secretary for the issuance of license, he shall be allowed the sum of one hundred and fifty dollars from the game funds so collected, and he shall give a bond in the discretion of the game commission as to amount, and the game commission shall pay any expense incurred on account of any premium on said bond.'"

SEC. 2. That section nineteen of chapter four hundred thirty-one of Public-Local Laws of one thousand nine hundred twenty-seven be and the same is hereby amended by adding in the fourth and last line after the word "conviction" the following: "Provided, that no reward shall be paid to a game warden who is receiving compensation from either the State, County or Federal Government, and in no case to any one until the fine referred to in section twenty-four, sub-section (d), shall have been collected by the Court and the amount of reward shall be
determined by the game commission not to exceed five hundred dollars."

Sec. 3. That section twenty-four of chapter four hundred thirty-one of Public-Local Laws of one thousand nine hundred twenty-seven be amended by striking out the sub-section (d) and inserting in lieu thereof the following:

"(d) Any person convicted of violating section nineteen of this act shall be fined not less than fifty dollars nor more than five hundred dollars and costs in the discretion of the court."

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

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

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

H. B. 763   CHAPTER 214


The General Assembly of North Carolina do enact:

SECTION 1. That section three of chapter two hundred fifty-five of the Public-Local Laws of one thousand nine hundred and twenty-three, and amendments thereto, relating to the salary of the Register of Deeds of Franklin County, be and the same is hereby amended by striking out in the last line of said section the words "three thousand dollars," and inserting in lieu thereof the words and figures "twenty-three hundred dollars ($2,300.00)," and further amend said section by changing the period at the end of said section to a semicolon and adding the following:

"The said Register of Deeds of said County of Franklin shall employ a Deputy Register of Deeds, or such clerical help as he may deem necessary for the proper conduct of his office, which said deputy or assistant shall be paid by said Register of Deeds out of his salary of twenty-three hundred dollars."

Sec. 2. That section four of chapter two hundred fifty-five of the Public-Local Laws of one thousand nine hundred and twenty-three, as amended by chapter three hundred and forty-seven of the Public-Local Laws of one thousand nine hundred and twenty-three, be and the same is hereby amended by striking out the words and figures "thirty-two hundred dollars ($3,200.00)" at the end of said section, and inserting in lieu thereof the words and figures "twenty-seven hundred and fifty dollars ($2,750.00),"
Assistant at own expense.

Conflicting laws repealed.

Effective March 1, 1933.

and further amend said section by changing the period at the end of said section to a semicolon and adding the following:

"The Clerk of the Superior Court of said county shall employ such Deputy Clerk or assistant as may be necessary to properly perform the duties of his office, and said assistant or deputy shall be paid by the said Clerk out of the said sum of twenty-seven hundred and fifty dollars ($2,750.00)."

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 March first, one thousand nine hundred and thirty-three.

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

H. B. 764

CHAPTER 215

AN ACT TO AMEND CHAPTER 291 OF THE PUBLIC-LOCAL LAWS OF 1931 FOR THE REDUCTION OF THE SALARY OF THE SHERIFF OF FRANKLIN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section one of chapter two hundred and ninety-one of the Public-Local Laws of one thousand nine hundred and thirty-one be amended by striking out after the word "be" in line three thereof the words "twenty-four hundred dollars," and inserting in lieu thereof the words "eighteen 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 full force and effect from and after March first, one thousand nine hundred and thirty-three.

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

H. B. 771

CHAPTER 216

AN ACT TO PREVENT HUNTING OF WILD ANIMALS OR OTHER GAME BY FIRELIGHTING ON THE RIVERS, CREEKS, STREAMS AND OTHER BODIES OF WATER IN THE COUNTIES OF BERTIE, MARTIN, WASHINGTON, AND BEAUFORT.

The General Assembly of North Carolina do enact:

Section 1. That it shall be unlawful for any person or persons to hunt with gun any wild animal or wild fowls, or game of any kind in the night-time by firelight, electric light, flash-
light, lantern, torch or any other kind of artificial light whatsoever in or from any boat, canoe, skiff or any other kind of craft floated on water, on any of the rivers, creeks, streams or other bodies of water of the counties of Bertie, Martin, Washington, and Beaufort.

SEC. 2. That when more persons than one are engaged in the offense set out in section one of this act, any one of them may be compelled to give evidence against all others concerned, and the witness upon giving such information shall be acquitted and held discharged from all penalties and pains to which he was subject by his participation in the offense.

SEC. 3. That it shall constitute prima facie evidence of the violation of this act if anyone be found in the night-time on any of the rivers, creeks, streams or other water courses, with gun or guns, in any boat, canoe, skiff or other craft, with any artificial light or lights or any material or equipment used in lighting as set forth and defined in section one of this act.

SEC. 4. That any person or persons violating the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be fined or imprisoned in the discretion of the Court.

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

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

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

H. B. 835

CHAPTER 217

AN ACT TO VALIDATE THE OFFICIAL ACTS PERFORMED BETWEEN JULY TWENTY-FOURTH, ONE THOUSAND NINE HUNDRED THIRTY, AND APRIL TWENTY-NINTH, ONE THOUSAND NINE HUNDRED THIRTY-TWO, BY H. K. OGBURN, NOTARY PUBLIC FOR FORSYTH COUNTY, APPOINTED BY HIS EXCELLENCY THE GOVERNOR OF NORTH CAROLINA, O. MAX GARDNER, JULY TWENTY-FOURTH, ONE THOUSAND NINE HUNDRED THIRTY.

Whereas, H. K. Ogburn, a Notary Public for Forsyth County, whose term expired July twenty-fourth, one thousand nine hundred thirty, continued to perform the acts of his office to which he was reappointed by His Excellency, the Governor of North Carolina, O. Max Gardner, on July twenty-fourth, one thousand nine hundred thirty, without properly qualifying before the Clerk of Superior Court of Forsyth County; Now, therefore,
Acts validated.

Conflicting laws repealed.

Setting of traps prohibited in Northampton County.

Violation made misdemeanor.

Conflicting laws repealed.

Preamble.

Sheep and domestic animals protected from vicious dogs.

The General Assembly of North Carolina do enact:

SECTION 1. That each and all of the official acts of H. K. Ogburn, appointed by His Excellency, the Governor of North Carolina, performed after the expiration of his term on July twenty-fourth, one thousand nine hundred thirty, and before April twenty-ninth, one thousand nine hundred thirty-two, including all acknowledgments to deeds, deeds of trust, chattel mortgages and all other acts whatsoever, be and the same are hereby in all respects validated.

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

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

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

H. B. 912

CHAPTER 218

AN ACT TO PROHIBIT THE SETTING OF STEEL TRAPS IN NORTHAMPTON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person or persons to set any steel trap or log trap on any land belonging to another in Northampton County.

SEC. 2. That any person violating the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be punished by a fine not to exceed fifty ($50.00) dollars or imprisoned for not more than thirty (30) days.

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

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

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

H. B. 932

CHAPTER 219

AN ACT TO PROTECT SHEEP AND OTHER DOMESTIC ANIMALS FROM DOGS.

Whereas, the raising and protection of sheep and other domestic animals and fowls from dogs is important to the people of the State; Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That if any person owning or having in his possession and control any dog that kills sheep, or has been known to kill sheep or other domestic animal or fowl belonging to another,
and when the killing of such sheep, domestic animal, or fowl is brought to the knowledge of the owner of said dog or person having such dog in his possession and control, it shall then be the duty of the owner of such dog to forthwith kill the same; and if such owner shall refuse or neglect to kill the dog, such killing having been found as a fact by a Justice of the Peace after an investigation, and notice of such finding having been given the owner or person in possession of such dog and such owner or person in possession and control shall fail or neglect to kill said dog within three days after such fact is found by a Justice of the Peace and the owner or person in possession and control notified of the finding, either by the owner of the property killed or injured or the Justice of the Peace, then and in that event the owner or person in possession and control of such dog shall be guilty of a misdemeanor and fined not exceeding fifty dollars ($50.00) or imprisoned not exceeding thirty (30) days, and any person is authorized to kill such dog.

Sec. 2. That the owner or person in possession and control of any dog killing or doing injury to sheep, fowls, or domestic animals shall also be liable in a civil action to the person damaged for loss or injury to property caused by such dog.

Sec. 3. That this act shall apply only to the County of Alleghany.

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

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

H. B. 959

CHAPTER 220

AN ACT RELATING TO THE EMPLOYMENT OF A COURT STENOGRAPHER IN LINCOLN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners of Lincoln County shall on the first Monday in July, one thousand nine hundred and thirty-three, and annually thereafter, employ a court stenographer for the Superior Court for said county, and shall fix the compensation of said stenographer not to exceed $8.00 per day which shall include all expenses.

Sec. 2. That this act shall apply only to Lincoln County.

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

Ratified this the 20th day of March, A.D. 1933.
H. B. 997  CHAPTER 221

AN ACT TO APPOINT A BOARD OF REVALUATION AND REVIEW IN YANCEY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Glenn Proffitt, Judson Ray and James Hutchins be and they are hereby appointed as a Board of Revaluation and Review in Yancey County, and said board is empowered to revalue the property in Yancey County, or make a horizontal cut in lieu thereof, and to make adjustments of valuation of property in said county; that said board in whatever action it takes in relation to the revaluation of property or in making a horizontal cut in the valuation shall be governed by the General Machinery Act of the State in force at the time of the action of the said Board of Revaluation and Review. That the compensation of the members of said Board shall be $2.00 per day.

SEC. 2. That said Board of Revaluation and Review shall meet on the first Monday in April and appoint the Tax Listers for the County of Yancey.

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

H. B. 938  CHAPTER 222

AN ACT TO REDUCE THE SALARIES OF CERTAIN OFFICERS OF CHOWAN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. The Commissioners of Chowan County are hereby authorized and empowered from time to time to raise or lower the salaries of the officers of Chowan County hereinafter named: Provided, that such salaries shall not be made higher than those now authorized by law nor lower than the following amounts per month: Sheriff $200.00, Judge Recorder’s Court $50.00, Prosecuting Attorney Recorder’s Court $50.00, and Clerk Recorder’s Court $20.00.

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 force and effect from and after its ratification.

Ratified this the 22nd day of March, A.D. 1933.
H. B. 800

CHAPTER 223

AN ACT REGULATING THE FEE FOR CAPTURING STILLS IN Sampson County.

The General Assembly of North Carolina do enact:

Section 1. For every illicit distillery seized the sheriff or other police officer shall receive the sum of twenty dollars, which shall be allowed by the commissioners of the county in which the seizure is made: Provided, that no payment shall be made unless the operator or operators of such distillery are captured; and, Provided further, that upon the conviction of such operator or operators, where the costs are to be paid by the operator or operators, then the said fee shall be taxed in the bill of cost in the case against such operator or operators and paid as other cost, but where the defendant is found not guilty or the county is to pay the cost the fee shall be paid by the commissioners, unless upon investigation they are satisfied that the seizure or capture was not bona fide made.

Sec. 2. That this act shall apply only to Sampson County.

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 22nd day of March, A.D. 1933.

H. B. 855

CHAPTER 224

AN ACT TO AMEND CHAPTER 61, PUBLIC-LOCAL LAWS 1929, RELATING TO THE SALARIES OF THE OFFICERS OF Moore County.

The General Assembly of North Carolina do enact:

Section 1. That the board of county commissioners of Moore County be and they are hereby authorized and empowered to fix the compensation of the officers of said county in accordance with the schedule hereinafter set out.

Sec. 2. That the judge of the recorder's court of Moore County shall receive a salary of not less than one thousand dollars nor more than two thousand dollars per annum, payable monthly: Provided, that if said recorder's court shall be given and shall exercise civil jurisdiction, or shall be changed to a county court with civil jurisdiction, as prescribed by law, the board of commissioners of said county, in the discretion of said board, may pay to said recorder or the judge of said court a sum to be fixed by said board in addition to the salary herein named, payable monthly.
SEC. 3. That the solicitor or prosecutor of the recorder’s court of Moore County shall receive as compensation for his services to be paid by the County of Moore under existing law a salary of not less than eight hundred dollars nor more than fifteen hundred dollars per annum, payable monthly.

SEC. 4. That the sheriff of Moore County shall receive as compensation for his services all fees, costs and other allowances fixed by statute as fees and allowances due to sheriffs for their services, exclusive of commissions or other compensation in or connected with the collection of taxes, and in addition thereto he shall receive a salary of not less than twenty-four hundred dollars nor more than thirty-six hundred dollars per annum, payable monthly, by the said county of Moore under existing law; and in addition to the compensation hereinbefore named, one deputy sheriff of said county, to be appointed by said sheriff, shall receive as compensation for his services a salary of not less than one thousand dollars nor more than fifteen hundred dollars.

SEC. 5. That the provisions of chapter sixty-one of the Public-Local Laws of one thousand nine hundred and twenty-nine inconsistent with the provisions of this act and all other laws and clauses of laws in conflict with the provisions hereof are hereby repealed.

SEC. 6. That this act shall be in full force and effect from and after its ratification, and the salaries herein provided to be fixed by the board of commissioners of Moore County shall become effective on the first day of July, one thousand nine hundred and thirty-three.

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

H. B. 889   CHAPTER 225

AN ACT TO PLACE THE OFFICERS OF NEW HANOVER COUNTY UPON A SALARY BASIS AND TO FIX THE SALARIES OF THE CITY COMMISSIONERS, INCLUDING THE MAYOR.

The General Assembly of North Carolina do enact:

SECTION 1. That the Sheriff, Clerk of the Superior Court, Register of Deeds, 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 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 Fund."

SEC. 2. That 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 by law provided in cases of embezzlement by public officers.

SEC. 3. 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. 4. 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. 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. 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, and under oath, to the Auditor of said County, said statement to contain and show in detail all the entries made upon said books during the preceding calendar month, and upon receipt of such statement to be checked and

"Salary Fund" created.
Officers placed on salaries.

Misapplication of fees made felony.

Failure to collect fees made misdemeanor.

Separate account books ordered kept.

Open to public.

Contents of account books.

Supervision by Auditor.

Monthly statement to Auditor under oath.

Contents.
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 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 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 action to final judgment, and to collect the amount due by such officer and pay over the same to the Auditor of New Hanover County.

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 New Hanover County shall receive for his salary the sum of Thirty-six Hundred ($3,600.00) Dollars per annum. He shall be allowed two deputies, who shall receive the sum of Fifteen Hundred ($1,500.00) Dollars per annum each, and shall also receive the amount of his actual expenses for conveying prisoners from the place of trial to jail, for taking prisoners to the State's Prison or chain-gang, for taking insane persons to the State Hospital; and it shall be the duty of the Sheriff to render to the Board of Commissioners of said County, monthly, a statement of the expenses hereinbefore provided for, showing 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 Board of Commissioners out of the "Salary Fund" herein provided for: Provided, however, if any Judge of the Superior Court shall be of the opinion that the Sheriff and his deputies, as provided by this Act, are unable to perform the duties necessary to the proper dispatch of the business of the courts held in the County, then it shall be lawful for the Sheriff to appoint such deputies as the Judge may designate, and the County Commissioners shall pay them such sums as the Judge may direct, and amounts to be
charged upon the "Salary Fund" provided for in this Act. That all special officers and rural policemen appointed by the Board of County Commissioners of New Hanover County, by virtue of the provisions of Chapter 68 of the Public-Local Laws of 1915 of North Carolina, be, and the same are, hereby placed under the general control and direction of the Sheriff of New Hanover County, to whom they shall be responsible for their acts and doings under said law, and who shall have the right to suspend or remove said officers from office on account of any misconduct, inefficiency or neglect in the discharge of their duties, upon written statement of said cause, which shall be reviewable by the Judge of the Superior Court at the next term of the Superior Court for the County of New Hanover after any such suspension or removal, if the suspended or removed officer desires such hearing. The Board of County Commissioners is authorized to appropriate a sum not exceeding Twenty-five ($25.00) Dollars per month for the use of the Sheriff and/or his deputies in the operation of their automobiles in the performance of their duties.

Sec. 8. The Sheriff of said County shall also appoint a jailer and an assistant jailer, if the Board of County Commissioners of New Hanover County deem it wise and expedient, whose salaries shall be fixed by the Board of Commissioners of said County, and not exceed Twelve Hundred ($1,200.00) Dollars and One Thousand ($1,000.00) Dollars, respectively, per annum; and the actual expenses of maintaining the common jail of said County, as heretofore, shall also be paid by the Board of Commissioners of said County from the funds of the County as now provided for by law, as well as the salaries of the said jailer or jailers; and it shall be the duty of said jailer or jailers to serve such processes and to perform such duties as is usually required of deputy sheriffs, whenever it does not interfere with their duties as jailer or jailers.

Sec. 9. That the salary of the Chairman of the County Commissioners of New Hanover County shall be $......... per annum, payable monthly in equal installments of $.........

Sec. 10. The Clerk of the Superior Court of New Hanover County shall receive for his salary the sum of Thirty-three Hundred ($3,300.00) Dollars per annum. He shall be allowed an assistant Clerk of the Court, whose salary shall be Nineteen Hundred and Twenty ($1,920.00) Dollars per annum, and a Deputy Clerk of the Court, whose salary shall be Nineteen Hundred and Twenty ($1,920.00) Dollars per annum, and an additional Deputy-Clerk and/or stenographer, whose salary, or salaries, shall not exceed Nine Hundred ($900.00) Dollars per annum. That, in addition to the duties now required by law to be performed by the Clerk of the Superior Court, he shall be ex officio Clerk of the Recorder's Court of New Hanover County,
and shall perform the duties of Clerk of said Court either by himself, assistant clerk, or deputy, with no extra compensation therefor than as allowed him in this Act: Provided, however, that no deputy appointed by the Clerk of the Superior Court shall practice law; and Provided further, that no part of the salary of the Clerk of the Superior Court of New Hanover County for himself or his assistant clerk or his deputies shall be charged against the fund derived from the funds of the Recorder's Court of New Hanover County in the divisions of the net proceeds of said Court between the City of Wilmington and the County of New Hanover; and Provided further, that all fees to which said Clerk or his assistant clerk or his deputy might be entitled by reason of his acting as Clerk of the Recorder's Court of New Hanover County shall be paid over and accounted for as provided in the Act creating the Recorder's Court of New Hanover County.

SEC. 11. The Constable of Wilmington Township shall be allowed such fees as are allowed by law in the service of processes in the performance of the duties of his office, which said compensation by way of fees shall not exceed the sum of Twelve Hundred ($1,200.00) Dollars per annum, and should there be an excess of said amount in any year, then the said Constable shall pay over to the Auditor of New Hanover County, for the credit of the "Salary Fund" described in this Act, all fees, commissions and emoluments in excess of said amount. He shall, if required by the Judge of the Superior Court, attend all sessions of said Court and execute all processes delivered to him by the Court, and to perform such other duties as the said Judge may designate.

SEC. 12. The Register of Deeds of New Hanover County shall receive for his salary the sum of Twenty-five Hundred ($2,500.00) Dollars per annum. He shall be allowed two deputies, who shall receive such compensation as may be fixed by the Board of County Commissioners.

SEC. 13. That in addition to the salaries herein provided and the allowance herein set forth, the Board of County Commissioners of New Hanover County shall furnish each of said officers with all necessary supplies for conducting the business of their office, and such supplies shall be paid for by the County of New Hanover out of the General County Fund thereof.

SEC. 14. That the salaries and allowances 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 Fund" prescribed in this Act, all fees, commissions, and emoluments coming into their hands by virtue of their office.

SEC. 15. If it shall appear at any time to the Board of Commissioners of New Hanover County that the number of deputies,
assistants or clerks provided for in this Act shall be insufficient to provide for the prompt and efficient transaction of the public business, and the public interests require that other assistance be provided, then the Board of Commissioners shall have the power, and it shall be their duty, upon ascertaining such facts, to provide one additional deputy or clerk for any of said officers, or for the Auditor of New Hanover County, but the cost or expense of such additional deputy or clerical assistance shall not exceed the salary paid any other clerk, deputy or assistant then employed and doing the same class of work, and shall not in any event exceed the sum of Fifteen Hundred ($1,500) Dollars per annum. The action of the Board of Commissioners in this behalf shall be spread upon the minutes of said Board.

Sec. 16. All the salaries herein provided for shall be paid by the Auditor of New Hanover 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 of said Board, and said warrant when paid shall be charged to the "Salary Fund" herein provided.

Sec. 17. 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 and allowances herein provided for. The Auditor shall open up a separate account with each of the several 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. 18. At the end of each fiscal year it shall be the duty of said Auditor to submit to the Board of Commissioners of said County a detailed statement of the condition of the said "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 at the end of each fiscal 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. 19. 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 Fund" provided for herein.
SEC. 20. The officers herein 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, except as herein provided, 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. 21. The salary of the Recorder of the Recorder's Court of New Hanover County shall be Twenty-seven Hundred ($2,700.00) Dollars per annum, payable in equal monthly installments of Two Hundred and Twenty-five ($225.00) Dollars each on the first day of each month from the funds and fees of the Recorder's Court of New Hanover County; and the salary of the County Solicitor for the County of New Hanover shall be the sum of Fifteen Hundred ($1,500.00) Dollars per annum, payable in equal monthly installments of One Hundred and Twenty-five ($125.00) Dollars each on the first day of each month from the funds and fees of the Recorder's Court of said New Hanover County.

SEC. 22. The salary of the Auditor of New Hanover County shall be Thirty-three Hundred ($3,300.00) Dollars per annum, payable in equal monthly installments of Two Hundred and Seventy-five ($275.00) Dollars on the first day of each month from the General Funds of the County.

SEC. 23. That the salary of the Commissioner of Public Works for the City of Wilmington, N. C., and of the Commissioner of Finance for said City shall each be Twenty-seven Hundred ($2,700.00) Dollars per year, payable in equal monthly installments of Two Hundred and Twenty-five ($225.00) Dollars on the first day of each month; and the salary of the Mayor and Commissioner of Public Safety of the City of Wilmington, N. C., shall be Twenty-seven Hundred ($2,700.00) Dollars per year each, payable in equal monthly installments of Two Hundred and Twenty-five ($225.00) Dollars on the first day of each month.

SEC. 24. That the City Attorney appointed by the Board of City Commissioners shall receive a salary of Fifteen Hundred ($1,500.00) Dollars per annum, payable monthly in equal installments of One Hundred and Twenty-five ($125.00) Dollars on the first day of each month.

SEC. 25. That all laws or clauses of laws in conflict with this Act be and the same are hereby repealed.

SEC. 26. That this Act shall apply only to the County of New Hanover and the City of Wilmington.

SEC. 27. That this Act shall be in full force and effect from and after the first day of April, one thousand nine hundred and thirty-three.

Ratified this the 22nd day of March, A.D. 1933.
H. B. 917

CHAPTER 226

AN ACT REPEALING AND RE-ENACTING HOUSE BILL No. 723, RATIFIED MARCH 6, 1933, BEING "AN ACT RELATING TO ROAD DISTRICT BONDS HERETOFORE ISSUED BY SWAIN ROAD DISTRICT IN SWAIN COUNTY AND TOWNSHIP ROAD BONDS HERETOFORE ISSUED BY FORNEY'S CREEK TOWNSHIP IN SWAIN COUNTY."

The General Assembly of North Carolina do enact:

SECTION 1. That hereafter the special tax to pay principal and interest on road and bridge bonds heretofore issued by Swain Road District, including Ocona Lufty, Charleston, and Nantahala Townships, and now outstanding, shall be levied county-wide in Swain County, and the Board of County Commissioners of Swain County are hereby authorized and empowered to assume the payment of the bonds heretofore issued by Swain Road District for road and bridge purposes, and the said bonds, from and after the date of the ratification of this act, shall become and be county-wide obligations.

SEC. 2. That hereafter the special tax to pay principal and interest on road and bridge bonds heretofore issued by Forney's Creek Township and now outstanding shall be levied county-wide in Swain County, and the Board of County Commissioners of Swain County are hereby authorized and empowered to assume the payment of the bonds heretofore issued by Forney's Creek Township for road and bridge purposes, and the said bonds, from and after the date of the ratification of this act, shall become and be county-wide obligations.

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

SEC. 3½. That this act expressly repeals House Bill No. 723, ratified March sixth, one thousand nine hundred and thirty-three.

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

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

H. B. 925

CHAPTER 227

AN ACT TO REPEAL CHAPTER 188, PUBLIC-LOCAL LAWS 1929, AND TO AMEND CHAPTER 521, PUBLIC-LOCAL LAWS 1921, RELATING TO FEES OF JUSTICES OF THE PEACE IN PITT COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and eighty-eight of the Public-Local Laws of one thousand nine hundred and twenty-nine be and the same is hereby repealed.
SEC. 2. That section one of chapter five hundred twenty-one of the Public-Local Laws of one thousand nine hundred twenty-one be and the same is hereby amended by striking out all of said section one and inserting in lieu thereof the following:

"Section 1. That justices of the peace shall receive the following fees:

For warrant of attachment with one defendant, fifty cents, and if more than one defendant, ten cents for each additional defendant.

For application of attachment, ten cents.

For each copy of attachment papers, including summons, application, affidavit, bond and warrant of attachment, ten cents.

For taking affidavit, including jurat and certificate, twenty-five cents, and ten cents for copy thereof.

For return to notice of appeal, in both civil and criminal actions, twenty-five cents.

For making out itemized bill of costs, fifteen cents.

For taking bond, or any undertaking, in both civil and criminal actions, twenty-five cents, including justification.

For capias and order, each defendant, fifty cents.

For certification of any document, or other paper-writing to be a copy of the original, twenty-five cents.

For claim and delivery and a copy thereof, including summons, affidavit, bond of plaintiff, and order to seize property, and the trial of same, if issues are joined, when there is one defendant, one dollar and twenty-five cents, and if more than one defendant in the action, twenty-five cents for each additional defendant, and fifteen cents for each additional copy.

For commitment, each defendant, twenty-five cents.

For continuance, twenty-five cents.

For taking depositions on order or commission, one hundred words per copy sheet, twenty cents.

For execution, thirty-five cents.

For renewal of execution, twenty-five cents.

For examination of woman in case of bastardy, fifty cents.

For garnishment for taxes, fifty cents.

For making necessary certificate and return to same, twenty-five cents.

For hearing petition for widow's year's allowance, issuing notices to commissioners, allotting the same, and making returns, one dollar.

For filing laborer's lien, twenty-five cents where there is one owner, and if more than one owner, twenty-five cents for each additional owner.

Impaneling jury, twenty-five cents.

Issuing summons for venire of twelve jurymen, fifty cents.
Trial and judgment, seventy-five cents, in civil actions.

Jury trial, entering verdict and judgment, each defendant, seventy-five cents, in civil actions.

Trial and judgment, each defendant, fifty cents in criminal actions.

Jury trial, entering verdict and judgment, each defendant, seventy-five cents, in criminal actions.

Judgment nisi, against a defaulting witness, or juror, on bail bond or recognizance, twenty-five cents.

Judgment nisi, against each defendant on bail bond or recognizance, twenty-five cents.

Witness or jury ticket, including jurat, ten cents.

For notices, twenty-five cents.

For removal of a cause, twenty-five cents, in both civil and criminal actions, including affidavit.

For writ of ejectment, fifty cents.

For issuing marriage certificate, one dollar.

For order of publication, twenty-five cents.

For any interlocutory order made in any action, civil or criminal, with no fixed fee, twenty-five cents.

For order of arrest in civil actions, fifty cents.

For recognizance, each defendant, twenty-five cents.

For recognizing witnesses, five cents for each witness for appearance at any court.

For subpoena for each witness, ten cents.

Summons in civil actions, forty cents where there is one defendant, twenty cents for each additional defendant, and for each copy thereof, ten cents.

Transcript of judgment, twenty-five cents, and ten cents for copy thereof.

Warrant of arrest in criminal and bastardy cases, fifty cents, for each defendant.

Probate of a deed or other writing proved by a witness, including the certificate, twenty-five cents for each signer thereof.

Probate of a deed or other writing, executed by a married woman, proper acknowledgment and private examination, with the certificate thereof, twenty-five cents.

Probate of a deed or other writing, acknowledged by the signers or makers, with the certificate thereof, twenty-five cents, for each acknowledgment.

Probate of a chattel mortgage, with the certificate, twenty-five cents whether one or more.

For any civil or criminal paper issued in any action and forwarded to another county for execution, twenty-five cents for sending the same.
Sec. 3. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

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

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

H. B. 684

CHAPTER 228

AN ACT TO AUTHORIZE THE COMMISSIONERS OF HAYWOOD COUNTY TO APPOINT A TAX SUPERVISOR AND TO PRESCRIBE HIS DUTIES AND FIX HIS SALARY.

The General Assembly of North Carolina do enact:

Section 1. That the Board of Commissioners of Haywood County are hereby authorized to appoint a Tax Supervisor for Haywood County, to serve for such time as they may deem advisable, not to exceed the term of two years.

Sec. 2. That in addition to the duties now prescribed, or which may be prescribed by the general laws for Tax Supervisors, he shall list the taxes for Waynesville Township, prepare the tax scrolls for the county, keep an accurate record of all transfers of real property, and furnish the list takers and assessors with a list of transfers in their respective townships; prepare and keep an accurate alphabetical indexed record of all delinquent taxes, showing whether sold or not, and if sold, the date, to whom, and when paid; and said Supervisor shall make diligent search for property not on the tax books, and shall enter such discoveries as he may make on the tax books according to law; said Supervisor shall receive and collect all delinquent taxes, and, under the direction of the Board of Commissioners, shall perform the duties of Commissioner, to sell and convey lands for taxes.

Sec. 3. That the said Supervisor shall give bond in some surety company authorized to do business in the State of North Carolina, or in lieu thereof deposit bonds of the State of North Carolina or the County of Haywood in such sum as the Board of Commissioners may designate, conditioned upon his depositing to the credit of Haywood County and accounting for all moneys received by him as required by law.

Sec. 4. That the Board of Commissioners may fix the salary of said Supervisor at such sum as may seem reasonable, not to exceed the sum of twelve hundred dollars per year, to be paid out of the general fund in equal monthly installments: Provided, that the Board of Commissioners may designate the County Accountant under this act, and provide such clerical assistance
as necessary, and in that event the salary shall not exceed the sum of six hundred dollars per year, payable out of the general fund in equal monthly installments.

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

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

S. B. 389  
CHAPTER 229

AN ACT TO RELIEVE CERTAIN PROPERTY IN ROWAN COUNTY TO BE USED FOR A CHARITABLE HOSPITAL FROM TAXES AND ASSESSMENTS.

Whereas, it is proposed to build a charitable and non-profit hospital in Salisbury, Rowan County, from funds donated by the Duke Foundation and local citizens; and

Whereas, said donations cannot be received until the liens for taxes and assessments against said property have been satisfied in full; and

Whereas, said hospital is to be built upon property to be donated and against which certain taxes and assessments have been levied and assessed; Now, therefore,

The General Assembly of North Carolina do enact:

Section 1. The City of Salisbury is hereby authorized, empowered and directed, upon the execution and delivery of a deed conveying as a gift certain real estate to the said charitable and non-profit hospital to be erected in Rowan County, to charge off and cancel all outstanding and accrued taxes and street improvement assessments levied and assessed against the said property upon which the said charitable and non-profit hospital is or shall be built from public or private donations.

Sec. 2. The County of Rowan is hereby authorized, empowered and directed, upon the execution and delivery of a deed conveying as a gift certain real estate to the said charitable and non-profit hospital to be erected in Rowan County, to charge off and cancel all outstanding and accrued taxes levied and assessed against the said property upon which the said charitable and non-profit hospital is or shall be built from public or private donations.

Sec. 3. All laws or parts 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 23rd day of March, A.D. 1933.
H. B. 619  CHAPTER 230
AN ACT TO PROVIDE FOR AN ELECTION ON WHAT SHALL CONSTITUTE A LAWFUL FENCE IN GRAHAM COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That, upon the written application of one-fifth of the qualified voters of Graham County made to the board of commissioners thereof, it shall be the duty of the commissioners from time to time to submit the question of "For a Four-Strand Barbed Wire Fence Becoming a Lawful Fence" and "Against a Four-Strand Barbed Wire Fence Becoming a Lawful Fence" to the qualified voters of said county. And if at any such election a majority of the votes cast is in favor of a "Four-Strand Barbed Wire Fence Becoming a Lawful Fence," then such shall constitute a lawful fence in said county.

Sec. 2. That upon written application of one-fifth of the qualified voters of any township in Graham County, made to the board of commissioners of the county, it shall be the duty of the commissioners to submit the question "For a Four-Strand Barbed Wire Fence Becoming a Lawful Fence" and "Against a Four-Strand Barbed Wire Fence," to the qualified voters of the township; and if at any such township election a majority of the votes cast is in favor of a "Four-Strand Barbed Wire Fence Becoming a Lawful Fence" then such shall constitute a lawful fence in said township.

Sec. 3. That the said election shall be held under the same rules and regulations as now provided for the election of county officers: Provided, however, that the judges and registrars in said election shall be allowed not to exceed the sum of one dollar per day for their services in holding said election.

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

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

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

H. B. 751  CHAPTER 231
AN ACT REPEALING SECTION 3, CHAPTER 48, PUBLIC-LOCAL LAWS OF 1931, PLACING THE SHERIFF OF MADISON COUNTY ON FEES.

The General Assembly of North Carolina do enact:

SECTION 1. That section three, chapter forty-eight, of the Public-Local Laws of one thousand nine hundred and thirty-one, is hereby repealed.
SEC. 2. That in lieu of fees collected by the sheriff of Madison County and received by him as compensation for his services as provided in chapter forty-eight, Public-Local Laws of one thousand nine hundred and thirty-one, the former salary of eighteen hundred dollars per annum is hereby restored.

SEC. 3. That in addition to a salary of eighteen hundred dollars per annum, to be paid in equal monthly installments, the sheriff shall be entitled to have and receive any and all fees fixed by law for the performance of the duties 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 and effect from and after April first, one thousand nine hundred and thirty-three.

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

H. B. 783

CHAPTER 232

AN ACT TO PROVIDE FOR THE REDEMPTION OF REAL ESTATE PURCHASED BY HERTFORD, HYDE, OR BERTIE COUNTY AND TOWNS THEREIN AT TAX SALES AND TO PROVIDE AN EXTENSION OF TIME WITHIN WHICH TO PAY DELINQUENT TAXES.

(APPLICABLE ALSO TO GATES, PASQUOTANK AND CHOWAN COUNTIES.)

The General Assembly of North Carolina do enact:

SECTION 1. That in all cases of delinquent taxes due prior to the year one thousand nine hundred and thirty-two, whether the same has been reduced to judgment or not, and in all cases where real estate has been foreclosed by suit for past due taxes and purchased by either Hertford, Hyde, Bertie, Gates, Pasquotank or Chowan County, or any town in either of said counties, and is now owned by such county or town, the person, firm or corporation which owned such real estate or held a valid mortgage or deed of trust on such real estate at the time of its advertisement, sale and purchase by said county or town, shall have five years within which to repurchase or redeem said property: Provided, such original owner or holder of any mortgage or deed of trust on said land shall pay all taxes with interest thereon at the rate of six per cent per annum, together with all costs that were due upon said property at the time of such foreclosure suit and sale, and shall pay all taxes and cost that have accrued or may hereafter accrue.

SEC. 2. That the Board of Commissioners of said counties or towns may, in their discretion, divide the payments of the said unpaid taxes, interest and cost into such amounts and to be
Counties to which applicable.
Conflicting laws repealed.

Taxes payable in installments in Sampson County or its municipalities.
Lien preserved.
Past installments validated.

H. B. 801  CHAPTER 233
AN ACT AUTHORIZING PARTIAL PAYMENTS ON TAXES IN SAMPSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. The sheriff, tax collectors, deputy tax collectors and tax collecting officers of Sampson County, and the tax collectors of each and every municipality situate in Sampson County are hereby authorized, empowered and directed to accept partial payments on taxes due said county or municipalities by any taxpayer thereof: Provided, that the time for paying said installments shall not be extended beyond the time now provided for the payment of such taxes: Provided further, that no installment payment or payments shall operate as a discharge of the tax lien until the full amount of the taxes and penalties of the taxpayer making such installment payment or payments shall have been paid: Provided further, that the acceptance of installment payments in the past by the tax collecting agencies in said county are hereby validated.

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

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

H. B. 810  CHAPTER 234
AN ACT TO EXEMPT BRUNSWICK COUNTY FROM PAYING FOR LIVE STOCK KILLED BY DOGS.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of Brunswick County shall not and they are hereby directed not to pay any damages to any person or persons who may file claims for killing of live stock by dogs.
SEC. 2. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

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

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

H. B. 857  CHAPTER 235

AN ACT TO REPEAL CHAPTER 598, PUBLIC-LOCAL LAWS OF 1923, RELATING TO MAKING OUT OF TAX RECEIPTS BY THE REGISTER OF DEEDS OF LENOIR COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter five hundred and ninety-eight of the Public-Local Laws of one thousand nine hundred and twenty-three and all acts amendatory thereof be and the same are hereby repealed.

SEC. 2. That from and after the ratification of this act the Commissioners of Lenoir County are empowered to direct and require any officer or employee of said county to make out the tax receipts for said county with or without additional compensation as in the judgment of said board shall be just and proper.

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

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

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

H. B. 862  CHAPTER 236

AN ACT FIXING THE SALARY OF THE COURT STENOGRAPHER OF CATAWBA COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. The Superior Court Stenographer for Catawba County shall receive eight dollars per day as full compensation for her services.

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 23rd day of March, A.D. 1933.
H. B. 922  
CHAPTER 237

AN ACT REDUCING THE FEES OF CERTAIN OFFICERS OF GATES COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the per diem of the members of the board of commissioners and the board of education of Gates County be and it is hereby reduced to three dollars. In addition thereto the members of said boards shall receive the present mileage allowance.

SEC. 2. That chapter five hundred and fourteen of the Public-Local Laws of one thousand nine hundred and twenty-seven relating to the fees of the Clerk of the Superior Court of Gates County be and the same is hereby repealed. The Clerk of the Superior Court of Gates County shall receive three dollars per day for each day’s attendance upon the Superior Court of said county while said court is in session.

SEC. 3. That chapter one hundred and seventy-seven be and the same is hereby amended to read as follows:

"Section 1. That the register of deeds shall be allowed, while and when acting as clerk to the board of commissioners, the sum of three dollars per day; for issuing all county vouchers ten cents per voucher; for calculating taxes, making out record of same, preparing tax receipts and stubs for the tax collectors, five cents per name, and five cents per name for each copy required to be made.

"Sec. 2. That fees for recording papers shall be as follows: For registering any deed, deed of trust, or other writing authorized to be registered, with certificate of probate or acknowledgment and private examination of married women, containing not more than three copy sheets, seventy-five cents, and for each additional copy sheet, twenty cents; registering statutory form of chattel mortgage, twenty cents. All other fees shall be those as provided in section three thousand nine hundred and six of the Consolidated Statutes."

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

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

Ratified this the 23rd day of March, A.D. 1933.
CHAPTER 238
AN ACT CONCERNING THE SALE OF LAND AND OTHER PROPERTY FOR TAXES IN TRANSYLVANIA COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the Board of Commissioners of Transylvania County shall not be required to advertise and sell for taxes any lot or lots of land in said county which in the opinion of said board are not worth the amount of said costs of advertisement of sale of said lot or lots of land.

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 ratification.

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

CHAPTER 239
AN ACT TO CREATE A TAX COMMISSION FOR CHEROKEE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That a Tax Commission for Cherokee County to consist of three resident taxpayers to be hereinafter named is hereby created, and said commissioners with their successors in office shall be a body politic and corporate under the name of Cherokee County Tax Commission. Said commission may adopt a common seal, sue and be sued, and is hereby vested with all powers, privileges and rights necessary to the proper discharge of the duties imposed upon it.

Sec. 2. That the General Assembly shall appoint two of said commissioners for a term of two years each and one of said commissioners for a term of four years, and shall at its regular or biennial sessions appoint for terms of four years successors to those whose terms have expired or will expire within the next two years subsequent to the then current session; in case of death, removal from the County, resignation or other disqualification of either or all of said commissioners the Governor shall make appointments to fill the unexpired term or terms thus vacated.

Sec. 3. That the said Cherokee County Tax Commission is hereby vested with all powers, and shall perform all duties heretofore or which may hereafter be vested in the Board of County Commissioners of Cherokee County with respect to listing, assessment and valuation of property for taxation, including those
powers and duties imposed upon the Board of County Commissioners of Cherokee County as a board of equalization and review.

Sec. 4. That the said Tax Commission shall meet for the purpose of performing its duties at the same times now or may hereafter be provided for meetings of the Board of County Commissioners for such purposes, and the members of said Commission shall receive the same compensation as now or may hereafter be provided by law for the County Commissioners of Cherokee County and that the County Supervisor of Taxation, Tax Listers, and Assessors shall receive the same compensation as now or may hereafter be provided by law for Tax Supervisors, Tax Listers, and Assessors.

Sec. 5. That the Chairman or any member of said Tax Commission can be the County Supervisor of Taxation.

Sec. 6. That the Board of County Commissioners of Cherokee County shall pay said Tax Commission, its employees and appointees, provide office space, and furnish said Tax Commission all stationery, supplies, forms and equipment required by said Tax Commission in the exercise of its duties.

Sec. 7. That the said Tax Commission at its first meeting shall organize by electing one of its members Chairman and one of its members Secretary or Clerk, or if in its discretion it deems it advisable it may elect as Secretary or Clerk to the Commission the person who at the time is Clerk to the County Board of Commissioners of Cherokee County who shall serve without additional compensation.

Sec. 8. That the following resident taxpayers of Cherokee County are hereby appointed, as of the first day of December, nineteen hundred and thirty-three, members of said Cherokee County Tax Commission, viz: Walter Anderson of Suit, North Carolina, for a term of two years; J. W. McMillan of Murphy, North Carolina, for a term of two years; W. T. Moore of Andrews, North Carolina, for a term of four years, or until their successors are appointed and qualified.

Sec. 9. That nothing herein contained shall be construed or operate to impair or abridge, or destroy any rights, privileges or functions which are held or exercised by the Board of County Commissioners of Cherokee County except as herein specified.

Sec. 10. That nothing herein shall affect any pending litigation.

Sec. 11. That all laws or clauses of laws in conflict herewith are hereby repealed.

Sec. 12. That this act shall be in force and effect from and after the first day of December, nineteen hundred and thirty-three.

Ratified this the 23rd day of March, A.D. 1933.
AN ACT RELATING TO THE QUADRENNIAL ASSESSMENT
OF PROPERTY FOR TAXATION IN MACON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That during the month of April, one thousand
nine hundred and thirty-three, or as soon thereafter as may be
practicable, there shall be a revaluation and listing of all real
and personal property in Macon County for taxation and the
following persons are hereby appointed appraisers for the several
townships in said County, the first named being the chairman
for said township:

Cartoogechaye—C. S. Slagle, John Roane, Oscar Lewis.
Cowee—John Dalton, Neal Bryson, Oscar Rickman.
Ellijay—Sam Bryson, Andy Evans, John T. Henry.
Franklin—J. O. Harrison, Frank Moody, George Wallace.
Flats—Raleigh McConnell, Oden Penland, Ray Dryman.
Highlands—Frank Potts, Roy Phillips, Fred Edwards.
Millshoal—Jerry Franklin, Harve Cabe, Bunyan Justice.
Nantahala No. 1—Lee Baldwin, Craige Stepp, Luther
Jacobs.
Nantahala No. 2—Jim Shields, Bill Jones, J. B. Mason.
Smith's Bridge—Robert Cabe, Will Stewart, John
Brabson.
Sugar Fork—Alex W. Shook, Charles Henderson, Olney
Moses.

SEC. 2. That the said appraisers shall receive for their work
the sum of one dollar and fifty cents per day. The chairman
in each township shall also act as list taker for personal prop-
erty in his township and he shall also gather the farm statistics
for said township: Provided, however, that in Franklin Town-
ship Frank Moody shall also act as list taker. The chairman
in each township shall also sit with the Register of Deeds as a
Board of Equalization and the Register of Deeds shall also act
as county tax supervisor without additional pay.

SEC. 3. That in case a vacancy should occur among the above-
named appraisers, the two remaining appraisers shall name
some person to fill said vacancy.

SEC. 4. That except as herein provided, the general details
of carrying out the listing and assessment above set forth shall
be followed as found in chapter four hundred and twenty-eight
of the Public Laws of one thousand nine hundred and thirty-
one, or under a similar general act enacted or to be enacted by
the General Assembly of one thousand nine hundred and thirty-
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 full force and effect from
and after its ratification.

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

H. B. 839

CHAPTER 241

AN ACT TO PROHIBIT THE USE OF LONG HAUL OR DRAG
NETS IN CERTAIN WATERS IN BEAUFORT, HYDE AND
ONSLOW COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person or per-
sons to use by hand power any haul or drag nets over five hun-
dred yards in length or to use any long haul or drag nets oper-
ated by any power boat in the waters of Hyde and Beaufort
Counties embraced within the boundaries outlined and defined
as follows:

Beginning with Currituck Point in Hyde County running out-
side the farthest point of marsh along the shores of Hyde County
to the Dare County line and beginning with the north point of
Portsmouth Island in Carteret County and running in a straight
line to one mile north of Royal Shoal, thence in a straight line
to the north point of Ocracoke Island at Hatteras Inlet;

Beginning at the light beacon at the mouth of Goose Creek
in Beaufort County at a point where the Inland Waterway Canal
intersects Pamlico River, running in a straight line to the light
beacon on Wade Point at the intersection of Pungo River and
Pamlico River, thence in a direct line from that light to Curri-
tuck Point, Hyde County: Provided, that this shall not apply to
seining and fishing in the waters of Beaufort County.

Sec. 2. That any person violating the provisions of this act
shall be guilty of a misdemeanor and upon conviction shall be
fined not less than ten nor more than fifty dollars or imprisoned
not less than ten nor more than thirty days and for the second
offense in addition to the above described penalties, the boat
and fishing equipment of the person or persons convicted of
such violation shall be forfeited and sold, the proceeds of such
sale or fines to be turned over to the school bonds fund of the
county.
Sec. 3. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

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

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

H. B. 966

CHAPTER 242

AN ACT RELATING TO THE PAYMENT OF TOWNSHIP HIGHWAY BONDS IN McDOWELL COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the act of the General Assembly of North Carolina for the year nineteen hundred and thirty-three entitled "An Act Relating to Payment of Township Highway Bonds in McDowell County," ratified on the sixth day of March, nineteen hundred and thirty-three, not having been passed on roll call vote as required by the Constitution of North Carolina, be and the same is hereby repealed, and the following substituted and enacted in lieu thereof:

"That Whereas, the townships severally in McDowell County have issued or had issued for township account bonds for the improvement of roads and highways the respective proceeds of which were expended in the respective townships on roads and highways which were taken over by the County Highway Commission and became a part of the County system of highways and/or which were taken over by the State Highway Commission and became a part of the State system of highways and are all now under the control of the State Highway System: Now, therefore.

The General Assembly of North Carolina do enact:

Section 1. That the payment of the principal of and the interest on all bonds issued by the several townships of McDowell County for the improvement of highways and now outstanding shall be provided by a county-wide tax levy in said county, and the commissioners of said county are hereby authorized, empowered and directed to include the annual debt service therefor in the county-wide budget and to make appropriation to cover same and to levy county-wide annual tax to provide for the payment of the principal thereof and interest thereon as same shall mature, and hereafter the said bonds now outstanding shall be and become county-wide obligations of McDowell County."

Sec. 2. That all laws and clauses of laws in conflict with this act be and the same are hereby repealed.
Effective June 30, 1933.

SEC. 3. That this act shall be in force and effective from and after the thirtieth of June in the year nineteen hundred and thirty-three.

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

H. B. 1029   CHAPTER 243

AN ACT TO REPEAL CHAPTER 107 OF THE PUBLIC-LOCAL LAWS, EXTRA SESSION OF 1924, AND TO FIX THE COMPENSATION OF THE SHERIFF OF RICHMOND COUNTY AND TO PROVIDE FOR THE TIME OF PAYMENT THEREOF.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and seven of the Public-Local Laws, Extra Session of nineteen hundred and twenty-four, be and the same is hereby repealed.

SEC. 2. That the Sheriff of Richmond County shall receive for his services, in addition to the sums now allowed him by law, a commission of one and one-half per cent on all taxes collected by him or paid into his office prior to the first Monday in October of the year following the receipt of the tax books, at which time the tax books shall be surrendered to the County Auditor for settlement, and the Sheriff shall not be entitled to any commission on the taxes unpaid at the time the tax books are required to be surrendered to the Auditor.

SEC. 3. That at the end of each calendar month the Sheriff shall be entitled, and the County Commissioners shall pay to him monthly, one-half the fees, in the sum of one dollar, for the service of summons or other processes in each suit, as provided for in the tax foreclosure act of nineteen hundred and thirty-three.

SEC. 4. That the remainder of the fee provided for the Sheriff under the tax foreclosure act of nineteen hundred and thirty-three in the sum of one dollar shall accrue to the use and benefit of the Sheriff conducting the sale under execution under and by virtue of the judgment obtained under the nineteen hundred and thirty-three tax foreclosure act: Provided, that if any judgment debtor should pay the judgment after execution has been issued and placed in the hands of the Sheriff, he shall be entitled to his fee the same as if the sale had actually been made.

SEC. 5. That the Sheriff, in carrying out the execution directed to him on any tax foreclosure judgment shall not be entitled to, nor shall he receive any commissions nor any other fees incident thereto, except as provided in the nineteen hundred and thirty-three tax foreclosure act.
SEC. 6. That before serving any civil process directed to him from outside of his county, the Sheriff shall demand and receive from the person directing such process such fees as are allowed him for serving similar processes in his own county.

SEC. 7. That all laws and clauses of laws in conflict herewith be and the same are hereby repealed.

SEC. 8. That this act shall be and remain in full force and effect from and after its ratification.

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

H. B. 1053 CHAPTER 244

AN ACT TO CONSTITUTE THE COMMISSIONERS OF ROBESON COUNTY DRAINAGE DISTRICT NUMBER TWO TRUSTEES FOR THE FUNDS BELONGING TO SAID DISTRICT, AND GIVING SAID TRUSTEES CERTAIN POWERS WITH REFERENCE THERETO.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Drainage Commissioners of Robeson County Drainage District Number Two, and their successors in office, be and they are hereby designated and constituted as trustees for any moneys that may be collected on the notes secured by real estate mortgages invested under authority of chapter three hundred and fourteen, Public-Local Laws of North Carolina, session of nineteen hundred and nineteen.

SEC. 2. That said commissioners, acting as trustees, shall use the funds so collected in retiring bonds, or paying accrued interest, of said drainage district number two on such basis as, in their discretion, would be for the best interest of said drainage district.

SEC. 3. That the said commissioners, acting as trustees of the funds referred to in this act, may invest said funds in securities of the United States Government, pending the adjustment of any outstanding obligations of said drainage district number two, but said funds shall not be otherwise invested except in securities of the United States Government.

SEC. 4. That the present commissioners of Robeson County drainage district number two, namely, R. H. Livermore, J. L. Thaggard and C. B. Brayboy, are hereby declared to be the duly constituted and acting commissioners of said drainage district; that, in the event of any vacancy on said board, by death, resignation or otherwise, such vacancy shall be filled by the Clerk of the Superior Court of Robeson County, upon the written recommendation of a majority of the property owners in said drainage district; that if, within six months after such vacancy

Fees for civil process from another county.

Conflicting laws repealed.

Trustees of Robeson County drainage district for moneys accruing on real estate mortgages.

Disposition of moneys.

Investment in U. S. securities.

Commissioners named.

Vacancy appointments.
shall occur, no written recommendation is made to the clerk of the court by the property owners of said district, then he may appoint a commissioner to fill such vacancy of his own choice.

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

Sec. 6. That this act shall take effect from and after its ratification.

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

S. B. 334

CHAPTER 245

AN ACT TO AMEND CHAPTER SIX HUNDRED AND FORTY-SEVEN (647) OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED ELEVEN (1911) RELATING TO THE RECORDER’S COURT OF THOMASVILLE.

The General Assembly of North Carolina do enact:

Section 1. That Section One of Chapter Six Hundred Forty-Seven of the Public-Local Laws of One Thousand Nine Hundred Eleven be, and the same is, hereby amended by striking out said Section and inserting in lieu thereof the following:

“That an inferior Court for the trial of Criminal Cases, with Criminal jurisdiction as hereinafter prescribed, be, and the same is, hereby established to be known and designated as Recorder's Court of Thomasville.”

Sec. 2. That in all Sections in said Chapter Six Hundred Forty-Seven of the Public-Local Laws of One Thousand Nine Hundred Eleven wherein the Presiding Officer is referred to as “Recorder” the word “Recorder” shall be stricken out and the word “Judge” inserted in lieu thereof; in all instances wherein the word “town” is used in said Act said word shall be stricken out and the word “City” inserted in lieu thereof; that in all instances wherein the words “Board of Aldermen” is used in said Act, the said words shall be stricken out and the words “City Council” inserted in lieu thereof.

Sec. 3. That Section Three of said Chapter Six Hundred Forty-Seven of the Public-Local Laws of One Thousand Nine Hundred Eleven be, and the same is hereby amended by striking out said section and inserting in lieu thereof the following:

(A) That the Governor of the State of North Carolina upon recommendation of the City of Thomasville shall appoint a Judge for said Recorder's Court for a period of two years, commencing April 1st, 1933, and until his successor is appointed by the Governor of North Carolina, at a salary recommended by the City Council of the City of Thomasville of not less than Twelve Hundred ($1,200) Dollars per year or more than Fifteen Hundred ($1,500.00) Dollars per year.
(B) That the Governor of the State of North Carolina upon the recommendation of the City of Thomasville shall appoint a Solicitor for said Recorder's Court for a period of two years, commencing April 1st, 1933, and until his successor is appointed by the Governor of North Carolina, at a salary recommended by the City Council of the City of Thomasville of not less than Eight Hundred ($800.00) Dollars per year or more than Twelve Hundred ($1,200.00) Dollars per year.

(C) In case of vacancies in either office of Judge or Prosecuting Attorney of said Court, the same shall be filled by appointment of the Governor of North Carolina upon recommendation of the City Council of the City of Thomasville. Whenever, for any reason, the Prosecuting Attorney is temporarily absent, the Judge shall appoint some other practicing attorney residing in Davidson County to act as Prosecuting Attorney, and in case of temporary absence of the Judge of said Court, either for sickness or other cause, the Judge shall in writing appoint a trial justice. The Prosecuting Attorney shall represent the State in all actions tried in said Court.

Sec. 4. That in addition to the jurisdiction conferred upon said Court by Chapter 647 of the Public-Local Laws of 1911, as amended, the Court shall have further jurisdiction in criminal actions or proceedings as follows:

(A) Exclusive original jurisdiction of all other criminal offenses committed within Thomasville Township, above the final jurisdiction of the Justices of the Peace and below the grade of felony, as now defined by law; provided that nothing in this Act shall prevent the Superior Court of Davidson County from assuming jurisdiction of all offenses whereof the exclusive jurisdiction is given to said Thomasville Recorder's Court, if within after six (6) months after the commission of the offense said Thomasville Recorder's Court shall not have proceeded to have taken official cognizance of the same.

(B) In all criminal offenses committed in Thomasville Township wherein the Thomasville Recorder's Court does not have original jurisdiction said Court shall have jurisdiction to examine into the same, and is hereby fully authorized upon probable cause being shown to bind the defendants to Superior Court of Davidson County, or if capital, to commit the defendant to jail, as now provided by law for Courts of Justices of the Peace.

(C) In all actions heard by the Justice of the Peace and other examining Magistrates of Thomasville Township in respect to any offense whereof the Thomasville Recorder's Court has exclusive original jurisdiction in which probable cause of guilt is found, such person or persons shall be bound in a suitable recognizance with sufficient surety to appear before the Thomasville
Recorder's Court for trial on a specified date and within ten (10) days from such preliminary examination.

In default of such recognizance such person or persons shall be committed to the Thomasville jail until the trial.

(D) Any person or persons who shall be convicted by any Justice of the Peace of Thomasville Township of any offense of which the said Justice is given exclusive and final jurisdiction shall have the right of an appeal, as is now provided by law in trials or proceedings before Justices of the Peace, but such appeal shall be to the Thomasville Recorder's Court and such Justice will require such person or persons to execute a suitable bond with sufficient surety to appear before the Thomasville Recorder's Court for trial of such appeal, de novo, on a specified day and within fifteen (15) days from such trial before said Justice of the Peace, and in default of such bond such person or persons shall be committed to the Thomasville jail until such trial. If any person or persons take an appeal from the decision of any Justice of the Peace in Thomasville Township, as herein provided, it shall be the duty of said Justice of the Peace to promptly transmit to the Clerk of the Recorder's Court of Thomasville the warrant, appeal bond, subpœna, names of the witnesses and each and every other paper or record of the proceedings had before such Justice.

SEC. 5. That Section Ten of said Chapter 647 of the PublicLocal Laws of 1911 be and the same is hereby amended by striking out the words "Lexington Township" in line 10 thereof and inserting in lieu thereof the words "Davidson County or the Public Highways of the State of North Carolina," as now provided by law; provided, however, the Court may sentence such person to work on the streets or public parks or other public work of the City of Thomasville for a period of time not exceeding sixty (60) days.

SEC. 6. That Section Twelve of Chapter 647 of the PublicLocal Laws of 1911 be, and the same is, hereby amended by striking out the words "Lexington Township" in line eleven (11) thereof and inserting in lieu thereof the following: "Davidson County or the Public Highways of the State of North Carolina," as now provided by law.

SEC. 7. That Section Fourteen of Chapter 647 of the PublicLocal Laws of 1911 be and the same is hereby amended by adding at the end of said section the following: "Provided, that any Police Officer may make an arrest and serve any warrant or other process issued to him by the said Court upon any person within the corporate limits of the City of Thomasville and also within a radius of One Mile of such corporate limits."

SEC. 8. That Section Fifteen of Chapter 647 of the PublicLocal Laws of 1911 be, and the same is, hereby amended by
striking out and repealing the entire section, and inserting in lieu thereof the following: "That in misdemeanors, if in the discretion of the Solicitor of the said Court, there should be issued more than one warrant against one defendant arising out of the same crime or offense, that all officers making arrest be allowed one arrest fee and in no instance shall an officer be allowed to prove his attendance as a witness in any one day in any series of warrants against the same defendant more than once.

"Witnesses attending said Court shall be entitled to fifty cents per day and mileage at the rate of five cents per mile from the corporate limits each way, but only such witnesses shall be allowed to prove attendance and receive pay as are now allowed to prove in the Superior Court. Officers, in making arrests, shall be entitled to the same fees as now provided by law in similar cases. The jail fees of any person held in custody shall be taxed as a part of the cost and pay to the Clerk of the Court to be used as other cost in defrauding the expense of the Court."

Sec. 9. That Section Sixteen of Chapter 647 of the Public-Local Laws of 1911 be, and the same is, hereby amended by adding after the word "Dollars" in line three thereof and before the word "for" in line four of said section the words "and fifty cents." That said Section be, and the same is hereby further amended by striking out the words "and said Clerk" in line ten of said section and inserting in lieu thereof the following: "Solicitor, Clerk and other expense of said Court."

Sec. 10. That Section Seventeen of Chapter 647 of the Public-Local Laws of 1911 be and the same is hereby amended by striking out the following words "and not more than twenty-five dollars per month" and inserting in lieu thereof the following: "To be fixed by the City Council of the City of Thomasville."

Sec. 11. That Section Nineteen of Chapter 647 of the Public-Local Laws of 1911 be and the same is hereby amended by striking out the following words in line five and six of said section: "fees allowed by law for jurors in cases before Justices of the Peace" and inserting in lieu thereof the following: "The sum of $6.00 as jury fee, the sum of $1.00 being paid to each of the jurors serving in the trial of said case."

And that said Section be, and the same is, hereby amended by adding at the end of said Section the following: "That the said sum required of the defendant for jury fees shall not be returned to him in the event such defendant is acquitted."

Sec. 12. That Section Twenty of Chapter 647 of the Public-Local Laws of 1911 be, and the same is, hereby amended by striking out the words "of Lexington Township," as appears in line 2 thereof.
That said Section be further amended by adding after the word "County" and before the word "shall" the words "or Highway Commission."

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

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

S. B. 408

CHAPTER 246

AN ACT AUTHORIZING THE COMMISSIONERS OF WAKE COUNTY, IN THEIR DISCRETION, TO DEFER FOR TWO YEARS THE FORECLOSURES UNDER DEEDS OF TRUST AND MORTGAGES HELD IN THE SINKING FUND OF SAID COUNTY.

Whereas, the Board of Commissioners of Wake County hold several deeds of trust and mortgages against the property of citizens of said county which said collateral constitutes a part of the sinking fund of said county; and

Whereas, foreclosure proceedings to collect under said deeds of trust and mortgages when due might work a hardship on many honest citizens during these depressed financial times; Now, therefore,

The General Assembly of North Carolina do enact:

Section 1. That the Board of Commissioners of the County of Wake be, and they are, hereby authorized, in their discretion, to postpone from time to time for a period not exceeding two years foreclosures under deeds of trust and mortgages held in the sinking fund of Wake 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 full force and effect from and after its ratification.

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

H. B. 279

CHAPTER 247

AN ACT TO PROTECT GAME AND FUR-BEARING ANIMALS IN BEAUFORT COUNTY AND PREVENT THE EXTERMINATION THEREOF.

The General Assembly of North Carolina do enact:

Section 1. It shall be unlawful for any person to set any steel trap or other trap or device in any marsh land, wood land, swamp or open prairie land for the purpose of catching, wounding or killing any game or fur-bearing animal in Beaufort County
from and after the ratification of this Act until the first day of January, Nineteen Hundred Thirty-five, but nothing herein shall prevent the setting of traps in open cultivated farm land, or in and around any barnyard, pasture, farm yard or home for the protection of property; provided, however, such trap or traps are owned and set by the owner of said fields, pasture or yards, or by some dependent member of said owner's family, but nothing herein contained shall prohibit the setting of steel traps in the water along the edges of the navigable streams in Beaufort County for the taking of muskrats and other fur-bearing animals that inhabit said waters.

SEC. 2. It shall be unlawful for any person or persons to hunt with guns or dogs upon the lands of another without first having obtained permission from the owner or owners of such lands, and said permission so obtained may be continuous for one open hunting season only.

SEC. 3. The open season for hunting game and animals not continuously protected by the existing State and Federal laws shall be as follows: Beginning November 15th, and ending January 31st inclusive, except male deer and the open season for hunting such male deer shall be from September 15th to December 31st, inclusive, and the open season for hunting squirrels shall be from October 15th to December 31st, inclusive, in each year.

SEC. 4. Any person violating any of the provisions of this Act shall be guilty of misdemeanor and fined not to exceed Fifty Dollars ($50.00) or imprisoned for not more than thirty days for each offense.

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

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

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

H. B. 843

CHAPTER 248

AN ACT RELATIVE TO COSTS IN CERTAIN CRIMINAL CASES IN THE COURTS OF PASQUOTANK COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the arrest fee now authorized by law and taxed against a defendant or defendants upon conviction in the courts of Justices of the Peace in Pasquotank County or in the Recorder's Court of said County, or taxed in the Superior Court of said County upon conviction therein, where the defendant or defendants has or have appealed from said inferior court or

Arrest fees of convicted persons in Elizabeth City.
H. B. 875  

CHAPTER 249

AN ACT TO VALIDATE CERTAIN SALES OF LAND FOR TAXES AND CERTIFICATES ISSUED IN PURSUANCE THEREOF IN PASQUOTANK COUNTY AND ELIZABETH CITY.

The General Assembly of North Carolina do enact:

SECTION 1. That all sales of lands for failure to pay taxes and special assessments, held or conducted by the sheriff or any tax collector of Pasquotank County and/or Elizabeth City during the years one thousand nine hundred thirty-one and one thousand nine hundred thirty-two, on any day of said year other than that provided by law for such sales, be and the same are hereby approved, confirmed, validated and declared to be proper, valid and legal sales of such land and legally binding in all respects, and all certificates of sale made and issued upon and in accordance with such sales be, and they are, hereby approved and validated to all intents and purposes, and with such full force and legal effect as if said sales had been held and conducted on the days now provided by law for such sales.

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

Ratified this the 27th day of March, A.D. 1933.
CHAPTER 250
AN ACT TO FIX THE COMPENSATION OF JURORS IN YANCEY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the fees of jurors in Yancey County shall be one dollar and fifty cents per day; that jury tickets shall be accepted at their face value in payment of taxes due by the juror for any preceding year; that the failure of any prospective juror to pay his taxes for the preceding year shall not be a cause for challenge.

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

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

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

CHAPTER 251
AN ACT TO AUTHORIZE GUILFORD COUNTY AND ONE OR MORE CITIES THEREIN TO CONSOLIDATE, CREATE AND ESTABLISH AGENCIES, DEPARTMENTS AND OFFICES TO ADMINISTER JOINTLY TAX COLLECTING DUTIES OF EACH BODY AS MAY BE AGREED UPON BY THE PARTICIPANTS.

The General Assembly of North Carolina do enact:

SECTION 1. That Guilford County and one or more cities therein may, so far as consistent with the provisions of the Constitution of the State of North Carolina by appropriate resolution, severally and duly passed by their governing bodies, consolidate, create, establish and make appropriations for the maintenance of agencies, departments and offices to administer jointly the tax collecting duties of the participating bodies, and to provide for the election or appointment of the agents, officers and employees therefor, and the amount of their compensation: Provided, that nothing in this act shall be construed to permit the consolidation of any governmental agency with any other governmental unit or agency without the consent of its governing body as evidenced by appropriate resolution duly adopted after an opportunity has been offered for a hearing on said resolution.

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 27th day of March, A.D. 1933.
H. B. 947  CHAPTER 252

AN ACT TO REGULATE AND CONTROL THE BUSINESS OF TRANSPORTING PASSENGERS FOR HIRE BY MOTOR VEHICLES OVER THE PUBLIC ROADS OF THE COUNTY OF BUNCOMBE AND CITIES AND TOWNS IN SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. It is hereby declared that the business of carrying passengers for hire or reward by motor vehicles is affected with a public interest, and the safety and welfare of the public requires the regulation and control of the transportation of passengers for hire and reward.

SECTION 2. The governing body of the County of Buncombe and of any city and town in said county is authorized and empowered to enact and make such rules, regulations, ordinances and laws as may be necessary for the regulation and control and supervision of all motor vehicles used and operated for the transportation of passengers for hire over the roads, streets and highways of said county, cities and towns; to make and approve rates, charges, fares and conditions of service; to supervise, fix, and designate passenger stations or stopping points, in such way and manner as may be necessary to promote harmony among the operators and efficiency of service to the traveling public; to fix, prescribe and determine speed limits in accordance with the laws of the State of North Carolina; to fix, prescribe and determine routes of travel; to increase or decrease, or suspend temporarily service upon any route, whenever the public convenience and necessity require it; to fix, prescribe and determine the number of cars or vehicles which shall be used on any route, and the necessity and convenience of the public with respect thereto; to grant special permits for the operation of motor vehicles for the transportation of passengers, and prescribe the kind and character of application which shall be made to obtain said permits, which permits shall be effective for not more than one year from their issuance, and shall not be transferable, and shall be only for the vehicle mentioned in the permit, and said permit must be posted in each vehicle on the inside front thereof, or a card showing the number of said permit and the name of the operator of the car, instead of the posting of said permit, as aforesaid; to require insurance policies or bonds to be carried by the owners of the said motor vehicles, conditioned as prescribed for such bonds by chapter one hundred and thirty-six of the Public Laws of one thousand nine hundred and twenty-seven relating to motor busses, said bonds to be for the protection of the patrons of said motor vehicles and the general public, to be approved by the governing body issuing the permit, and
to be in an amount of not less than five thousand dollars, for injury to any one person, and ten thousand dollars for injury to more than one person occasioned by any negligent act or conduct on the part of the owner of said motor vehicles, his servants, agents and employees. Such bond or bonds, or policies, may not be canceled or terminated prior to the date fixed therein for such cancellation, for any reason whatever, unless and until there has been filed with the governing body issuing the permit to operate, and upon which the procurement of said policy of insurance or bond is required, a notice of such cancellation at least fifteen days prior to the date of cancellation.

Sec. 3. A failure to comply with the requirements of this act on the part of any motor vehicle owner or operator, or with any rule, regulation, ordinance or law enacted under the power and authority given by this act, shall be sufficient cause for the cancellation of any permit issued by any governing body for the operation of any motor vehicle for the transportation of passengers for hire.

Sec. 4. The governing body herebefore referred to shall charge a fee of not more than five dollars for the issuance of a permit as herebefore provided for.

Sec. 5. Violation of the provisions of this act shall constitute a misdemeanor and be punishable by fine or imprisonment in the discretion of the court.

Sec. 6. This act shall not apply to street cars, taxicabs or motor vehicles operated for hire which do not run over regular routes, or to any motor vehicle now or hereafter operated under the exclusive control of the Corporation Commission of North Carolina, or its successor.

Sec. 7. This act shall be in full force and effect from and after the first day of May, one thousand nine hundred and thirty-three.

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

H. B. 960

CHAPTER 253

AN ACT TO VALIDATE CERTAIN OFFICIAL ACTS OF J. C. KENNEDY, NOTARY PUBLIC OF SAMPSON COUNTY.

Whereas, J. C. Kennedy was appointed a notary public by the Governor of the State of North Carolina for a term of office which expired on March fourth, one thousand nine hundred and thirty-three, and duly qualified as such before the Clerk of the Superior Court of Sampson County, North Carolina, on the fourth day of March, one thousand nine hundred and thirty-one; and

Preamble: Service of Sampson County Notary as Clinton Mayor pro tem.
Whereas, J. C. Kennedy was duly appointed and qualified as Mayor pro tempore of the Town of Clinton, North Carolina, on the eighteenth day of May, one thousand nine hundred and thirty-one, for a term of two years from said date: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That each and all of the official acts of the said J. C. Kennedy, Notary Public, Sampson County, North Carolina, done and had by him after the eighteenth day of May, one thousand nine hundred and thirty-one, and prior to the fourth day of March, one thousand nine hundred and thirty-three, including the taking and certification of the acknowledgment or proof of powers of attorney, mortgages, deeds, deeds of trust, and other instruments of writing, the taking and certification of privy examination of feme covert, and each and every official act done and had by him during said period as prescribed or authorized under section three thousand one hundred and thirty-five of the Consolidated Statutes of North Carolina, be and the same are hereby in all respects validated.

SEC. 2. That this act shall not apply to pending litigations.

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

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

H. B. 963

CHAPTER 254

AN ACT TO CREATE THE OFFICE OF TAX COLLECTOR OF WATAUGA COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the office of tax collector for Watauga County is hereby created. All duties and powers in regard to collection of taxes heretofore imposed and conferred upon the sheriff of Watauga County shall be and are hereby imposed and conferred upon the tax collector for the collection of all taxes placed in his hands for collection.

SEC. 2. That A. D. Wilson be and he is hereby named tax collector for Watauga County to serve to July 1, 1933, or at the will of the Board of County Commissioners, and on the first Monday in June, 1933, and biennially thereafter, the said board shall appoint some competent person as tax collector whose term of office shall begin on the first day of July following appointment and shall hold office at the will of the said board.

SEC. 3. That if for any cause the tax collector shall be removed from office, full and complete settlement shall be made of
the taxes he has collected at the time of such removal and the tax books shall be turned over to his successor in office.

Sec. 4. That the tax collector shall furnish bond conditioned for the collection and settlement according to law for all taxes charged to him which shall be approved by the Board of County Commissioners for a sum not less than five per centum nor greater than ten per centum of the amount of taxes charged to him or his predecessor in office for the preceding tax year.

Sec. 5. That it shall be the duty of the tax collector to daily deposit all collections of taxes in accordance with the provisions of section nineteen of Chapter one hundred forty-six, Public Laws of one thousand nine hundred twenty-seven; provided, however, instead of depositing such collections in the name of the fund or funds to which they are applied, he may deposit the same in the name of the county and report to the county accountant not less than twice each month the fund to which such deposits should be applied.

Sec. 6. That the tax collector shall receive three and one-half per centum of the collection of all taxes charged to him for collection as compensation for his services: Provided, however, he shall receive two and one-fourth per centum for the collection of all taxes of the one thousand nine hundred and thirty-three levy and on collections of taxes levied for years subsequent thereto.

Sec. 7. Beginning July 1, 1933, the sheriff of Watauga County shall receive a salary of seventy-five dollars per month payable monthly out of the general fund of the county.

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 effect from and after its ratification.

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

H. B. 977

CHAPTER 255

AN ACT REGULATING THE PAY OF JURORS IN JOHNSTON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That all jurors in the Superior Court of Johnston County, other than tales jurors and special veniremen, shall receive two 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 nearest route of public travel.
Tales jurors.

Special veniremen.

Conflicting laws repealed.

Effective April 1, 1933.

Sec. 2. That tales jurors shall receive two dollars per day, but shall not be entitled to any mileage.

Sec. 3. That special veniremen shall receive for their attendance one dollar per day, and mileage at the rate of three cents per mile while coming to the county-seat and returning home, the said distance to be computed by the nearest route of public travel; provided, special veniremen who have been accepted on the panel in the trial of any cause shall receive the same pay and mileage as regular jurors.

Sec. 4. That this act shall apply only to Johnston 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 April first, one thousand nine hundred and thirty-three.

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

H. B. 988    CHAPTER 256

AN ACT TO AUTHORIZE THE CREATION OF THE OFFICE OF TAX COLLECTOR FOR THE COUNTY OF JONES.

The General Assembly of North Carolina do enact:

Section 1. That the Board of Commissioners for the County of Jones is hereby authorized and empowered, in its discretion, to create the office of Tax Collector, to appropriate necessary funds for its maintenance, and to appoint a Tax Collector, whose salary and term of office shall be fixed by said Board, and the salary so fixed shall be the full compensation of such Tax Collector, and all fees and commissions now allowed the Sheriff or arising to the said office as Tax Collector shall be turned over to the general fund of said County.

Sec. 2. That the Tax Collector, herein provided for, upon qualifying by taking the oath and giving the bond prescribed by said Board, shall be clothed with the same power and authority, and subject to the same conditions and penalties, with reference to the collection, accounting and settlement of taxes, as given and imposed by law upon sheriffs, and all other authority and duties given and imposed by law upon sheriffs, such as advertising and selling property for non-payment of taxes, making certificates, deeds and other papers therefor, shall be vested in and exercised by such Tax Collector.

Sec. 3. That when the Tax Collector appointed hereunder shall have qualified and assumed the duties of his office the Sheriff of Jones County shall thereupon be relieved from all duties and authority devolving upon him in the collection of taxes, fees, licenses and other revenues, and thereafter the said office of
Sheriff and Tax Collector shall be separate and distinct, and in such event the Board of Commissioners shall have the authority to fix the salary and compensation of the Sheriff of Jones County; Provided, nothing in this act shall be construed to relieve the bondsmen of the deceased Sheriff from properly accounting for the one thousand nine hundred and thirty-two taxes in accordance with the bond given therefor.

Sec. 4. That the Board of Commissioners shall have complete control over the said Tax Collector, with full power to discharge upon ten days notice, and the said Tax Collector shall be required to exercise due diligence in the collection and accounting for all taxes in accordance with law, and the Board shall require a good and sufficient bond before the said Tax Collector is permitted to discharge any of the duties of said office, the premiums upon said bond to be paid by the Board out of the general fund of the County.

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 27th day of March, A.D. 1933.

H. B. 1006  CHAPTER 257
AN ACT RELATING TO LICENSING SHOWS OUTSIDE OF INCORPORATED TOWNS IN CALDWELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Caldwell County is hereby authorized to license or prohibit circuses, shows and other similar exhibitions in the territory outside of incorporated towns in said county; provided, such license may be granted only at a regular meeting of the said 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 full force and effect from and after its ratification.

Ratified this the 27th day of March, A.D. 1933.
H. B. 1022

CHAPTER 258

AN ACT TO REGULATE DUTIES OF SHERIFF OF EDGECOMBE COUNTY AND ESTABLISH OFFICE OF TAX COLLECTOR OF EDGECOMBE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of Edgecombe County shall appoint officers to be designated as Tax Collectors of Edgecombe County, to hold office at the pleasure of the Board. Such persons shall qualify for office by executing bonds in amounts to be determined by the Board, conditioned for the collection and settlement of county and other local taxes according to law, which bonds shall be substantially in the form required of sheriffs, and by taking an oath in form as required of sheriffs. The Tax Collectors shall receive such compensation as shall be fixed by the Board.

SEC. 2. That the Tax Collectors of Edgecombe County shall collect all taxes levied or to be levied by the Board of Commissioners of Edgecombe County and shall have the same duties, powers and liabilities in reference to the collection of taxes as are now or may hereafter be possessed by sheriffs under the laws of the State.

SEC. 3. That the Sheriff of Edgecombe County shall have no duty, power or obligation in reference to the collection of taxes; but shall continue to discharge the other duties of the office as now provided by law. That the sheriff shall receive as compensation for his services the monthly salary of two hundred and twenty-five dollars and all fees and commissions which are now allowed or may hereafter be allowed by law for services not connected with the collection of taxes; and in addition the said sheriff shall employ two deputies, to be paid by the county, the compensation of each to be the monthly salary of one hundred and twenty-five dollars.

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 effect from and after the first day of April, nineteen hundred and thirty-three.

Ratified this the 27th day of March, A.D. 1933.
H. B. 66  
CHAPTER 259
AN ACT RELATING TO THE APPOINTMENT OF TAX COLLECTORS FOR HERTFORD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the County Commissioners or the governing body of Hertford County shall, on or before the third Monday in July, one thousand nine hundred and thirty-three, and annually thereafter, appoint not less than three nor more than six tax collectors whose duty it shall be to collect all taxes for Hertford County, except corporation taxes, which collectors shall be named by the commissioners. The compensation of said tax collectors shall be fixed by the county commissioners, but shall not exceed at any time three (3) per cent on the amount collected.

Sec. 2. When only three tax collectors are appointed it shall be the duty of each collector to collect the taxes for two townships, which shall be designated by the commissioners.

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

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

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

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H. B. 437  
CHAPTER 260
AN ACT TO AMEND CHAPTER 466 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION 1929.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter four hundred and sixty-six, Public-Local Laws of North Carolina, session one thousand nine hundred and twenty-nine, be amended by inserting a period in place of a comma after the word "fight" in line four of section one of said act, and also by striking out the words "pool room" and "billiard room" in line four of said section, and also by striking out from line two of section two and from line two of section three the words "pool room" and "billiard room."

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

Sec. 2 (a). That this act shall only apply to Swain County.

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

Ratified this the 28th day of March, A.D. 1933.
CHAPTER 261

AN ACT RELATING TO THE USE OF THE PROCEEDS FROM THE COLLECTION OF CERTAIN DELINQUENT TAXES IN TYRRELL COUNTY.

Whereas, certain tax levies were made for the debt service requirements of the County of Tyrrell for the fiscal or tax years one thousand nine hundred twenty-nine, and one thousand nine hundred thirty, based upon the conditions and applicable statutes thereto;

And whereas, collections upon the delinquent taxes for said years have been, and will continue to be made, including those levied for said debt service requirements; Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the proceeds of delinquent tax collections which have been, or shall be, made in the County of Tyrrell upon tax levies for debt service for the fiscal or tax years one thousand nine hundred twenty-nine, and one thousand nine hundred thirty, are hereby directed to be paid into and used for the general fund of said county.

Sec. 2. This act shall apply to Tyrrell County only.

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

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

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

CHAPTER 262

AN ACT PROVIDING FOR RENEWAL OF NOTES AND MORTGAGES DUE COLUMBUS COUNTY.

Whereas, Columbus County, through its Boards of County Commissioners, has from time to time loaned to certain persons sums of money from various county funds, which said Boards had a right to do; and
Whereas, said loans are secured by first mortgages or deeds of trust on real estate situate in Columbus County; and
Whereas, a large number of the notes secured by first real estate mortgages or deeds of trust are now past due, and the mortgagors are unable to pay principal or interest because of the general financial conditions prevalent over the country; and
Whereas, said mortgagors will suffer great loss and Columbus County will not gain by foreclosure of said mortgages or deeds
of trust at this time, when real estate cannot be sold for near its value: Now, therefore,

The General Assembly of North Carolina do enact:

Section 1. That the Board of County Commissioners of Columbus County is hereby directed to allow all mortgagors now owing said county to make new first real estate mortgages or deeds of trust, the last note to become due not later than five years from the date of the instrument, the interest to be payable semi-annually on the thirtieth day of September and the thirtieth day of May of each year, and one-tenth of the principal to be paid on the thirtieth day of June, beginning with the year one thousand nine hundred thirty-four, and including the years one thousand nine hundred thirty-five, one thousand nine hundred thirty-six, one thousand nine hundred thirty-seven, one thousand nine hundred thirty-eight and one thousand nine hundred thirty-nine, and any unpaid balance remaining shall be paid during the year one thousand nine hundred thirty-nine: Provided, however, this act shall not be mandatory upon the Board of County Commissioners unless the mortgagor shall make written application to the Board of County Commissioners requesting that he be allowed the privilege of refinancing as provided in this act: Provided further, that the lands described in said new mortgages or deeds of trust shall be free and clear of any encumbrance whatsoever.

Section 2. That the Board of County Commissioners of Columbus County may include in said new mortgages or deeds of trust any delinquent taxes owed by the mortgagor.

Section 3. That it shall be unlawful for the Board of County Commissioners of Columbus County to make any further loans from any sinking fund of Columbus County.

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

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

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

H. B. 939

CHAPTER 263

AN ACT TO VALIDATE CERTAIN SALES OF PROPERTY UNDER FORECLOSURE SALES, ETC., IN STANLY COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That in every case where, prior to the twenty-fifth day of February, one thousand nine hundred and thirty-three, a sale of real estate, whether the said sale was held under a

Refinancing authorized.

Terms of new mortgages.

When mandatory.

May include delinquent taxes.

Any further loans prohibited.

Conflicting laws repealed.

Tax and mortgage foreclosures validated in Stanly County.
mortgage, a deed of trust, a foreclosure proceedings under mortgage or deed of trust, execution sale, or judicial sales of any kind, by any trustee, mortgagee, assignee, or by any officer or person authorized by law to make such sales, wherein said sale was not advertised for the length of time as required by chapter forty-four of the Public Laws of nineteen hundred and twenty-nine, such sales in all cases shall be deemed to have been made in all respects according to law as to the time of advertising said sale, in the same manner as if the said sales had been made in full compliance with said law; and all such sales are hereby in all respects and to all intents and purposes validated: Provided, this act shall apply to Stanly County only.

Sec. 2. That this act shall not apply to pending litigation.

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

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

H. B. 970

CHAPTER 264

AN ACT TO AMEND CHAPTER 344 AND CHAPTER 350, PUBLIC-LOCAL LAWS 1931, RELATING TO CERTAIN FEES OF THE CLERK SUPERIOR COURT AND REGISTER OF DEEDS OF GRANVILLE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That chapter three hundred forty-four, Public-Local Laws nineteen hundred thirty-one, be, and the same is, hereby amended by rewriting paragraph five on page three hundred twenty-one, so that said paragraph shall hereafter read as follows:

"Probate of statutory short form chattel mortgage or crop lien, where no married woman involved, ten cents, and ten cents for each extra certificate passed upon."

Sec. 2. That chapter three hundred fifty, Public-Local Laws nineteen hundred thirty-one, be, and the same is, hereby amended by rewriting section one thereof, so that the same shall hereafter read as follows:

"Section 1. The Register of Deeds of Granville County shall receive for registering deeds, mortgages, deeds of trust, and contracts, and other instruments not hereinafter specifically mentioned, the sum of eighty cents for the first three hundred words and ten cents for each additional hundred words or fraction thereof contained in the instrument and certificates: For recording the statutory short form of agricultural lien and chattel mortgage combined, the sum of thirty cents; and for recording the statutory short form of chattel mortgage alone in which no crop is mentioned, the sum of twenty cents."
Sec. 3. All laws and clauses of laws in conflict with this act are hereby repealed.

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

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

H. B. 971

CHAPTER 265

AN ACT TO FIX SALARIES FOR PUBLIC OFFICERS AND THEIR ASSISTANTS, DEPUTIES AND STENOGRAPHERS IN GRANVILLE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. The Sheriff of Granville County shall receive a salary, to be fixed by the Board of Commissioners of Granville County, of not less than twenty-four hundred dollars and not more than three thousand dollars per annum, payable monthly, and the said Board of Commissioners of said County shall also allow and pay the said Sheriff the sum of twenty-five dollars per month in lieu of and as traveling expenses.

Sec. 2. The Sheriff of Granville County shall appoint a jailor, whose salary shall be fixed by the Board of Commissioners of Granville County at not more than fifteen hundred dollars per annum, payable monthly: Provided, this section shall not prevent the payment to said jailor, for feeding of prisoners, of such sums and at such rate as may be fixed by said Board of Commissioners.

Sec. 3. The said Sheriff of Granville County shall appoint one deputy for Oxford Township, said County, whose salary shall be fixed by the Board of Commissioners of Granville County at not more than eighteen hundred dollars per annum, payable monthly.

Sec. 4. The Clerk of the Superior Court of Granville County shall receive for his services a salary, to be fixed by the Board of Commissioners of Granville County, of not less than twenty-five hundred dollars, and not more than three thousand dollars, per annum, payable monthly, and for his services as Juvenile Judge shall receive three hundred dollars per annum, payable monthly.

Sec. 5. The Register of Deeds of Granville County shall receive for his services a salary, to be fixed by the Board of Commissioners of Granville County, of not less than twenty-two hundred and fifty dollars, and not more than three thousand dollars, per annum, payable monthly.

Sec. 6. The Clerk of the Superior Court and the Register of Deeds of Granville County shall each be allowed an assistant or stenographer or deputy at a salary, to be fixed by the Board

Salary of Granville County Sheriff.

Travel expenses.

Salary of Jailer.

Food allowance.

One deputy allowed.

Salary.

Salary of Clerk of Superior Court.

Extra pay as Juvenile Judge.

Salary of Register of Deeds.

Allowance for clerks, etc.

Conflicting laws repealed.
of Commissioners of Granville County, of not more than one hundred dollars per month for each such assistant, stenographer, or deputy, payable monthly.

Sec. 7. That the Board of Commissioners of Granville County may, in its discretion, allow and pay such sums as it may deem proper for additional clerical assistance in the office of the Register of Deeds of Granville County and for additional clerical assistance in the office of the Clerk of the Superior Court of Granville County.

Sec. 8. The Auditor of said County of Granville shall receive a salary, to be fixed by the Board of Commissioners of Granville County, of not more than twenty-seven hundred dollars per annum, payable monthly.

Sec. 9. That chapter thirty-nine, Public-Local Laws of one thousand nine hundred twenty-seven, entitled "An Act to Secure the Better Enforcement of the Prohibition Laws in Granville County," be, and it is hereby, amended by striking out all of section one and all of section two of said chapter and inserting in lieu of said sections the following:

"Section 1. For every distillery seized by the sheriff, deputy sheriffs, constables or other police officers of Granville County and delivered to the proper officials for destruction, the sum of eight dollars shall be allowed and paid by the Board of County Commissioners of Granville County to the sheriff or other such officer making such seizure and delivering it for destruction: Provided, that such Board of County Commissioners shall not pay this amount until they are fully satisfied after due investigation that said distillery was constructed and intended for use in manufacturing whiskey.

"Sec. 2. The Board of County Commissioners of Granville County are authorized and empowered in their discretion to pay to the sheriff, deputy sheriffs, constables or other police officers of said County the sum of eight dollars each for every person found engaged in, and convicted of, operating any distillery in said County."

Sec. 10. That chapter one hundred fifty, Public-Local Laws of one thousand nine hundred twenty-nine, be, and the same is hereby, repealed.

Sec. 11. That all laws and clauses of laws in conflict with this act are hereby repealed, but such parts of chapter one hundred two, Public-Local Laws of one thousand nine hundred nineteen, as amended, and such parts of chapter thirty-nine, Public-Local Laws of one thousand nine hundred twenty-seven, and other laws not in conflict with this act, are not repealed and shall remain in full force and effect.

Sec. 12. That this act shall be in full force and effect from and after April first, one thousand nine hundred thirty-three.

Ratified this the 28th day of March, A.D. 1933.
CHAPTER 266

AN ACT TO DIVIDE THE BOARD OF COUNTY COMMISSIONERS OF JOHNSTON COUNTY IN THREE CLASSES.

The General Assembly of North Carolina do enact:

SECTION 1. That at the general election to be held in the year one thousand nine hundred thirty-four there shall be elected in the county of Johnston by the duly qualified voters thereof five members of the Board of County Commissioners divided into three classes, two of whom shall compose one class whose term of office shall commence on the first Monday in December, one thousand nine hundred thirty-four, and expire at the end of two years thereafter, or on the first Monday in December, one thousand nine hundred thirty-six; two of whom shall compose another class whose terms of office shall commence on the first Monday in December, one thousand nine hundred thirty-four, and expire four years thereafter, or on the first Monday in December, one thousand nine hundred thirty-eight; and one who shall compose another class whose term of office shall commence on the first Monday in December, one thousand nine hundred thirty-four, and expire six years thereafter, or on the first Monday in December, one thousand nine hundred forty. That upon the expiration of the term of office of each class of said commissioners, their successors shall be elected to hold office six years and until their successors are elected and qualified.

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

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

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

CHAPTER 267

AN ACT TO AUTHORIZE THE ISSUANCE OF SCRIP BY TYRRELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of Tyrrell County are hereby authorized and empowered to issue negotiable scrip of said Tyrrell County, based upon uncollected delinquent taxes and/or collateral bonds or notes executed to, and held by, such county for delinquent taxes. The said scrip shall be in such form as may be determined by said Board of Commissioners, executed in the name of said Board by its chairman, attested by its clerk, and payable at a definite date fixed by the
said Board, but not longer than twelve months from the date of issuance thereof. The said scrip shall be in denominations to be fixed by the said Board of Commissioners, but in no event greater than ten ($10) dollars. The said scrip may be issued and used for value in payment, satisfaction and settlement of the obligations of said county for services to or purchases made by it, but its acceptance shall not be obligatory.

Sec. 2. All moneys collected and received in payment of delinquent taxes and/or collateral bonds for delinquent taxes, upon which the issuance of said scrip is based, shall be kept in a separate fund by the Board of Commissioners or the treasurer or other fiscal or financial agent of said county, and all such moneys and funds shall be faithfully used and applied in the redemption of said municipal scrip at the time named therein for its payment and redemption.

Sec. 3. That any person unlawfully forging, counterfeiting, or uttering such forged or counterfeited scrip as authorized in this act shall be guilty of a felony.

Sec. 4. This act shall apply to Tyrrell County only.

Sec. 5. That all laws and clauses of laws in conflict with this act, in so far as they apply to Tyrrell County, are hereby repealed.

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

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

H. B. 1032 Chapter 268

AN ACT TO ALLOW CERTAIN DISCOUNTS IN THE PAYMENT OF DELINQUENT TAXES IN THE TOWN OF BEAUFORT.

The General Assembly of North Carolina do enact:

SECTION 1. That the tax collector and/or other officials charged with the duties and responsibilities of receiving and/or collecting delinquent taxes of the Town of Beaufort for the year nineteen hundred and thirty-one and all years prior thereto be, and they are hereby, authorized and directed to allow the following named discounts:

(a) On all such delinquent taxes paid on or before April thirtieth, nineteen hundred and thirty-three, a discount of four per cent; on all such delinquent taxes paid on or after May first, and not later than May thirty-first, nineteen hundred and thirty-three, a discount of three and one-half per cent; on all such delinquent taxes paid on or after June first and not later than June thirtieth, nineteen hundred and thirty-three, a dis-
count of three per cent; on all such delinquent taxes paid on or after July first, and not later than July thirty-first, nineteen hundred and thirty-three, a discount of two and one-half per cent; on all such delinquent taxes paid on or after August first, and not later than August thirty-first, nineteen hundred and thirty-three, a discount of two per cent; on all such delinquent taxes paid on or after September first, and not later than September thirtieth, nineteen hundred and thirty-three, a discount of one per cent; on all such delinquent taxes paid on or after October first and not later than October thirty-first, nineteen hundred and thirty-three, a discount of one per cent; on all such delinquent taxes paid on or after November first, and not later than November thirtieth, nineteen hundred and thirty-three, a discount of one-half per cent.

(b) On all such delinquent taxes paid on or after December first and not later than December thirty-first, nineteen hundred and thirty-three, no discount of any kind shall be allowed.

Sec. 2. That amount of payment or payments to be made under the schedule set forth in section one of this act shall be computed and determined by allowing the discount or discounts appropriate to be made from the principal face amount of the tax sale certificate or certificates now outstanding and held by the said Town of Beaufort or any other agency on its or their behalf. That is to say, the allowances above provided for shall be deducted from the face value of the certificates without the addition of any penalties or interest since the date of issuance of said certificates: Provided, however, that the provisions of this act shall not apply to the payment and/or redemption of certificates now outstanding and in the possession of third parties holding for value at the time of the ratification of this act: Provided further, that nothing in this act shall be construed to authorize or allow the Town of Beaufort, through its collecting agency or agencies, to impose in the payment or settlement above provided for any court costs or other expenses here-tofore incurred on account of foreclosure proceedings instituted for enforcement of payment.

Sec. 3. In any and all cases where there have been made no sales of the properties of delinquent taxpayers for the year nineteen hundred and thirty-one and years prior (if any such cases there may be), and there are no outstanding tax certificates evidencing the tax claims and liens, the same discounts as above provided shall be allowed, and the "principal amount" in such cases shall be deemed and construed as the aggregate amount of taxes and accrued interest at the time of the tax collector's sale of other properties for such years.

Sec. 4. That on and after January first, nineteen hundred and thirty-four, payments of all delinquent taxes for the year

Time limit.

Discounts do not attach to penalties and interest.

Not applicable to certificates held by third parties.

Court costs not imposed.

Computing discounts where no sale has been had.

No discounts after January 1, 1934.
nineteen hundred and thirty-one and prior thereto shall be made under the conditions and provisions of the general law at that time existing.

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 28th day of March, A.D. 1933.

H. B. 1048

CHAPTER 269

AN ACT TO FIX THE SALARIES OF THE JUDGE AND PROSECUTING ATTORNEY OF THE RECORDER'S COURT FOR RICHMOND COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That from and after December first, one thousand nine hundred and thirty-four, the salary of the Judge of the Recorder's Court for Richmond County shall be in the sum of twelve hundred dollars per year, payable at the rate of one hundred dollars per month, and the salary of the Prosecuting Attorney of said Court shall be in the sum of nine hundred dollars per year, payable at the rate of seventy-five dollars per month.

SEC. 2. That the Board of County Commissioners shall not increase or decrease the salaries of the said officers, and shall pay the sums as hereinbefore provided to said officers out of the general fund of the County.

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

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

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

H. B. 1084

CHAPTER 270

AN ACT TO VALIDATE APPOINTMENT OF REGISTRARS AND POLL-HOLDERS FOR THE LEAKSVILLE TOWNSHIP RECORDER'S COURT ELECTION.

The General Assembly of North Carolina do enact:

SECTION 1. That the act of the Board of Commissioners of Rockingham County in naming the registrars and poll-holders of Leaks ville Township Recorder's Court on March twenty-third, nineteen hundred and thirty-three, instead of on or before the
first Monday in March, nineteen hundred and thirty-three, as provided under the provisions of chapter four hundred and fifteen, Public-Local Laws of nineteen hundred and fifteen, is hereby declared valid in every respect, and the election to be held for Leaksville Township Recorder's Court shall be as valid and legal as if the registrars and poll-holders had been named on or before the first Monday in March, nineteen hundred and thirty-three.

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

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

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

H. B. 1093

CHAPTER 271

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF LENOIR COUNTY AND THE GOVERNING BODIES OF THE CITIES AND TOWNS IN LENOIR COUNTY TO ACQUIRE EVIDENCES OF INDEBTEDNESS AND MAKE SETTLEMENT THEREOF, AND TO FURTHER EXTEND THE POWERS OF SAID BOARDS AND VALIDATE ACTS THEREOF.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of Lenoir County and the respective governing bodies of the cities and towns in Lenoir County be and they are hereby authorized and empowered to purchase and acquire the full legal title to any stocks, bonds, notes, mortgages and any other securities or evidences of indebtedness now held, or which may be hereafter held, by them or any of them, as collateral security for deposits in closed banks, and to accept stocks, bonds, notes, mortgages and any other security or evidences of indebtedness for any sums due or to become due to said county, or the municipalities therein, whenever in the judgment and discretion of such board or governing body it will be beneficial and to the interests of the county, or the municipality interested therein, so to do.

Sec. 2. That the said Board of Commissioners and said governing bodies are authorized and empowered, whenever in their judgment and discretion it will be beneficial and to the best interests of the county, or the municipality involved, to collect, compromise, adjust, renew, accept renewals of and substitutions for, and otherwise settle any and all taxes, tax suits, notes, mortgages, and any other securities or evidences of indebtedness
now due to them or any of them or held or hereafter acquired by any of them.

Sec. 3. That the said board and governing bodies are authorized and empowered to repair the buildings and structures upon lands and premises heretofore acquired by them or any of them, or which shall be hereafter acquired, whether for governmental purposes or otherwise, and shall have full power to lease, sell or otherwise handle and dispose of the same.

Sec. 4. That the acts of the said board and said governing bodies in reference to all repairs to structures and buildings heretofore made upon premises owned by them, and expenditures made therefor, and all sales, leases and other disposition of such property, and all contracts in reference thereto, by them heretofore made, are hereby approved and validated.

Sec. 5. That all settlements and adjustments heretofore made by said board, or by any of said governing bodies, of any taxes, tax suits, notes, bonds, securities, or other indebtedness or evidences of indebtedness, and the acceptance of mortgages, notes, stocks, bonds, and other securities and evidences of indebtedness in settlement thereof, and all acts done in connection therewith, be and the same are hereby ratified and validated.

Sec. 6. That all laws or 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 28th day of March, A.D. 1933.

H. B. 990  
CHAPTER 272

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF TRANSYLVANIA COUNTY TO PURCHASE THE BUILDING KNOWN AS THE BREVARD BANKING COMPANY BUILDING IN THE TOWN OF BREVARD.

The General Assembly of North Carolina do enact:

Section 1. That the Board of Commissioners of Transylvania County is hereby authorized and empowered to purchase the building on the corner of Main and Caldwell streets in the Town of Brevard, formerly occupied by the Brevard Banking Company, and hold same for such purposes as they may deem advisable, or to sell same if they deem said sale advisable.

Sec. 2. As payment for said building, the said Board of Commissioners is authorized and empowered to apply the purchase price thereof as a credit on the funds belonging to said Transylvania County which were on deposit in the Brevard Banking Company on December sixteenth, nineteen hundred and thirty,
the same being the date on which said bank closed, and said purchase price shall be deducted from any and all sums which the said Brevard Banking Company, or the Bank Commission of North Carolina, or the liquidating agent in charge of said bank is now due to the said company by reason of said company's deposit in said bank at the time of said bank's closing, and interest on said deposit from that date until paid.

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

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H. B. 1009  
CHAPTER 273

AN ACT TO SUSPEND THE COLLECTION OF SPECIAL SCHOOL TAXES IN LOCAL TAX DISTRICT No. 1, BEAVERDAM TOWNSHIP, CHEROKEE COUNTY, FOR THE PERIOD OF TWO YEARS.

Whereas, Local Tax District No. 1, Beaverdam Township, in Cherokee County, has an authorized special tax levy of not less than one nor more than thirty cents on the one hundred dollars valuation of real and personal property, and is altogether a farming community and has no manufacturing or other industries; and

Whereas, owing to economic conditions, it is well nigh impossible for the citizens of said district to pay a special school tax and a deficit is accumulating each year beyond the ability of the district to pay; and

Whereas, the patrons of said school district have petitioned the County Board of Education for an election for the purpose of voting upon the repeal of said special school tax, which petition cannot be granted by the Board of Education on account of a statute forbidding an election to be called for such purpose so long as the district has any indebtedness; and

Whereas, the Board of Education of Cherokee County approves the repeal of the special school tax in said district:

The General Assembly of North Carolina do enact:

Section 1. That the levy and collection of any and all special school taxes in Local Tax District No. 1, Beaverdam Township of Cherokee County, be, and the same are, hereby suspended for a period of two years from and after the ratification of this act.

Sec. 2. That for the years one thousand nine hundred thirty-three and one thousand nine hundred thirty-four the Board of
County Commissioners of Cherokee County shall not levy and the Tax Collector of said county shall not collect any special school tax upon the property in said Beaverdam Public School District: Provided, however, that should there be any bond or other indebtedness against the said school district to which the said special tax is applicable and for which it must be levied, then and in such event the Board of County Commissioners of Cherokee County is authorized to levy so much of said thirty-cent special tax rate only as will be sufficient to pay the interest and maturities or other indebtedness after giving due consideration to any amount that may be due said school district from State school fund and uncollected taxes for prior years.

SEC. 3. That all laws and clauses of laws in conflict with this act 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 30th of March, A.D. 1933.

H. B. 1024 . CHAPTER 274

AN ACT TO AMEND LOCAL GOVERNMENT LAW RELATING TO ISSUING AND SELLING BONDS FOR CONSTRUCTION OF COURTHOUSE IN ALLEGHANY COUNTY.

Whereas, it is necessary to rebuild the courthouse in Alleghany County, recently destroyed by fire; and

Whereas, the prospect of an immediate and a substantial increase in the cost of building material and labor make it necessary that the contract for the rebuilding of said courthouse be let without delay; and

Whereas, the Board of Commissioners of Alleghany County, at their regular meeting, March 6th, 1933, passed a bond order authorizing the issuing of twenty thousand dollars of Alleghany County bonds or bond anticipation notes: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. On the final passage of the said bond order on April 3, 1933, the Board of Commissioners of Alleghany County are hereby authorized and empowered to issue and sell bonds or bond anticipation notes in the amount set out in said bond order, and no notice or publication or hearing of any kind as set out in the general law governing the issuance and/or sale of county bonds or bond anticipation notes shall be required, and the said Board of Commissioners is hereby authorized to dispose of said bonds or bond anticipation notes at public or
private sale, and when issued and sold shall constitute a valid and binding obligation on the County of Alleghany.

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

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

S. B. 273

CHAPTER 275

AN ACT AMENDING CHAPTER 117 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION 1921, REGULATING THE FEES OF THE SHERIFF OF SCOTLAND COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Section 1 of Chapter 117 of the Public-Local Laws of North Carolina, Session 1921, be, and the same is, hereby amended so that the same shall hereafter read as follows:

"Section 1. That there shall hereafter be charged and collected for the official acts of the Sheriff of Scotland County the following fees:

Executing summons or any other writ or notice, one dollar; but the Board of County Commissioners may fix a less price than one dollar, but not less than sixty cents.

Arrest of a defendant in a civil action and taking bail, including attendance to justify, and all services connected therewith, one dollar.

Arrest of a person indicted, including all services connected with the taking and justification of bail, one dollar. 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.

Conveying a prisoner to jail in another county, ten cents per mile. For prisoner's guard, if necessary and approved by the County Commissioners, going and returning, per mile for each, five cents. Expense of guard and all other expenses of conveying prisoners to jail or from jail to another for any purpose, or to any place of punishment, or to appear before a court of 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 the criminal proceedings were instituted.

For allotment of a widow's year's allowance, one dollar.

In claim and delivery for serving the original papers in each case, one dollar, and for taking the property claimed, one dollar, with 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 to 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 the coming and returning and actual expense for 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.

Providing prisoners in county jails with suitable beds, bed clothing, and other clothing and fuel, and keeping the prison grounds clean, whatever sum shall be allowed by the Commissioners of the County.

Collecting fine and cost from convict, five per cent on the amount collected.

Collecting execution for money in civil actions, five per cent on the amount collected to the amount of two hundred dollars, and two and one-half per cent on 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 a sale of property under execution at each public place required, twenty-five cents.

Seizing specific property under an order of court, or executing any other order of a court or judge, not specially provided for, to be allowed by the court or judge.

Taking any bond or undertaking, including furnishing blanks, fifty cents.

The actual expenses of keeping all property seized under process or order of court to be allowed by the court on affidavit of the officer in charge.

Summoning a grand or petit jury, for each man summoned, fifty cents, and twenty-five cents for each man summoned on the special venire.

For serving any writ or process with the aid of the county, the usual fee of one dollar, 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 any prisoner upon a habeas corpus to testify or answer to any court or before any judge, one dollar, and all
necessary and actual expenses for such service, 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.

For attendance to qualify jurors to lay off dower or for commissioners to lay off year's allowance, one dollar, 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, to be paid by the purchaser.

Service of a writ of ejectment, one dollar.

For every execution, either in civil or criminal cases, one dollar."

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

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

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

S. B. 175

CHAPTER 276

AN ACT TO CREATE THE OFFICES OF TREASURER-TAX COLLECTOR OF MECKLENBURG COUNTY, AND COLLECTOR OF REVENUE FOR THE CITY OF CHARLOTTE, PRESCRIBING THEIR DUTIES AND SETTING FORTH THE MANNER OF TAKING JUDGMENT AGAINST DELINQUENT TAXPAYERS.

The General Assembly of North Carolina do enact:

Section 1. That Chapter 362 of the Public-Local Laws of 1931 and Chapter 135 of Public-Local Laws of 1931 be and the same are hereby repealed.

Sec. 2. That there is hereby created the office of Treasurer-Tax Collector of Mecklenburg County, upon which office is imposed the duties and conferred the powers relating to the office of Treasurer as now provided by law, and in addition thereto all powers vested in and all duties relating to the collection of taxes imposed upon the offices of Sheriff, Tax Collector of Districts Numbers 1, 2 and 3, and City-County Tax Collector, in so far as the duties of such City-County Tax Collector relates to the collection of county taxes of the County of Mecklenburg; the office of said Treasurer-Tax Collector shall be located in the

Office of Treasurer-Tax Collector of Mecklenburg County created.

Duties.

Chs. 135 and 362, Public-Local Laws 1931, repealed.
Sec. 3. That from and after the first Monday in October, 1933, all powers vested in the Treasurer of Mecklenburg County, and all duties imposed on said Treasurer, and all powers and duties vested in or imposed upon the Sheriff, relating to the collection of taxes, or other County Tax Collector, including the powers and duties of the present City-County Tax Collector's office, in so far as they relate to the collection of taxes for Mecklenburg County, are hereby vested in and imposed upon the office of Treasurer-Tax Collector hereby created.

Sec. 4. Such Treasurer-Tax Collector shall be a citizen of, and resident in, the City of Charlotte, or Mecklenburg County, and shall be elected at a meeting of the Board of County Commissioners of Mecklenburg County to be held on the first Monday in September, 1933, and he shall hold said office until the next election of County officers, at which time such Treasurer-Tax Collector shall be elected by the electorate of Mecklenburg County at the same time and in the same manner as other County officers, to serve for a period of two years.

Sec. 5. That such Treasurer-Tax Collector shall furnish a good and sufficient bond in such sum as may be designated by the Board of County Commissioners, not less, however, than Fifty Thousand ($50,000.00) Dollars, for the faithful and diligent performance of his duties, and for the true and proper accounting of all moneys received by him by virtue of his office, or coming into his possession in connection therewith, the premium on said bond to be paid from the general fund of Mecklenburg County.

Sec. 6. That said Treasurer-Tax Collector shall collect all taxes and special assessments levied by the Board of County Commissioners of Mecklenburg County and the Mecklenburg Drainage Commission, and in the collection thereof shall accept payments in monthly, quarterly, semi-annual or annual installments at the election of the taxpayer, with interest at a rate of not exceeding eight per centum per annum for the first year after the due date thereof, and not exceeding six per centum per annum after such first year, and upon such collections shall render partial or full receipts consonant with such payments: Provided, that license and franchise taxes shall be paid in full before the issuance of such license and before the business licensed shall be carried on: Provided further, no court costs, attorneys' fees or other charges whatever, except the interest herein set forth, shall be assessed against or added to any delinquent tax.

Sec. 7. That in the collection of such taxes and assessments, such Treasurer-Tax Collector shall keep a true and accurate
account thereof, and shall allocate the moneys received by him to the respective accounts designated in the levy of such tax or assessments, and each day render a detailed statement of such collections to the Auditor of Mecklenburg County, accompanied by duplicate bank deposit slips showing the deposit of such funds in the depository or depositories designated by the Board of County Commissioners for the deposit of such funds. That the Auditor of Mecklenburg County shall immediately, upon receipt of such detailed statement and duplicate bank deposit slips, by communication with such depositories and otherwise, verify the correctness of such matters and write such verification on such detailed statements. And said Auditor shall at all times have free access to all books, records and documents for the purpose of continuously and diligently informing himself of the conduct of the affairs of said office; and said Auditor shall, immediately upon discovery of any discrepancy in or misconduct of the affairs of said office, report the same to the Chairman of the Board of County Commissioners of Mecklenburg County.

Sec. 8. That all funds received by such Treasurer-Tax Collector shall be disbursed only upon written vouchers signed by the Chairman of the Board of County Commissioners, the County Auditor and the Treasurer-Tax Collector in matters relating to Mecklenburg County and the Mecklenburg Drainage Commission. And such disbursements shall not be approved as herein provided unless such disbursements are authorized by law.

Sec. 9. That said Treasurer-Tax Collector shall be paid a salary not exceeding Twenty-four Hundred ($2,400.00) Dollars per annum, and may be provided by the Board of County Commissioners with not more than two assistants, one of such assistants to be paid a salary not exceeding Twelve Hundred ($1,200.00) Dollars per annum, and the other assistant to be paid a salary not exceeding One Thousand ($1,000.00) Dollars per annum. The Board of County Commissioners shall furnish such necessary office equipment, supplies, postage, etc., as it may deem necessary for the proper conduct and operation of said office.

Sec. 10. That all sale certificates and all uncollected personal property tax receipts and all records in connection therewith now held by the County Auditor of Mecklenburg County, or by any County Tax Collector or Sheriff, or the City-County Tax Collector, in so far as same shall apply to Mecklenburg County, shall be delivered to said Treasurer-Tax Collector to be held and collected by him as hereinafter provided.

Sec. 11. That there is hereby created the office of Collector of Revenue of the City of Charlotte, upon which office is imposed the duties and conferred the powers relating to the office of City-County Tax Collector, as same apply to the collection of...
city taxes, as now provided by law, and in addition thereto all
powers vested in and all duties relating to the collection of
street assessments, both current and past due, and current and
past due taxes. And such Collector of Revenue shall collect all
revenues and moneys due the City of Charlotte from any and
all sources.

Sec. 12. That from and after the first Monday in October,
1933, all powers vested in the present City-County Tax Collector,
in so far as they relate to the collection of taxes, street assess-
ments and other revenue due the City of Charlotte, and all of
the powers and duties of the present collector of past due street
assessments and taxes for the City of Charlotte, are hereby
vested in and imposed upon the office of Collector of Revenue
of the City of Charlotte hereby created.

Sec. 13. That said Collector of Revenue shall be a citizen of
the City of Charlotte and shall be elected at a meeting of the
governing body of the City of Charlotte, to be held on or before
the first Monday in September, 1933, and likewise each year
thereafter, on account of his ability, character and integrity,
and he shall be subject to summary removal therefrom at any
time by a majority vote of the governing body, and upon such
removal shall forthwith render a full and final accounting, and
surrender all books, documents, records, money and property
connected with said office to his successor, who shall be elected
at the same meeting at which such removal is voted, or as soon
thereafter as may be expedient.

Sec. 14. That such Collector of Revenue shall furnish a good
and sufficient bond in such sum as may be designated by the
governing body of the City of Charlotte, not less, however, than
Fifty Thousand ($50,000.00) Dollars, for the faithful and dili-
gent performance of his duties, and for the true and proper
accounting of all moneys received by him by virtue of his office
or coming into his possession in connection therewith, the pre-
mium on said bond to be paid from the general funds of the
City of Charlotte.

Sec. 15. That said Collector of Revenue shall collect all taxes
and special assessments levied by the Board of County Com-
missioners of Mecklenburg County and the Mecklenburg Drain-
age Commission, and in the collection thereof shall accept pay-
ments in monthly, quarterly, semi-annual or annual installments
at the election of the taxpayer, with interest at a rate of not
exceeding eight per centum per annum for the first year after
the due date thereof, and not exceeding six per centum per
annum after such first year, and upon such collections shall
render partial or full receipts consonant with such payments: Provided, that license and franchise taxes shall be paid in full
before the issuance of such license and before the business
licensed shall be carried on: Provided further, no court costs, attorneys' fees or other charge whatever, except the interest herein set forth, shall be assessed against or added to any delinquent tax.

Sec. 16. That in the collection of revenues due the City of Charlotte, such Collector of Revenue shall keep a true and accurate account thereof, and shall allocate the moneys received by him to the respective accounts designated in the levy of such tax or assessments, and each day render a detailed statement of such collections to the Treasurer of the City of Charlotte, accompanied by duplicate bank deposit slips showing the deposit of such funds in the depository or depositories designated by the Governing Body of the City of Charlotte for the deposit of said funds. That the Treasurer of the City of Charlotte shall immediately upon receipt of such detailed statement and duplicate bank deposit slips, by communication with such depository or depositories, and otherwise, verify the correctness of such matters and write such verification on such detailed statements, and shall at all times have free access to all books, records and documents for the purpose of continuously and diligently informing himself of the conduct and affairs of said office, and said Treasurer shall immediately upon discovery of any discrepancy in or misconduct of the affairs of said office report the same to the Mayor and Governing Body of the City of Charlotte.

Sec. 17. That all funds received by such Collector of Revenue shall be disbursed only upon written vouchers approved by the Mayor, Treasurer and Collector of Revenue of the City of Charlotte, and such disbursements shall not be approved as herein provided unless such disbursements are respectively authorized by law.

Sec. 18. That said Collector of Revenue of the City of Charlotte shall be paid a salary not exceeding Twenty-four Hundred ($2,400.00) Dollars per annum, and may be provided by the Governing Body of the City of Charlotte with not more than three assistants, such assistant or assistants to receive a salary not exceeding Twelve Hundred ($1,200.00) Dollars per annum each. The Governing Body shall furnish such necessary office equipment, supplies, postage, etc., as it may deem necessary for the proper conduct and operation of said office.

Sec. 19. That all sales certificates and all uncollected personal property tax receipts, together with all records of past due taxes and street assessments now held by the collector of past due taxes and street assessments, together with all records now held by the City-County Tax Collector, so far as same relate to revenues due the City of Charlotte, shall be delivered to the Collector of Revenue, to be held and collected by him as hereinafter provided.
Likewise as to tax receipts and certificates.

Method of taking judgment against delinquent taxpayers.

Notice.

Certificate to Clerk of Court.

Contents.

Liens set out.

Tax judgment docket of Clerk, entries.

Petition of taxpayer for hearing.

**Sec. 20.** That all sales certificates and all uncollected personal property tax receipts or special assessment record and all records in connection therewith now held by any official of the City of Charlotte, or the City-County Tax Collector, in so far as they apply to the City of Charlotte, shall be delivered to said Collector of Revenue and be held and collected by him as in this act provided.

**Sec. 21.** That when any real estate is included in any tax return upon default by any taxpayer to timely pay any taxes or assessments within one year after the due date thereof, the Treasurer-Tax Collector, or in case of delinquent city taxes or assessments, the Collector of Revenue for the City of Charlotte, after thirty days notice to said taxpayer, given by mail to his last named address, shall execute and deliver to the Clerk of the Superior Court of Mecklenburg County a certificate of such non-payment running in the name of Mecklenburg County or the City of Charlotte, if for city taxes or assessments, as plaintiff and the person, firm or corporation in whose name the property was returned, taxed or assessed as defendant, with a description of one or more lots or parcels of land included in the tax return made by said defendant, or in case of a special assessment for local improvements on the land, upon which said assessment is a specific lien, together with all persons, firms, corporations or associations presently owning any of the said lots or parcels of land so included in said certificate and with all trustees, cestui que trust, and mortgages named in deeds of trust, mortgages or other recorded instruments constituting liens on any of said lots or parcels of land so included in said certificate, as additional defendants, with a reference to the book and page in which said instruments constituting liens on said property are recorded, also reciting the year for which said taxes or assessments were levied, the date of such levy, principal amount thereof, the date from which such principal amount bears interest, the rate of interest to be paid thereon, the date from which such lien was established, and such other information as may be pertinent thereto.

**Sec. 22.** That the Clerk of the Superior Court of Mecklenburg County shall, upon receipt of such certificate, cause a transcript thereof to be entered upon a record to be known as the tax judgment docket and alphabetically indexed as to defendants in a record to be known as the tax judgment index, and upon such entry any person, firm, corporation or association, appearing therein as a defendant, may, within thirty days from the docketing of such transcript as herein provided, file in duplicate in the office of the said Clerk a petition showing cause, if any, why such docketing and indexing of said transcript should be stricken out or amended.
Sec. 23. That upon the filing of any such petition with the said Clerk, he shall promptly deliver a duplicate thereof to said Treasurer-Tax Collector, or Collector of Revenue for City of Charlotte, if for city taxes or assessments, who shall thereupon be allowed thirty days from the filing date thereof to answer or demur thereto, and said cause shall thereupon proceed to trial and judgment before the Clerk, with the taxation of such costs and the same right of appeal to the Superior Court, and then to the Supreme Court, as allowed by law in special proceedings.

Sec. 24. That upon the docketing and indexing of said transcript as herein provided, said judgment shall be a judgment of the Superior Court, and it shall be a continuation of the lien created by the tax levy or assessment: Provided, however, that it shall be a lien only on the lands liable for said tax; and, Provided further, that none of the defendants named in said transcript, except the defendant(s) in whose name(s) the property is returned for taxes shall be personally liable for the payment of said judgment, the liability of said defendants, other than the defendant(s) in whose name(s) said property was returned for taxes, being only to the extent of the interest which they may have in the land upon which said judgment shall constitute a lien.

Sec. 25. That at any time after twelve months from the date of the docketing and indexing of said transcript as herein provided, said Treasurer-Tax Collector, or Collector of Revenue for the City of Charlotte, if for city taxes or assessments, may cause execution to be issued thereon by the Clerk and delivered to the Sheriff of Mecklenburg County in the same manner and form as allowed by law for execution on judgments of the Superior Court: Provided, however, that the execution shall be issued only against the property described in the said transcript, and the Sheriff shall proceed with the sale of any of said property described in the transcript as allowed by law for the sale of property in satisfaction of judgments of the Superior Court: Provided, however, that no homestead or exemption shall be allowed defendants.

Sec. 26. That where more than one tract or lot of land is returned, charged, taxed or assessed against a taxpayer the Treasurer-Tax Collector, or Collector of Revenue for the City of Charlotte, if for city taxes or assessments, at any time prior to the delivery of the certificate of non-payment to the Clerk of the Superior Court and the Clerk of the Superior Court after the delivery of such certificate to him, and upon the full payment of the taxes charged and assessed against any particular tract
or lot of land, and the ratable share of the tax charged and assessed against the personal property of the party in whose name the personal property is charged and assessed, shall release said tract or lot of land from said tax or judgment lien. However, the Treasurer-Tax Collector or Collector of Revenue for the City of Charlotte, if for city taxes or assessments, shall require the owner, upon his application for a release, to pay all his personal property tax charged on the return: Provided, that in all cases where tracts of land have been subdivided into lots, but have been returned, charged and assessed as a whole tract, that the Treasurer-Tax Collector or the Collector of Revenue, if for city taxes or assessments, or the Clerk of the Superior Court, if the certificate of non-payment of such taxes has been delivered to him (together with the Tax Supervisor) shall, upon application of any person interested, make an investigation and determine the pro rata part of said assessment justly applicable to any lot or lots, and shall thereupon, upon the payment of the tax, fairly ascertained to be due against said lot or lots, together with a ratable share of the tax charged against the personal property of the party in whose name the land is charged and assessed, release the said lot from the tax lien or judgment. However, the Treasurer-Tax Collector or Collector of Revenue, if for city taxes or assessments, or the Clerk of the Superior Court shall require the owner, upon his application for a release, to pay all of his personal property tax charged against him on the return.

Sec. 27. The Treasurer-Tax Collector, or Collector of Revenue, if for city taxes or assessments, in the event that all the real property included in the transcript is released from the lien of the taxes and judgment before the whole of the taxes due, levied or assessed which were a lien on said property are satisfied, either by payment or by sale of any of the property under execution by the Sheriff, or in his discretion, at any time prior thereto, shall deliver to the Clerk of the Superior Court additional certificate(s) of non-payment for the balance due thereon which shall be docketed and indexed by the Clerk of the Superior Court as herein provided, with the same force and effect as said original transcript and judgment:

Provided, that in the event any petition is filed by any defendant contesting the tax or assessment on any lot or parcel of land, that lot or tract of land and the tax thereon shall not be included in any additional certificate of nonpayment until after a final adjudication of the controversy.

Sec. 28. That all information required by the Treasurer-Tax Collector for the purpose of carrying out the provisions of this act shall be furnished by the County Attorney at an expense
or charge not to exceed one thousand ($1,000.00) dollars, which shall be in addition to his regular salary; and that all information required by the Collector of Revenue for the purpose of carrying out the provisions of this act shall be furnished by the City Attorney at an expense or charge not to exceed one thousand ($1,000.00) dollars, which shall be in addition to his regular salary.

Sec. 20. That it is mandatory upon the Sheriff at any sale under execution as herein provided to sell only so much of said land as is necessary to satisfy the amount of such tax, execution and costs, making a division of said lands, if the same is susceptible, into division into lots or parcels in carrying out this provision.

Sec. 30. That in addition to the powers hereby conferred on said Treasurer-Tax Collector, or Collector of Revenue, if for city taxes or assessments, he shall be entitled to proceed under the provisions of the laws of North Carolina in the collection of taxes levied upon returns in which no real estate is listed.

Sec. 31. That this act shall apply to any uncollected taxes and assessments heretofore levied by the County of Mecklenburg or its subdivisions, or the City of Charlotte, and the machinery of this act may be utilized in the collection thereof with the same force and effect as if such taxes and assessments had been levied subsequently to the ratification hereof; and all proceedings for the collection of taxes and assessments heretofore levied shall be merged into a proceeding under this act with only such fees, interest, penalties or costs as herein provided for.

Sec. 32. That upon the establishment of said judgment lien as herein provided upon a single lot of land upon which the judgment debtor is required hereunder to pay in full the total amount of such judgment, then such judgment lien is hereby declared a proper investment for any sinking fund maintained by said County or City, and may be transferred and assigned to said sinking fund at its face value at the time of such transfer and assignment to such sinking fund, and costs may be withdrawn from such sinking fund in payment therefor, and used for the purpose for which said tax or assessment was levied: Provided, however, that before any part of the sinking fund may be invested in such judgment lien, the same shall be approved by a majority vote of the Board of County Commissioners recorded in its minutes, or the Governing Body of the City of Charlotte, and recorded in its minutes.

Sec. 32 1/2. That the office of Treasurer of Mecklenburg County be and the same is hereby abolished.

Sec. 33. That if any part or section of this act should be declared unconstitutional or invalid by the Supreme Court of

Likewise as to City Attorney.

Division of lands at execution sale.

General laws also applicable.

Act applicable to uncollected taxes and assessments.

Such judgment liens declared proper investments of County or City sinking funds.

Approval of governing bodies necessary.

County Treasurer abolished.

Constitutional parts of Act upheld.
North Carolina that it shall in no wise affect the remainder of said act, and that the remainder shall remain in full force and effect.

SEC. 34. That all laws and clauses of laws in conflict here-with are hereby repealed.

SEC. 35. That this act shall be in force from and after its ratification.

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

S. B. 426

CHAPTER 277

AN ACT RELATING TO CERTAIN BONDS OF HENDERSON COUNTY.

Whereas the County of Henderson has issued $206,000 Funding Bonds and $134,000 School Funding Bonds, dated 1st September, 1931; and

Whereas the said County is entitled under a contract with the North Carolina State Highway Commission, dated 14th March, 1932, to receive the sum of $474,400 in installments corresponding in amount and time of payment with the installments of principal and interest thereafter payable on its two said issues of bonds; and

Whereas the said County has assigned to the Treasurer of North Carolina the sums payable to it under the said contract as trustee, with directions to apply the same to the payment of the said principal and interest: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. The said bonds, contract and assignment are hereby validated, and the said Treasurer is hereby authorized and directed to cause to be printed or stamped on such of the said bonds as may be presented for that purpose, and to sign a statement in substantially the following form, to wit:

"This certifies that sums due the County of Henderson from the North Carolina State Highway Commission, corresponding in amount and time of payment with the principal and interest of this bond, have been assigned to the Treasurer of North Carolina as trustee, and the State of North Carolina agrees to apply such sums to the payment of the said principal and interest.

Treasurer of North Carolina."

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

Ratified this the 3rd day of April, A.D. 1933.
S. B. 428

CHAPTER 278

AN ACT TO ALLOW J. F. MARTIN, FORMER SHERIFF OF ANSON COUNTY, TO COLLECT BACK TAXES.

The General Assembly of North Carolina do enact:

Section 1. That J. F. Martin, former sheriff of Anson County, who, by virtue of his office, has had the tax lists for the purpose of collecting taxes in said county for the years one thousand nine hundred and twenty-eight, one thousand nine hundred and twenty-nine and one thousand nine hundred and thirty, and in case of his death or default in collection, his personal representative, is hereby authorized and empowered to collect arrears of taxes for each of the years aforesaid, under such rules and regulations as are now or may hereafter be provided for the collection of taxes.

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

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

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

S. B. 452

CHAPTER 279

AN ACT AMENDING CHAPTER 213, PRIVATE LAWS OF 1929, RELATING TO THE COTTON WEIGHER IN RALEIGH TOWNSHIP, WAKE COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Section 1. That the appointing of a cotton weigher for Raleigh Township, Wake County, N. C., shall be in the discretion of the Board of County Commissioners of Wake County: Provided, in the event they shall exercise said discretion by appointing such cotton weigher the provisions of Chapter 213, Private Laws of 1929, shall be in full force and effect.

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

Ratified this the 3rd day of April, A.D. 1933.
CHAPTER 280

AN ACT TO REGULATE THE SALE OF MILK BOTTLES AND CONTAINERS IN MECKLENBURG COUNTY.

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 any milk or milk products in any bottle, can, crate or container when said utensils have the name or trade-mark other than that of the seller or owner written, stamped or moulded thereon; and if said container be marked in any way, the name on the cap must be the same as that on the container.

SEC. 2. That it shall be unlawful for any person, firm or corporation to deface or attempt to remove any name or trade-mark stamped or moulded on any milk bottle, can, crate or other container.

SEC. 3. That it shall be unlawful for any person, firm or corporation to buy, sell or offer for sale any used milk bottle, can, crate or container that has the name or trade-mark of the owner written or stamped or moulded thereon, except an authorized agent of associated dairymen.

SEC. 4. That it shall be unlawful for any person, firm or corporation to salvage from any wagon, trash dump, office building, vacant property or any other locality, any milk bottle, can, crate or container where said milk bottle, can, crate or container may be misplaced or lost if said utensils have the name or trademark of the owner written, stamped or moulded thereon, unless it be for the purpose of returning same to the owner or his authorized agent.

SEC. 5. That this act shall apply to Mecklenburg County only.

SEC. 6. That any person, firm or corporation violating any of the provisions of this statute shall be guilty of a misdemeanor and be subject to a penalty of $50.00 for each and every offense.

SEC. 7. That all laws or clauses of laws in conflict herewith be and they are hereby repealed.

SEC. 8. That this statute shall be in full force and effect on and after its ratification.

Ratified this the 3rd day of April, A.D. 1933.
H. B. 209  CHAPTER 281
AN ACT TO AMEND CHAPTER 424, PUBLIC-LOCAL LAWS 1915, AS AMENDED BY CHAPTER 72, PUBLIC-LOCAL LAWS 1929.

The General Assembly of North Carolina do enact:

SECTION 1. At the end of section one, chapter four hundred twenty-four, Public-Local Laws of one thousand nine hundred and fifteen, add the following clause: "Provided, that the owner of the machine or peanut picker shall cause to be delivered in writing to the public buyers of the peanuts so picked the names and amounts due for picking of said peanuts."

Sec. 2. The word "public buyer" as used in this act shall mean those engaged in buying of peanuts for some cleaner or manufacturer of peanut products.

Sec. 3. This act shall apply to Washington, Hertford, Onslow, Halifax, Bertie and Gates Counties.

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 3rd day of April, A.D. 1933.

H. B. 869  CHAPTER 282
AN ACT FOR THE RELIEF OF A PORTION OF THE SPECIAL ROAD BONDED INDEBTEDNESS OF CERTAIN TOWNSHIPS OF MADISON COUNTY BY GENERAL LEVY.

Whereas, circumstances which led certain Townships of Madison County (Nos. 2, 8, 9, 13, 14, 15 and 16) to bond themselves for roads have changed so greatly since these bonds were issued; and

Whereas, since in two of the said Townships there has been purchased and taken over by the Federal Forest Reserve, thus necessitating an increased levy on the remaining property; and

Whereas, the State of North Carolina has taken over the Road System for maintenance, thereby relieving the county of that expense; and

Whereas, these special bonded Townships have been, are and will continue paying their proportionate part of the general bonded indebtedness of the county; and

Whereas, since the petition prompting this Act was given wide publication in the newspapers of Madison County with scarcely a voice of protest; and

Preamble: Issuance of township road bonds in Madison County.

State has taken over roads.
Whereas, since the county as a whole benefits by the use of the roads built by these Townships: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners of Madison County are hereby authorized and empowered to levy a county-wide tax of five cents on the one hundred dollars valuation for the year one thousand nine hundred and thirty-three and each year thereafter, to be allocated proportionately to the special bonded Townships (Nos. 2, 8, 9, 13, 14, 15 and 16) according to the amount of bonded indebtedness of each of these Townships.

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 3rd day of April, A.D. 1933.

H. B. 961

CHAPTER 283

AN ACT TO DIVERT SUCH MONEYS OF THE COUNTY OF PASQUOTANK YET REMAINING UNDER THE GAME COMMISSION FUND TO THE GENERAL FUND.

The General Assembly of North Carolina do enact:

SECTION 1. That all moneys belonging to the County of Pasquotank, and deposited with or by its treasurer to the credit of the Game Commission Fund, be transferred to the use of the General Fund of Pasquotank County.

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

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

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

H. B. 1033

CHAPTER 284

AN ACT RELATING TO PAYMENT OF INDEBTEDNESS OF SPECIAL AND/OR SPECIAL CHARTER SCHOOL DISTRICTS INCURRED IN ERECTING AND EQUIPPING SCHOOL BUILDINGS NECESSARY FOR THE CONSTITUTIONAL SIX MONTHS SCHOOL TERM IN RUTHERFORD COUNTY.

Whereas, in the several special and/or special charter school districts in Rutherford County, school buildings have been erected and equipped, some wholly at the expense of the County,
others partly at the expense of the County and partly at the expense of the district, and others wholly at the expense of the district, and the indebtedness for all that part of which so provided by the district severally was lawfully incurred by loans from the State Literary Fund and/or Special Building Fund of North Carolina and/or by bond issues, portions of which are now outstanding and unpaid; and

Whereas, all of such school buildings so erected and equipped are part of the constitutional six months school system and necessary to the maintenance of the six months school term required by the Constitution of North Carolina in Rutherford County; Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the County Board of Education of Rutherford County shall include in the debt service fund in the annual budget the indebtedness of all the several special school districts, and/or special charter districts, in Rutherford County so lawfully incurred in erecting and equipping such school buildings necessary for the constitutional six months term, and the Board of County Commissioners of said County is hereby authorized, empowered and directed to approve and to make appropriation to cover same, and at the time of levying other taxes to make levy of a sufficient annual county-wide tax on all taxable property in said county to provide for the payment of the principal of and interest on all such indebtedness as same shall mature, and hereafter all such outstanding indebtedness of the several special school districts, and/or special charter districts, shall be and become an obligation of the county as a whole.

SEC. 2. That the making and preparing of the school budget in Rutherford County shall be in full accord with the provisions of the State-wide school law.

SEC. 3. That all laws and clauses 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 3rd day of April, A.D. 1933.

H. B. 1067  CHAPTER 285
AN ACT TO REGULATE THE DRAWING OF GRAND JURORS IN HALIFAX COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That on the first Monday in July, one thousand nine hundred and thirty-three, the Board of County Commissioners of Halifax County be, and are hereby, empowered to
draw, in the manner prescribed by law, nine (9) Grand Jurors to serve for a period of six months and nine (9) to serve for a period of twelve months, and that thereafter, on the first Mondays in January and July, the said Board of County Commissioners shall draw nine (9) Grand Jurors to serve for a period of twelve months.

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

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

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**S. B. 306**  
**CHAPTER 286**

**AN ACT TO AMEND SECTIONS SIX, SEVEN AND TEN, CHAPTER 435, OF PUBLIC-LOCAL LAWS OF 1913, RELATING TO THE FEES OF OFFICERS OF CATAWBA COUNTY.**

*The General Assembly of North Carolina do enact:*

**SECTION 1.** That Sections six, seven and ten of Chapter 435, Public-Local Laws nineteen hundred and thirteen, be, and the same is, hereby repealed and the following substituted therefor:

(a) The Clerk of the Superior Court of Catawba County shall receive a salary of not less than One Thousand Five Hundred Dollars, nor more than Two Thousand Four Hundred Dollars per annum as full compensation for his services, the exact salary to be fixed annually by the Board of County Commissioners of said County. The compensation of one Deputy or Clerk employed in said office shall be fixed annually by the Board of County Commissioners, which compensation shall be paid by the County out of funds from the General Fund.

(b) The Register of Deeds of Catawba County shall receive a salary of not less than One Thousand Five Hundred Dollars nor more than Two Thousand Four Hundred Dollars per annum as full compensation for his services, the exact salary to be fixed annually by the Board of County Commissioners of said County. The compensation of one Clerk or Deputy employed in said office shall be fixed annually by the Board of County Commissioners, which compensation shall be paid by the County out of funds from the General Fund.

(c) The Sheriff of Catawba County shall receive a salary of not less than Twenty Hundred Dollars nor more than Thirty Hundred Dollars per annum as full compensation for his services, the exact salary to be fixed annually by the Board of County Commissioners of said County. The compensation of one Deputy or Clerk employed in the office of said Sheriff shall be fixed annually by the Board of County Commissioners, which com-

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The County shall pay the Sheriff's actual expenses for conveying prisoners to the prison camps or State's Prison; for taking insane persons to or from the State Hospitals; and it shall be the duty of the Sheriff to render to the Board of County Commissioners a statement of expenses herein provided for, monthly, giving the date and purpose for which it was incurred, and if satisfied the amount is correct, the County Commissioners shall order same paid out of funds in the General Fund.

Sec. 2. That Chapter forty-seven, Public-Local Laws nineteen hundred and twenty-one, be and it is hereby repealed, as well as all other conflicting laws.

Sec. 3. That Chapter one hundred and twenty-six, Public-Local Laws nineteen hundred and twenty-five, be and it is hereby repealed, as well as other conflicting laws.

Sec. 4. That this act shall be in force from and after the first day of October, 1933.

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

S. B. 465    CHAPTER 287
AN ACT CREATING A CENTRAL BOARD OF ASSESSORS FOR FORSYTH COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the county commissioners of Forsyth County are authorized and empowered to appoint a board, consisting of three members, to be known as the Central Board of Assessors, whose duty it shall be to supervise the assessment of all real property for taxation in and for the years in which a quadrennial assessment is required by acts of the General Assembly. It shall be the duty of the members of the Central Board of Assessors to visit the assessors in each township while they are engaged in assessing real property for taxation, and shall advise and confer with such assessors to the end that all real property subject to taxation shall be assessed fairly and uniformly in the several townships.

Sec. 2. The Central Board of Assessors shall, at the request and by authority of the county board of commissioners, act as a board of equalization for the purpose of equalizing the valuation of real estate in the several townships, and shall hear appeals from valuations fixed by township assessors, order new appraisals or confirm the appraisal as made by township assessors. Appeal from the Board of Assessors acting as a board of equalization may be had by appearing before the board of
county commissioners sitting as a board of equalization and review.

Sec. 3. That the Central Board of Assessors shall serve for such time and receive such compensation as may be prescribed by the board of county commissioners. The county commissioners are authorized to provide such clerical or other assistance as they may deem advisable.

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

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

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

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

H. B. 1094 CHAPTER 288

AN ACT VALIDATING CERTAIN AGREEMENTS MADE BY THE BOARD OF COMMISSIONERS OF HAYWOOD COUNTY, AND THE BOARD OF ALDERMEN OF THE TOWN OF WAYNESVILLE, RELATING TO THE REORGANIZATION OF THE CITIZENS BANK AND TRUST COMPANY OF WAYNESVILLE, AND TO AUTHORIZE FURTHER AGREEMENTS RELATING THERETO.

The General Assembly of North Carolina do enact:

SECTION 1. That the acts of the Board of Commissioners of Haywood County and of the Board of Aldermen of the Town of Waynesville, in agreeing with the other depositors to accept twenty-five per cent of the deposits of Haywood County and of the Town of Waynesville in said bank in certain notes, and to discount said deposits twenty-five per cent, upon the payment of the remaining fifty per cent of said deposits in cash, be and the same are hereby authorized, ratified, approved and confirmed.

SEC. 2. That the Board of Commissioners of Haywood County and the Board of Aldermen of the Town of Waynesville, in order to aid in the further reorganization of the Citizens Bank & Trust Company, are hereby authorized and empowered, in their discretion, to accept in settlement of the balance of said deposits in said bank, in lieu of the fifty per cent cash payment provided for in said agreement referred to in section one hereof, notes with satisfactory security, real estate, judgments constituting a lien on real estate to be assigned, or other solvent credits or choses in action, in an amount equal to the said remaining fifty per cent of said deposits.
Sec. 3. That if said Board of Commissioners of Haywood County, or the Board of Aldermen of the Town of Waynesville, shall either one acquire real estate in settlement of said deposit, said Board is hereby given authority to lease or rent said real estate for such period of time and on such terms as said Board may deem advisable.

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 5th day of April, A.D. 1933.

H. B. 1146

CHAPTER 289

AN ACT TO AMEND CHAPTER 426 OF THE PUBLIC-LOCAL LAWS OF 1919, AS AMENDED, RELATIVE TO THE METER ADJUSTER OF THE COUNTY OF NEW HANOVER.

The General Assembly of North Carolina do enact:

Section 1. Amend sections one and two of chapter four hundred and twenty-six of the Public-Local Laws of one thousand nine hundred and nineteen, as amended, by striking out the word “County” and substituting in lieu thereof the word “Counties,” and by adding after the words “New Hanover” the words “Brunswick, Pender and Columbus.”

Sec. 2. Amend section two of said chapter by striking out the first line and the words “one thousand nine hundred and twenty-two” of the second line, and insert in lieu thereof “at the regular monthly meeting of the Board of County Commissioners of New Hanover County in November, one thousand nine hundred and thirty-eight,” and by striking out in line three the word “elected” and substituting in lieu thereof the word “appointed,” and by striking out in lines four and five the words “one thousand nine hundred and twenty-two” and substituting in lieu thereof “one thousand nine hundred and thirty-eight”; by striking out in line six the word “elected” and substituting in lieu thereof the word “appointed,” and by striking out in line nine the words “one thousand nine hundred and twenty-two” and substituting in lieu thereof the words “one thousand nine hundred and thirty-eight,” and by striking out in line ten the words “elected or.”

Sec. 3. Amend sections three, four, five, six, eleven, twelve, and thirteen of said chapter by striking out the word “County” and substituting in lieu thereof the word “Counties,” and by adding after the words “New Hanover” the words “Brunswick, Pender or Columbus.”
SEC. 4. Amend section twelve of said chapter by adding at the end of said section the following: No meter after being installed shall be removed or the adjustments affecting the registration changed, except in accordance with the result of inspections by the Meter Adjuster duly applied for and had, under the provisions of this Act.

SEC. 5. Amend section thirteen of said chapter by striking out in line four of said section, after the word "be," the rest of said section, and substituting in lieu thereof the words "guilty of a misdemeanor."

SEC. 6. By adding immediately after section thirteen a section to be known as section thirteen and one-half to read as follows: The said Meter Adjuster may serve one or more counties.

SEC. 7. All compensation now allowed said Meter Adjuster shall be reduced twenty per cent.

SEC. 8. All laws or clauses of laws in conflict with 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 April, A.D. 1933.

H. B. 1152

CHAPTER 290

AN ACT TO ALLOW FISHING IN THE STREAMS OF CATAWBA COUNTY WITH TROT LINES AND BASKETS.

The General Assembly of North Carolina do enact:

SECTION 1. That from and after the date of the ratification of this act it shall be lawful for any resident of Catawba County to fish in any stream in said County with trot lines or baskets.

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

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

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

S. B. 353

CHAPTER 291

AN ACT TO REPEAL CHAPTER 399, PUBLIC-LOCAL LAWS 1929, RELATING TO HUNTING OF FOXES IN PERSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter three hundred and ninety-nine of the Public-Local Laws of one thousand nine hundred and twenty-nine providing a close season for foxes in Person County be and the same is hereby repealed.
Sec. 2. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

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

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

H. B. 908  
CHAPTER 292
AN ACT TO EXTEND THE POWERS OF THE POLICE OFFICERS OF THE VARIOUS INCORPORATED TOWNS IN RUTHERFORD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the police officers of each and every incorporated town in the County of Rutherford be and they are hereby given the same authority and power in the territory embraced within a radius of one mile from the limits of such town as the said officers now have and exercise within the limits of said town.

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

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

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

H. B. 1115  
CHAPTER 293
AN ACT TO AMEND HOUSE BILL NUMBER 376, PUBLIC-LOCAL LAWS OF 1933, RELATING TO CONSTABLE FEES IN UNION COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That House Bill number three hundred and seventy-six, ratified on the seventeenth day of February, one thousand nine hundred and thirty-three, and entitled an act to amend chapter ninety of the Public-Local Laws of one thousand nine hundred and thirty-one, relating to the fees in the Recorder's Court of Monroe and Union County, be and the same is hereby amended as follows: By adding to section two thereof another paragraph reading as follows: "Provided, that the provisions of this act shall not apply to fees received by township constables, which fees shall remain as before the passage of this act."

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

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

Ratified this the 6th day of April, A.D. 1933.
H. B. 1155  

CHAPTER 294

AN ACT RELATING TO RATE OF INTEREST ON UNPAID TAXES IN HYDE COUNTY FOR THE YEAR 1932 AND THEREAFTER.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners of Hyde County are hereby authorized and empowered, in their discretion, to fix the rate of interest which shall be not less than six nor more than eight per cent, to be charged on all taxes which were due and unpaid on the first day of February, one thousand nine hundred and thirty-two, and/or which may be due and unpaid on the first day of February of any year thereafter, and that no penalty shall be added.

SEC. 2. That in all cases of delinquent taxes due prior to the year one thousand nine hundred and thirty-two, whether the same has been reduced to judgment or not, and in all cases where real estate has been foreclosed by suit for past due taxes and purchased by Hyde County, or any town in said county, and is now owned by such county or town, the person, firm or corporation which owned such real estate or held a valid mortgage or deed of trust on such real estate, at the time of its advertisement, sale and purchase by said county or town, shall have five years within which to repurchase or redeem said property: Provided, such original owner or holder of any mortgage or deed of trust on said land shall pay all taxes with interest thereon at the rate of six per cent per annum, together with all costs that were due upon said property at the time of such foreclosure suit and sale, and shall pay all taxes and cost that have accrued or may hereafter accrue, but no added penalty shall be included therein.

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

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

Ratified this the 7th day of April, A.D. 1933.

H. B. 847  

CHAPTER 295

AN ACT TO AMEND CHAPTER 676 OF THE PUBLIC-LOCAL LAWS OF 1913, AN ACT CREATING A RECORDER’S COURT FOR THE TOWN OF DENTON AND EMMONS TOWNSHIP SO AS TO INCREASE THE JURISDICTION OF SAID COURT.

The General Assembly of North Carolina do enact:

That chapter 676 of Public-Local Laws of 1913, being an act to create a Recorder’s Court for the town of Denton and Emmons
Township, and a part of other townships, and define the jurisdiction and territory thereof, be and the same is hereby amended as follows:

Section 1. By striking out from Section seven the following sub-paragraphs thereof, to wit: (a), (b), (c), (d), which sub-paragraphs define the jurisdiction of said court, and by inserting in lieu thereof the following:

(a) Said Court shall have exclusive jurisdiction of all criminal offenses committed within the said district which are now within the jurisdiction of a Justice of the Peace or which may hereafter be within the jurisdiction of a Justice of the Peace.

(b) Said Court shall have exclusive original jurisdiction of all violations of town ordinances committed within the limits of the town of Denton.

(c) That said Court shall have exclusive jurisdiction to hear and determine all other criminal offenses committed within said district below the grade of felony as is now defined by law, and all such offenses committed within said district are hereby declared to be petty misdemeanors: Provided, that in all criminal offenses where said Court has been given jurisdiction by this act and no prosecution has been commenced within six months from the commission thereof, the Superior Court of Davidson County shall have jurisdiction thereof as provided by law.

Sec. 2. By striking out the letter (e) from the sub-paragraph (e) of Section seven and inserting in lieu thereof (d).

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

Sec. 4. That all laws and clauses of laws in conflict herewith are hereby repealed.

Ratified this the 7th day of April, A.D. 1933.

S. B. 485

CHAPTER 296

AN ACT SUPPLEMENTAL TO SENATE BILL 175, THE SAME BEING "A BILL TO BE ENTITLED AN ACT TO CREATE THE OFFICES OF TREASURER-TAX COLLECTOR OF MECKLENBURG COUNTY, AND COLLECTOR OF REVENUE FOR THE CITY OF CHARLOTTE, PRESCRIBING THEIR DUTIES AND SETTING FORTH THE MANNER OF TAKING JUDGMENT AGAINST DELINQUENT TAXPAYERS, RATIFIED ON THE THIRD DAY OF APRIL, NINETEEN HUNDRED AND THIRTY-THREE."

The General Assembly of North Carolina do enact:

Section 1. That Senate Bill one hundred and seventy-five be amended by striking therefrom in line one, in section fifteen, the words "Collector of Revenue," and inserting in lieu thereof the words "Treasurer-Tax Collector."

S. B. 175, Public Local Laws 1933, amended, as to tax collections in Mecklenburg County.
SEC. 2. That all laws and clauses of laws in conflict herewith are hereby repealed.

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

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

H. B. 87  CHAPTER 297
AN ACT TO PROVIDE FOR THE PAYMENT OF TAXES IN MONTHLY INSTALLMENTS IN WAKE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the sheriff or other tax collecting agency in Wake County or in any municipality therein is hereby authorized and directed to accept payment of taxes for the year one thousand nine hundred and thirty-two and subsequent years in monthly installments with interest thereon at the rate of six per cent per annum from the time said taxes became due until date of payment.

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

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

H. B. 709  CHAPTER 298
AN ACT PROVIDING FOR AN OFFICIAL COURT REPORTER FOR THE SUPERIOR COURT OF BUNCOMBE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Resident Judge, the Clerk of the Superior Court and the Chairman of the Board of County Commissioners be, and are hereby, vested with the power and authority to appoint by a majority vote a competent stenographer who shall be a citizen and resident of Buncombe County, to serve as the official reporter for the Superior Court of said County. The first appointment hereunder shall be made during the first week in April, one thousand nine hundred and thirty-three, for a period of two years, such appointment to continue for a period of two years, and thereafter such appointment shall be made biennially on the first Monday in April, but the aforementioned appointing officials shall have the power and authority to fill any vacancy in such office created for any reason and also the power of removing such official reporter for just causes.

SEC. 2. In the event that the official Court Reporter is unable to serve at any term of said Court, the officials hereinbefore designated are hereby authorized to appoint a substitute to act
as such reporter during such absence, and said officials shall fix the compensation of the substitute reporter.

Sec. 3. That the official reporter herein provided for shall receive in full compensation for all services performed the sum of two hundred dollars ($200.00) per month, payable in the same manner in which other employees of Buncombe County are paid, and shall be allowed the privilege of requisitioning the purchasing agent of said county during each calendar month for stenographic supplies to be used solely and exclusively in the work of officially reporting the Court, not to exceed the value of twenty-five dollars ($25.00). Such requisitions shall be governed by the same rules and regulations as applicable to other County Departments: Provided, however, that such reporter be and is hereby authorized to make the following charges for transcripts of cases reported by such reporter: Original transcripts, twenty-five cents a page. For each carbon copy furnished, ten cents per page; no page to exceed three hundred words in length. The foregoing charges for transcripts shall be collected by the Court Reporter from parties involved in any cases in said Court who may request the same, but before such reporter shall be required the undertaking of the making of such transcripts, the party requesting same shall deposit in the office of the Superior Court a sum equal to one-half the estimated cost of making such transcript, and when such Court Reporter has prepared transcripts the cost of which would equal the amount of the deposit an additional deposit shall be required upon such reporter notifying in writing the person requesting same. And in no event shall such reporter be required to deliver any transcripts until payment in full is made for same in accordance with the fees herein provided for: Provided further, that in any action in which the County of Buncombe requests through the proper official transcript of a record in which it is a party, such reporter shall furnish the same to the said county without cost.

Sec. 4. That the Resident Judge of the Nineteenth Judicial District, Clerk of the Superior Court and Chairman of the Board of County Commissioners of Buncombe County be, and they are hereby, authorized and directed to fix and prepare a schedule of fees to be taxed as a part of the costs in all cases, either civil or criminal, which may be tried in the Superior Court of said Buncombe County to be known as Court Reporter Fees, and when the same has been fixed and established as herein provided, it shall be the duty of the Clerk of said Court to tax and collect the fee as a part of the costs in each and every case.
Conflicting laws repealed.

SEC. 5. That all laws and clauses of laws, either Public or Public-Local, in conflict herewith be and the same are hereby repealed.

SEC. 6. That this act shall be in full force and effect after date of ratification.

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

H. B. 809  CHAPTER 299
AN ACT TO REDUCE THE MEMBERSHIP OF THE BOARD OF COMMISSIONERS OF BRUNSWICK COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of Brunswick County shall consist of three members to be elected at large instead of five members as at present constituted.

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

SECTION 3. That this act shall be in full force and effect from and after the first Monday in December, nineteen hundred and thirty-four.

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

H. B. 826  CHAPTER 300
AN ACT TO REPEAL SECTION 17 OF CHAPTER 142 OF PUBLIC-LOCAL LAWS 1927, THE SAME BEING AN ACT REGULATING JUSTICES OF THE PEACE IN BUNCOMBE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section seventeen of chapter one hundred and forty-two of Public-Local Laws of one thousand nine hundred twenty-seven 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 full force and effect from and after its ratification.

Ratified this the 10th day of April, A.D. 1933.
H. B. 1099  CHAPTER 301

AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF GRAHAM COUNTY, NORTH CAROLINA, TO PAY A REWARD FOR EVIDENCE TO CONVICT ANY PERSON WHO VIOLATES THE PROVISIONS OR ANY PROVISION OF SECTIONS 4309, 4311 OR 4312 OF CONSOLIDATED STATUTES OF NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That the County Commissioners of Graham County, North Carolina, are authorized to pay out of the general funds of said County a reward of twenty-five dollars ($25.00) to any person who shall furnish evidence sufficient to convict, and which does convict, any person who may violate the provisions or any provision of Sections 4309, 4311 or 4312 of the Consolidated Statutes of North Carolina.

Sec. 2. That the County Commissioners of Graham County shall determine to whom said reward shall be paid, and their decision as to who shall or is entitled to such reward shall be final.

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

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

H. B. 1134  CHAPTER 302

AN ACT AUTHORIZING AND EMPOWERING THE COMMISSIONERS OF GASTON COUNTY, IN THEIR DISCRETION, TO DEFER FOR THREE YEARS THE FORECLOSURE UNDER DEEDS OF TRUST AND MORTGAGES HELD IN THE SINKING FUND OF SAID COUNTY AND TO AUTHORIZE AND EMPOWER SAID COMMISSIONERS TO SELL REAL ESTATE NOW OR HEREAFTER HELD BY THEM FOR THE SINKING FUND OF SAID COUNTY UPON SUCH TERMS AS, IN THEIR DISCRETION, THEY THINK PROPER, BUT IN NO CASE FOR A PERIOD LONGER THAN FIVE YEARS.

Whereas, the Board of Commissioners of Gaston County hold deeds of trust and mortgages against the property of citizens of said County, which said collateral constitutes a part of the sinking fund of said County; and

Whereas, foreclosure proceedings to collect under said deeds of trust and mortgages when due might work a hardship on many honest citizens during these depressed financial times; and
Whereas, the Commissioners of Gaston County now hold, and may hereafter acquire, certain real estate which it now or may hereafter hold as part of the sinking fund of said County; and

Whereas, it may be desirable to sell said real estate upon terms, in the discretion of said Commissioners, rather than for cash; Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of the County of Gaston be, and they are hereby, authorized, in their discretion, to postpone from time to time for a period not exceeding three years foreclosures under deeds of trust and mortgages held in the sinking fund of Gaston County.

SEC. 2. That the Board of Commissioners of Gaston County be, and they are hereby, authorized, in their discretion, to sell any real estate which they now hold, or may hereafter acquire, as part of the sinking fund of said County, to purchasers upon terms of payment not to exceed a term of five years from the date of the said contract.

SEC. 3. That the Board of Commissioners of Gaston County be, and they are hereby, authorized and empowered to execute deeds for and take mortgages or deeds of trust for any and all property sold by them under Section two above.

SEC. 4. That any and all extensions or foreclosures as provided for in Section 1, and any and all sales as provided for in Sections 2 and 3 hereof, shall be promptly reported by the Commissioners of Gaston County to the Local Government Commission.

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

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

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

H. B. 1156

CHAPTER 303

AN ACT TO ALLOW THE COMMISSIONERS OF TRANSYLVANIA COUNTY TO ACCEPT COUNTY BONDS IN PAYMENT OF CERTAIN TAXES.

The General Assembly of North Carolina do enact:

SECTION 1. That the County Commissioners of Transylvania County are hereby authorized to accept County Bonds that are past due, or which become due within the fiscal year, in payment of the debt-service portion of past due or current taxes.
Sec. 2. That the Tax Collector for said County is hereby authorized to accept any such past-due bonds in payment of the debt-service portion of such taxes and not otherwise; and when such bonds have been so accepted by such Tax Collector he shall be allowed full credit therefor in his settlements with the County Commissioners on such taxes.

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

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

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

H. B. 1217  CHAPTER 304
AN ACT TO AMEND THE FISHING LAWS AS TO CHEROKEE COUNTY.

Whereas, the waters of Hiawassee River, Valley River, Notla River, Cherokee County, North Carolina, do not contain any game fish except bass:

The General Assembly of North Carolina do enact:

Section 1. That it shall be lawful for any person to catch and take catfish by use of basket and/or trot line in Hiawassee River, Valley River, Notla River, Cherokee County, North Carolina.

Sec. 2. That it shall be lawful to shoot sucker carp and red horse-fish in the aforesaid streams in Cherokee County, North Carolina.

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

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

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

H. B. 1235  CHAPTER 305
AN ACT TO AMEND CHAPTER 176, PUBLIC-LOCAL LAWS OF 1911, RELATING TO THE RECORDER'S COURT OF NASH COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section two, chapter one hundred seventy-six, of the Public-Local Laws of one thousand nine hundred and eleven, is hereby repealed and the following is submitted in lieu thereof:

Ch. 176, Public-Local Laws 1911, amended.
Selection of Judge of Nash County Recorder's Court.  

Sec. 2. Said Court shall be a Court of Record, and shall be presided over by a Recorder, who shall be a citizen of Nash County and of good moral character, and who shall be at the time of his election and qualification an elector in and for said county. The Board of Commissioners of Nash County shall on the first Monday in April, one thousand nine hundred and thirty-four, elect a recorder for said Court, and who shall hold office until the next regular election wherein county officers are elected, and until his successor shall be duly elected and qualified; and should a vacancy occur in said office at any time the same shall be filled by the election of a successor with the qualifications herein provided, for the unexpired term, by the Board of County Commissioners at a regular or special meeting called for that purpose. The successor of the first recorder herein provided for and each succeeding recorder shall be nominated and elected in the county in the same manner and at the same time as is now provided by law for the nomination and election of the elective officers of the county, and in the general election for such officers, and the said recorder elected as herein provided shall qualify and assume office at the same time as, and for term of office shall be coterminous with, the other elective officers in said county. Said Recorder shall be allowed and paid a salary of a minimum of one thousand and no/100 dollars ($1,000.00) and a maximum of eighteen hundred and no/100 dollars ($1,800.00) per annum, to be determined by the Board of County Commissioners, and paid out of the county funds upon such vouchers as are now required for payment of county bills, said salary to be paid monthly, pro rata. Before entering upon the duties of his office the said recorder so elected shall take and subscribe an oath of office, as is now provided by law for justices of the peace, and shall file the same with the Clerk of the Superior Court of said County of Nash, which clerk will duly record the same.

Vacancies.  

Sec. 2. That nothing herein contained shall be construed as discontinuing the term of office of the present recorder of said court.

Office made elective.  

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

Term of office.  

Ratified this the 10th day of April, A.D. 1933.
H. B. 1102    CHAPTER 306
AN ACT TO REGULATE THE SALE OF MILK BOTTLES AND CONTAINERS IN MECKLENBURG COUNTY.

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 any milk or milk products in any milk bottle, can, crate or container when said utensils have the name or trade-mark of the owner plainly written, stamped or moulded thereon.

SEC. 2. That it shall be unlawful for any person, firm or corporation to buy, sell or offer for sale any used milk bottle, can, crate or container that has the name or trade-mark of the owner plainly written or stamped or moulded thereon, except an authorized agent of associated dairymen.

SEC. 3. That it shall be unlawful for any person, firm or corporation to salvage from any wagon, trash dump, office building, vacant property or any other locality any milk bottle, can, crate or container where said milk bottle, can, crate or container may be misplaced or lost if said utensils have the name or trade-mark of the owner plainly written, stamped or moulded thereon, unless it be for the purpose of returning same to the owner or his authorized agent.

SEC. 4. That this act shall apply to Mecklenburg County only.

SEC. 5. That any person, firm or corporation violating any of the provisions of this statute shall be guilty of a misdemeanor and be subject to a penalty of $25.00 for each and every offense.

SEC. 6. That all laws or clauses of laws in conflict herewith be and they are hereby repealed.

SEC. 7. That this statute will be in full force and effect on and after its ratification.

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

S. B. 439    CHAPTER 307
AN ACT TO DIVIDE THE BOARD OF COUNTY COMMISSIONERS OF JOHNSTON COUNTY INTO TWO CLASSES.

The General Assembly of North Carolina do enact:

SECTION 1. That at the general election to be held in the year one thousand nine hundred and thirty-four there shall be elected in the County of Johnston by the duly qualified voters thereof five (5) members of the Board of County Commissioners divided into two classes, two of whom shall compose one class whose term of office shall commence on the first Monday in December,
one thousand nine hundred and thirty-four, and expire at the end of two years thereafter, or on the first Monday in December, one thousand nine hundred and thirty-six; and three of whom shall compose another class whose term of office shall commence on the first Monday in December, one thousand nine hundred and thirty-four, and expire four years thereafter, or on the first Monday in December, one thousand nine hundred and thirty-eight. That upon the expiration of the term of office of both classes of said commissioners their successors shall be elected to hold office four years, and until their successors are elected and qualified.

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

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

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

H. B. 135

CHAPTER 308

AN ACT TO AUTHORIZE FISHING IN THE FRENCH BROAD RIVER FROM THE POINT WHERE IT ENTERS BUNCOMBE COUNTY TO THE POINT WHERE IT ENTERS MADISON COUNTY WITHOUT FIRST PROCURING A LICENSE TO FISH THEREIN.

The General Assembly of North Carolina do enact:

SECTION 1. It shall be lawful from and after the ratification of this act for all persons to fish in open seasons in the French Broad River from the point where said river enters Buncombe County to the point where said river enters Madison County without first procuring a county license as now provided by law.

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

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

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

H. B. 289

CHAPTER 309

AN ACT TO AMEND CHAPTER 450, PUBLIC-LOCAL LAWS, REGULAR SESSION OF GENERAL ASSEMBLY 1931, RELATING TO FISHING IN TENNESSEE RIVER.

The General Assembly of North Carolina do enact:

SECTION 1. Add the words "And Swain" after the word "Graham" and before the word "County," in line three of Section one of said Act, and strike out "County," and add "Counties."

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

Ratified this the 11th day of April, A.D. 1933.
H. B. 317  CHAPTER 310
AN ACT TO PROHIBIT SEINING AND TRAPPING FISH IN THE DAN, MAYO AND SMITH RIVERS IN ROCKINGHAM AND STOKES COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful to seine, trap or in any way to catch fish in the Dan, Mayo and Smith Rivers except with hook and line or rod and reel; no license shall be required of residents of Rockingham and Stokes Counties for hook and line fishing.

Sec. 2. That any one violating the provisions of this act shall be guilty of a misdemeanor and shall be liable to a fine of not more than fifty dollars or imprisoned for not more than thirty days.

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

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

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

H. B. 322  CHAPTER 311
AN ACT TO REGULATE SEINING IN CASWELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That during July and August of each year the people of Caswell County may seine in all the waters of Caswell County, with the exception of Moon’s Creek: Provided, however, that no fish shall be taken from the stream that are classified as game fish.

Sec. 2. That any person violating the provisions of this Act shall be guilty of misdemeanor and fined not more than fifty dollars or 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 force from and after its ratification.

Ratified this the 11th day of April, A.D. 1933.
H. B. 896
CHAPTER 312
AN ACT TO PROVIDE FOR JURY TRIALS IN THE GENERAL COUNTY COURT OF BERTIE COUNTY, AND FOR REGULATING APPEALS IN CRIMINAL CAUSES FROM SAID COURT, AND PROVIDING FOR WAIVER OF JURISDICTION BY DEFENDANTS IN CRIMINAL CAUSES AND OFFENSES LESS THAN CAPITAL.

The General Assembly of North Carolina do enact:

SECTION 1. That the demand for a jury trial, in both civil and criminal causes, in the General County Court of Bertie County, as now provided by law, shall be made in open, or presented to the Clerk of the Superior Court acting as Clerk of said Court in writing, with the fee required by law in civil causes before twelve o'clock, noon, on the first Monday of each month.

SEC. 2. That in all causes, both civil and criminal, in which demand for a jury trial has not been so made, by the day and hour named herein, such failure to do so by the party or parties, plaintiff or defendant in civil causes, or defendant in criminal causes, shall be deemed a waiver of the right to such jury trial, and a consent to proceed to trial without a jury.

SEC. 3. That in all civil causes for trial in said Court unless, at the time of demanding a jury trial, the party demanding such jury trial shall deposit with the Clerk of this Court the jury tax as prescribed by law, the demand for a jury trial shall be refused and denied; and the party or parties so failing to deposit such sum shall be deemed to have waived and lost the right of jury trial, and the cause shall be tried without a jury.

SEC. 4. That in all criminal causes tried in said general county court in which a jury has been empaneled and an appeal taken to the Superior Court, the appeal shall be tried in the Superior Court for errors assigned in matters of law in the same manner as is now provided for appeals in civil causes from said court to the Superior Court.

SEC. 5. That in all criminal causes less than capital the General County Court of Bertie County is hereby given jurisdiction to try and determine the same upon the consent of the defendant entered on record, and such consent shall be deemed to be given unless the question of a want of jurisdiction shall be expressly raised, when the cause is called for trial, and in such case the plea of a want of jurisdiction shall not thereafter be raised on appeal or otherwise.

SEC. 6. That this act shall only apply to Bertie County and to the Courts thereof.

SEC. 7. That this act shall be in full force and effect from and after the tenth day of March, 1933.

Ratified this the 11th day of April, A.D. 1933.
H. B. 972

CHAPTER 313

AN ACT TO PROVIDE FOR A CALENDAR IN THE CRIMINAL COURTS OF COLUMBUS COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Solicitor of the Eighth Judicial District shall, on or before ten days prior to the beginning of each term of criminal court to be held in Columbus County, prepare a calendar of all cases on the docket, except capital felonies, and file a copy with the Clerk of the Superior Court at least ten days before the first day of the term.

Sec. 2. That no case on said calendar shall be called for trial except by consent or by order of court before the day fixed by the calendar.

Sec. 3. That all witnesses shall be subpoenaed to appear on the date of the trial of the case in interest, except witnesses who are to appear before the grand jury, and after they appear before said grand jury they may be excused until the day set for trial of the case in which they are witnesses.

Sec. 4. That all cases docketed after the calendar has been made and filed with the Clerk of the Superior Court may be placed on the calendar at the discretion of the Solicitor.

Sec. 5. That this act shall apply only to Columbus 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 11th day of April, A.D. 1933.

H. B. 976

CHAPTER 314

AN ACT TO AMEND CHAPTER 391 OF THE PUBLIC-LOCAL LAWS OF 1927 RELATING TO THE SALARY OF THE ASSISTANT CLERK OF THE SUPERIOR COURT OF WAKE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter three hundred ninety-one of the Public-Local Laws of one thousand nine hundred and twenty-seven be and the same is hereby repealed and the following inserted in lieu thereof:

"Section 1. That the salary of the assistant clerk of the Superior Court of Wake County be and the same is hereby fixed at the sum of one thousand eight hundred dollars per annum, and the board of county commissioners are hereby authorized
and directed to pay to the said assistant clerk of the Superior Court of Wake County the sum of one thousand eight hundred dollars per annum in such installments and in such manner as other employees of the county of Wake are now paid by law."

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

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

H. B. 1039

CHAPTER 315

AN ACT FOR THE PROTECTION OF MOUNT PLEASANT CHURCH AND SAMARIA CHURCH, IN FERRALLS TOWNSHIP, NASH COUNTY, AND MACEDONIA CHURCH, IN COOPERS TOWNSHIP, NASH COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person, firm or corporation to keep open during church hours on Sunday any store, shop, garage or filling station for the purpose of selling or offering for sale any goods, wares, merchandise, drinks, gasoline, or oil within one mile of Mount Pleasant Church, in Ferralls Township, Nash County, within one mile of Samaria Church, in Ferralls Township, Nash County, and within one mile of Macedonia Church, Coopers Township, Nash County, North Carolina.

SEC. 2. That it shall be unlawful for any person, firm or corporation to maintain or operate for pay or profit any pool table, billiard table, or any miniature pool table or billiard table, whether operated by slot machine or otherwise, or any other game of chance, within one mile of Mount Pleasant Church, in Ferralls Township, Nash County, or within one mile of Samaria Church, in Ferralls Township, Nash County, or within one mile of Macedonia Church, in Coopers Township, Nash County, North Carolina.

SEC. 3. That any person violating this act shall be guilty of a misdemeanor and fined not exceeding Fifty Dollars ($50.00) or imprisoned not exceeding thirty days.

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 by the Board of County Commissioners of Nash County, by ordinance duly adopted by a majority of said Board and spread upon the minutes of said Board.

Ratified this the 11th day of April, A.D. 1933.
H. B. 1066  

CHAPTER 316

AN ACT TO ALLOW FISHING IN THE TENNESSEE RIVER AND CERTAIN TRIBUTARIES THEREOF IN MACON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be lawful to fish with hook and line or trot line at any time in the Tennessee River from the Georgia line through Macon County to the Swain County line; also Sugar Fork or Cullasaja River from the mouth of Buck Creek to the point where it empties into the Tennessee River; also Cartoogehaye Creek from the point where Highway Number twenty-eight crosses said creek near the junction of Jones Creek and Allison Creek at or near what is known as the Enloe Farm; thence to the point where Cartoogehaye Creek empties into the Tennessee River, and no license shall be charged therefor in said Macon 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 full force and effect from and after its ratification.

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

H. B. 1055  

CHAPTER 317

AN ACT TO PREVENT THE KILLING, SELLING AND SHIPPING CALVES FOR VEAL IN MACON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person or persons, firm or corporation to buy or sell, or engage in the business of buying and selling or shipping calves for veal under the age of eight months, dead or alive, which have been sired by Hereford, Shorthorn, Aberdeen-Angus or any other strictly beef type breed bulls.

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 not more than fifty dollars or imprisoned not more than thirty days.

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

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

Ratified this the 11th day of April, A.D. 1933.
H. B. 1125  CHAPTER 318

AN ACT TO REGULATE FISHING IN THE VARIOUS SWAMPS, MARSHES AND CREEKS IN COLUMBUS COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be lawful for any person or persons to fish during all seasons, with hook and line, in all the waters of Columbus County except in the waters of Lake Waccamaw, said waters to include the various swamps, marshes and creeks in said county.

SEC. 2. That it shall be lawful for any person or persons to fish in the waters of the various swamps, marshes and creeks in Columbus County with three-inch mesh nets during the months of November, December and January.

SEC. 3. That it shall be lawful for any person or persons to fish with seines in the waters of the various swamps, marshes and creeks in Columbus County during the months of July and August, under the supervision of the Department of Conservation and Development, or the County Game and Fish Warden.

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

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

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

H. B. 1132  CHAPTER 319

AN ACT TO REPEAL CHAPTER 407, PUBLIC-LOCAL LAWS OF 1911, RELATING TO HUNTING FOXES IN DUPLIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter four hundred and seven, Public-Local Laws of one thousand nine hundred and eleven, and all amendments thereto, be and the same are hereby repealed.

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

Ratified this the 11th day of April, A.D. 1933.
CHAPTER 320


The General Assembly of North Carolina do enact:

Section 1. That chapter one hundred four, Public Laws of one thousand nine hundred nine, entitled "An Act to Establish in the City of Reidsville a Special Court to be called the Recorder's Court" and prescribe the jurisdiction thereof, be amended as follows: (a) Strike out in section three of said chapter one hundred four, beginning with the word "and" in line seventeen all of said section reading as follows: "And shall receive a salary of forty dollars per month to be paid by the town of Reidsville, but the Board of Commissioners may increase the same to as much as sixty dollars per month should the amount of business and the usefulness of the court justify such an increase," and substitute in lieu thereof the following: That the Recorder of said Court shall receive a salary of not less than sixty dollars per month and not more than one hundred dollars per month, to be determined by the City Council, and to be paid by the city of Reidsville monthly.

Sec. 2. That chapter one hundred fifty-six, Public-Local Laws of 1911, be amended as follows: Strike out all of section two of said chapter one hundred fifty-six and substitute in lieu thereof the following: The said Prosecuting Attorney shall receive a salary of not less than sixty dollars per month and not more than one hundred dollars per month, to be determined by the City Council, and to be paid by the city of Reidsville monthly: that there shall be taxed by the Clerk of said Court fees as follows: one dollar for each conviction for the violation of a town ordinance, three dollars for each conviction of other offenses in the jurisdiction of said Court and one dollar for each absolute judgment in sect. 1 of the said Court, and one dollar in all cases where preliminary hearings are held in cases above the jurisdiction of this Court where the party is bound to the Superior Court, the same to be taxed in the bill of cost and remitted to the Clerk of the Recorder's Court when collected by the Clerk of the Superior Court.

Sec. 3. That the salaries herein fixed for the Recorder and Prosecuting Attorney of said Court shall be in lieu of all salaries
316

Chapter 320—321—322

Fees to be collected.

No salary changes during tenure of office.

Effective December 1, 1934.

and fees heretofore provided by law for said Recorder or Prosecuting Attorney, and that all fees set forth in chapter one hundred four, Public Laws of 1909, and in chapter one hundred fifty-six, Public-Local Laws of 1911, and in chapter three hundred twenty-four, Public-Local Laws of 1915, and in chapter twenty-four, Public Laws of 1931, and any and all fees provided for in this act shall be collected by the proper authorities and when collected paid into the treasury of the City of Reidsville.

SEC. 4. This act shall not be construed to authorize the City Council of the City of Reidsville to change the salary or compensation of the present Recorder and/or Solicitor during his or their present term of office.

SEC. 5. That this act shall be in full force and effect from and after December 1st, 1934.

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

S. B. 420

CHAPTER 321

AN ACT TO REPEAL CHAPTER 301, PUBLIC-LOCAL LAWS OF 1927, RELATIVE TO SLOT MACHINES IN BLADEN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter three hundred one of the Public-Local Laws of North Carolina, of nineteen hundred and twenty-seven, be and the same is hereby repealed.

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

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

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

S. B. 448

CHAPTER 322

AN ACT VALIDATING CERTAIN DEEDS AND DEEDS OF TRUST REGISTERED IN THE OFFICE OF THE REGISTER OF DEEDS FOR VANCE COUNTY.

Preamble: Defective deeds in Vance County.

Whereas, in the registration of many deeds and deeds of trust in the office of the Register of Deeds for Vance County the words “oath and/or examination” have been omitted from the examination of the subscribing witness thereby making defective such instruments: Now, therefore,
The General Assembly of North Carolina do enact:

SECTION 1. That any deed or deed of trust registered in the office of the Register of Deeds for Vance County prior to the first day of April, one thousand nine hundred and thirty-three, in which the words "oath and/or examination" have been omitted from the examination of the subscribing witness, be and the same is hereby validated, and all such probates and certificates are hereby validated and confirmed, and the said deeds shall be taken and considered as duly acknowledged and probated.

SEC. 2. That this Act shall not apply to pending litigation.

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

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

S. B. 474

CHAPTER 323

AN ACT TO AMEND SENATE BILL No. 175 RELATING TO THE OFFICE OF TREASURER-TAX COLLECTOR OF MECKLENBURG COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Senate Bill No. 175 be amended by adding thereto the following:

Section 33. That pending the election provided for in Section 4 of said act, that the office of Treasurer-Tax Collector shall be held by Parks Kirkpatrick at a salary of Two Hundred ($200.00) Dollars per month.

Section 34. That all laws and clauses of laws in conflict with the provisions of this act be repealed.

Section 35. That this act shall be in full force and effect from and after its ratification.

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

S. B. 475

CHAPTER 324

AN ACT TO AUTHORIZE THE GOVERNING AGENCIES IN WAYNE COUNTY TO ACQUIRE THEIR OWN OBLIGATIONS.

The General Assembly of North Carolina do enact:

SECTION 1. Each governing agency in Wayne County is authorized, in its discretion, to accept in payment of current taxes the bonds and notes of its local unit which mature in the current or calendar year.
Likewise as to
back taxes.

Conflicting laws
repealed.

Sec. 2. Each such governing agency in Wayne County is authorized, in its discretion, to accept in payment of old taxes due prior to the current tax year the bonds and notes of its local unit which mature either in the current year or in the future.

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

S. B. 488  CHAPTER 325

AN ACT TO FIX AND REGULATE THE COURT COSTS AND WITNESS’ FEES IN THE RECORDER’S COURT OF IREDELL COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That in every criminal case tried in the Recorder's Court of Iredell County there shall be taxed by the Clerk of the Court as part of the costs to be paid by the defendant, when convicted, the sum of four ($4) dollars for the Court costs; the sum of four ($4) dollars for the Solicitor's fee; the sum of four ($4) dollars for the Recorder's fee, all of which when paid shall go into the treasury of Iredell County, as now provided by law: Provided, however, that in all cases in which the Recorder's Court of Iredell County has concurrent jurisdiction with the courts of the Justice of Peace or with the Mayor's Court of the city of Statesville, the sum of two ($2) dollars shall be taxed for Court costs, the sum of one dollar for the Solicitor's fee, the sum of one dollar for the Recorder's fee.

Sec. 2. Witnesses, who have been duly subpoenaed to appear in said court and who testify in the trial of any case or who are tendered, shall be allowed the sum of one dollar per day and five (5c) cents per mile, both ways, from their place of residence to the courthouse, which fees shall be taxed as a part of the costs against the defendant when convicted. No witness shall be permitted to prove his attendance in more than one case in any one day, and in the event he testifies as a witness in more than one case in any one day then his witness fee and mileage shall be divided equally among the cases in which he has testified on that day.

Sec. 3. That the Board of Commissioners of Iredell County are authorized and empowered to increase or decrease the fees set out in Section 1 of this act upon determination by said board that said fees are insufficient to pay the expenses of said Recorder's Court, or in excess of the amount necessary to pay the
expenses of said Court: *Provided, however*, said increase or decrease shall not exceed 25 per cent of the fees designated in Section 1 of this act.

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

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

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

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**H. B. 1275**

**CHAPTER 326**

**AN ACT TO AMEND SENATE BILL 175, THE SAME BEING "A BILL TO BE ENTITLED AN ACT TO CREATE THE OFFICE OF TREASURER-TAX COLLECTOR OF MECKLENBURG COUNTY, AND COLLECTOR OF REVENUE FOR THE CITY OF CHARLOTTE, PRESCRIBING THEIR DUTIES AND SETTING FORTH THE MANNER OF TAKING JUDGMENT AGAINST DELINQUENT TAXPAYERS," RATIFIED APRIL 3, 1933.**

*The General Assembly of North Carolina do enact:*

**Section 1.** That section fifteen of Senate Bill one hundred and seventy-five, ratified April third, one thousand nine hundred and thirty-three, be and the same is hereby repealed and a new section enacted in lieu thereof, to read as follows:

"Section 15. That said Collector of Revenue shall collect all taxes, street assessments, license taxes, together with any and all other revenues levied by the governing body of the city of Charlotte, and in the collection thereof shall accept payments in monthly, quarterly, semi-annual or annual installments at the election of the taxpayer, with interest at a rate of not exceeding eight per centum per annum for the first year after the due date thereof, and not exceeding six per centum per annum after such first year, and upon such collections shall render partial or full receipts consonant with such payments: *Provided*, that license and franchise taxes shall be paid in full before the issuance of such license and before the business licensed shall be carried on: *Provided further*, no court costs, attorneys’ fees or other charge whatever except the interest herein set forth, shall be assessed against or added to any delinquent tax."

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

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

Ratified this the 13th day of April, A.D. 1933.
H. B. 465  CHAPTER 327
AN ACT TO APPOINT A MEMBER OF THE BOARD OF EDUCATION OF JONES COUNTY.

Whereas, a vacancy exists on the Board of Education of Jones County by reason of resignation of George R. Hughes to become Clerk Superior Court of Jones County; and

Whereas, it is necessary to fill said vacancy caused by the resignation of said George R. Hughes: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That Charles Jones be and is hereby appointed a member of the Board of Education of Jones County to fill the unexpired term of George R. Hughes.

SEC. 2. That said term of office shall expire on the first Monday in April, nineteen hundred and thirty-seven.

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 18th day of April, A.D. 1933.

H. B. 1197  CHAPTER 328
AN ACT SUPPLEMENTAL TO HOUSE BILL 787, RATIFIED MARCH 15, 1933, THE SAME BEING "AN ACT TO REPEAL CHAPTER 147 OF THE PUBLIC-LOCAL LAWS OF 1931 AND ESTABLISHING THE OFFICE OF TAX COLLECTOR AND RE-DEFINING THE DUTIES OF THE SHERIFF OF POLK COUNTY AND FIXING HIS SALARY."

The General Assembly of North Carolina do enact:

SECTION 1. That House Bill seven hundred and eighty-seven, ratified March fifteenth, one thousand nine hundred and thirty-three, be and the same is hereby amended by adding after the period in the last line of section two of said bill the following: "That the said County Commissioners of Polk County are authorized to appoint some capable person to act as deputy tax collector for the County of Polk, and said deputy tax collector shall be subject to the same supervision and regulations as the tax collector and treasurer with power to levy on property, both real and personal, for non-payment of taxes. The County Commissioners are further authorized to fix a reasonable compensation for such services rendered by said deputy tax collector to be paid from the general fund, and that said deputy tax
collector shall serve at the will of the County Commissioners and may be removed by them without cause."

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 18th day of April, A.D. 1933.

H. B. 1213

CHAPTER 329

AN ACT TO VALIDATE SALES OF REAL ESTATE FOR TAXES IN CALDWELL COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That all sales of real estate for taxes made in Caldwell County for the years nineteen twenty-seven, nineteen twenty-eight, nineteen twenty-nine, nineteen thirty, nineteen thirty-one and nineteen thirty-two, for State, County and Municipal purposes be and the same are hereby validated.

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

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

Ratified this the 18th day of April, A.D. 1933.

H. B. 1215

CHAPTER 330

AN ACT GOVERNING THE NOMINATION AND ELECTION OF COUNTY COMMISSIONERS OF PAMLICO COUNTY.

The General Assembly of North Carolina do enact:

That for the purpose of having the county commissioners of Pamlico County a body representative of the whole county, the nomination and election of county commissioners for said Pamlico County shall be governed as follows:

Section 1. That in the general primary or primaries hereafter held every two years preceding the general election, five candidates from said county shall be nominated by the qualified voters of said county participating in the general primary or primaries of each of the recognized political parties, and should there be more than five candidates for such nomination of any of the said recognized political parties, the five candidates receiving the highest number of votes in their respective primaries shall be declared the nominees of their party for election in the
Conflicting laws repealed.

Control of hydrophobia in Robeson County.

Impounding dogs.

Vaccination of dogs.

Rules and regulations.

Violation made misdemeanor.

general elections as now by law provided; that should any party fail to nominate five candidates as above provided, then the executive committee of such party shall name the five nominees and such nominees shall be voted on in the general election as the nominee of such party.

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

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

Ratified this the 18th day of April, A.D. 1933.

H. B. 1256    CHAPTER 331

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF ROBESON COUNTY TO MAKE REGULATIONS FOR THE PREVENTION OF HYDROPHOBIA IN ROBESON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. The Board of Commissioners of Robeson County is hereby authorized and empowered to make such rules, regulations and to impose such penalties as in its judgment may be necessary or proper, at such times as the said board may deem proper, to prevent the spread of hydrophobia, including authority to make and declare it unlawful for the owner of any dog to allow such dog to run at large or be off the premises of the owner or person having charge of such dog, and including the authority to instruct, authorize and empower any sheriff, deputy sheriff, rural policeman, municipal officer or other police officer to catch, impound, or kill any dog found off the premises of its owner.

Sec. 2. In addition to the above the Board of Commissioners is also authorized and empowered, in its discretion, to require the vaccination for rabies of any, or all, dogs in the County, or in any part or subdivision thereof, and it shall be the duty of said Commissioners to secure the serum for such vaccination at lowest possible wholesale cost.

Sec. 3. That the Board of Commissioners of Robeson County may enact such rules and regulations so as to apply to the County of Robeson as a whole or to any part or subdivision thereof, and when so enacted such rule or regulation shall remain in force and effect until rescinded by the Board of Commissioners.

Sec. 4. That any person violating any rules or regulations made by the said Board of Commissioners, under the authority of this act, shall be guilty of a misdemeanor or fined not more than fifty dollars or imprisoned not more than thirty days.

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

Ratified this the 18th day of April, A.D. 1933.
S. B. 402

CHAPTER 332

AN ACT RELATING TO THE CLOSING OF CERTAIN STORES AND FILLING STATIONS IN PITTS COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That all stores and/or filling stations situated within five hundred (500) yards of the Free Will Baptist Church or any other church located at Black Jack, Chicod Township, Pitt County, shall close and remain closed from 10:00 o’clock a.m. to 2:00 o’clock p.m., and from 6:00 o’clock p.m. to 10:00 o’clock p.m. on each and every Sunday, and such stores and/or filling stations shall close and remain closed at any and all other hours on Sunday when the said church or churches at Black Jack are used for religious worship.

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 18th day of April, A.D. 1933.

S. B. 435

CHAPTER 333

AN ACT SUPPLEMENTAL TO AND AMENDING AN ACT RATIFIED MARCH 20TH, 1933, IT BEING HOUSE BILL No. 698 AND ENTITLED “AN ACT TO AMEND CHAPTER 431 OF PUBLIC-LOCAL LAWS OF 1927, AND CHAPTER 234 OF PUBLIC-LOCAL LAWS OF 1931, RELATING TO MIGRATORY WILD FOWL IN CURRITUCK COUNTY AND PROVIDING FOR ELECTION OF GAME COMMISSIONERS.”

The General Assembly of North Carolina do enact:

Section 1. That House Bill No. 698, ratified March 20th, 1933, it being an act entitled “An act to amend Chapter 431 of Public-Local Laws of 1927, and Chapter 234 of Public-Local Laws of 1931, relating to migratory wild fowl in Currituck County and providing for election of Game Commissioners,” be and the same is amended as follows:

By adding at the end of Section 2, to be known as Section 2½, the following:

The members of said Game Commission shall be appointed by the Board of County Commissioners, as above provided, on the first Monday in May, beginning in the year 1933, and each two years thereafter, for a term of two years or until their successors are appointed and qualified.

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

Ratified this the 18th day of April, A.D. 1933.
CHAPTER 334

AN ACT VALIDATING THE ACTION OF THE COMMISSIONERS OF MACON COUNTY IN POSTPONING THE SALE OF LAND FOR TAXES IN SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the action of the Board of Commissioners of Macon County, whose terms expired on the first Monday in December, one thousand nine hundred and thirty-two, in postponing the sale of land for delinquent taxes and all other acts performed by said Board of Commissioners relative thereto, be and the same are hereby in all respects validated.

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

Ratified this the 18th day of April, A.D. 1933.

CHAPTER 335

AN ACT PROVIDING FOR SPECIAL LEVY FOR SPECIAL PURPOSES IN WARREN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. Subject to the approval of the Director of Local Government, the Board of County Commissioners of Warren County are hereby authorized to levy such special property taxes as may be necessary, not to exceed ten cents on the one hundred dollars in valuation, for the following special purposes, respectively, in addition to any taxes now allowed by law for such purposes and in addition to the rate allowed by the Constitution:

(1) For the expenses of the quadrennial valuation of the assessment of property;
(2) For the expenses of holding courts in the County and the expenses and maintenance of jail and jail prisoners;
(3) For election expenses.

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

Ratified this the 18th day of April, A.D. 1933.
CHAPTER 336
AN ACT TO AUTHORIZE THE ISSUANCE OF SCRIPT BY LEE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of Lee County are hereby authorized and empowered to from time to time issue and re-issue negotiable script of said Lee County, based upon uncollected delinquent taxes and/or collateral bonds or notes executed to and held by such county for delinquent taxes or for the redemption of lands sold for taxes for the years 1927, 1928, 1929, 1930, and 1931, and which shall be also a direct obligation of the County of Lee. The said script or evidence of indebtedness shall bear the date of its issue, and shall be in such form as may be determined by said Board of Commissioners and be executed in the name of said Board by the facsimile signature of its chairman, attested by the facsimile signature of its clerk, and payable at a definite date fixed by said Board, but no longer than twelve months from the date of issuance thereof, and shall bear interest from the date of issue at the rate of 6 per cent per annum, payable only at maturity or on redemption, which time shall first occur; and interest thereon shall close at the date of maturity whether presented for a redemption on said date or not. Such script or evidence of indebtedness shall state in its face that it is issued under authority of this act; that the same is a direct obligation of the County of Lee, and that in addition thereto its payment is secured by a pledge of the collections from the above recited uncollected delinquent taxes, and/or collateral bonds and notes held by said County for said taxes or for the redemption of lands sold for said taxes for said years. Such issue or re-issue shall never at any time exceed 50 per cent of the then said uncollected delinquent taxes for said years and/or such collateral bonds or notes executed to and held by said County for such delinquent taxes or redemption of lands sold for taxes, and may be issued and re-issued upon resolutions passed by the Board of Commissioners from time to time in their discretion in such gross amounts so fixed by such resolutions, not exceeding said maximum herein fixed. The said script shall be in denominations to be fixed by the said Board of Commissioners, but in no event greater than Ten Dollars ($10.00). The said script may be issued and used for value at not less than par in payment, satisfaction and settlement of the obligations of said county for services to or purchases made by it, but its acceptance shall not be obligatory; and the same may be sold for cash by the County at not less than par.

SEC. 2. That all uncollected delinquent taxes for the years 1927, 1928, 1929, 1930, and 1931, and/or collateral bonds or notes
executed to and held by the County of Lee for delinquent taxes or for redemption of land sold for taxes for said years and the proceeds therefrom shall be a part of the General County Fund of said County, and payable thereto and disbursable as such; but the script or evidences of indebtedness issued under the provisions of this act may be used for the payment of any indebtedness for said County for which the same may be received by any creditor; but as a matter of accounting between the funds of said County only, and for the protection and final reimbursement of the General County Fund, and until the same shall have been paid off and retired by the regularly levied and collected taxes for the current or a subsequent fiscal year for the particular fund other than the General County Fund for which said script or any part thereof or the proceeds thereof have been advanced or used, an accurate account shall at all times be kept by the County Accountant of such script or evidence of indebtedness and the total amount so issued to or for the benefit of any fund other than the General County Fund, and of the funds derived therefrom so received by each of such other fund or funds; and whenever and as fast as practicable the said script so received shall be paid off and retired from the taxes levied and collected for the current or a subsequent fiscal year for the said fund other than the General County Fund so receiving the same or the benefit of the same; and the General County Fund shall finally be reimbursed from such source or sources to the extent of such advancement or loan to it:

Provided, that nothing contained in this Section shall be construed so as to abridge in any way the rights of the holders of said script or evidences of indebtedness to have immediate payment thereof when due.

SEC. 3. That such script shall be callable for redemption by Lee County at par and accrued interest at any time not less than 30 days from date of last publication of notice of a resolution to such effect passed by the Board of Commissioners and published once a week for two weeks in some newspaper of general circulation published in Lee County, at the expiration of which time interest shall cease on all not presented for redemption.

SEC. 4. All moneys collected and received in payment of such delinquent taxes and/or collateral bonds for delinquent taxes or land redemptions upon which the issuance of said script is based shall be kept in a separate fund by the Board of Commissioners or the treasurer or other fiscal or financial agent of said County and a separate account thereof kept by the County Accountant, and all such moneys and funds shall be faithfully used and applied in the redemption of said County script at the time named therein for its payment and redemption; and if sufficient
money from such source has not been collected at the time fixed for its payment or redemption, the same, if the same be not re-issued, it shall be paid from the other funds on hand; each account for the benefit of which advancements have been made from said script to bear its pro rata part thereof.

Sec. 5. That the County Accountant of Lee County shall file with the Local Government Commission of North Carolina a copy of the proceedings authorizing the issuance of any script hereunder or as herein authorized, and shall at the end of each month file with the Local Government Commission of North Carolina a detailed report setting forth the amount of such script then outstanding, and which has not been actually redeemed and retired.

Sec. 6. The said script or evidence of indebtedness under the provisions of this act shall be receivable at the face thereof by Lee County or any officer thereof authorized to collect or receive money for it in settlement of all taxes, fines, amercements, costs, debts or other public dues or demands and payable to said County; the same to be received minus the interest then accrued according to its tenor if the said script shall not then be due according to its tenor, and if the same shall not have been previously called for redemption or payment as herein provided; and the same shall be received plus the accrued interest according to its tenor if said script then be due, past due or previously called for redemption. When so received and the same is not then due according to its tenor and has not been previously called for redemption or payment, the same may be by the County again paid out and used as if not paid to the County; and such payment on such debt or demand of the County to it, before maturity, shall not be a payment or redemption thereof by the County unless the Board of County Commissioners, in its discretion, shall so provide by resolution, as to any such script then on hand, or to be thereafter received by it, or it may, in its discretion, cause, by resolution duly adopted, the retirement of all or any portion thereof so received and in its hands, and an issue of a like amount in lieu thereof, to be used in the way and manner herein provided, not exceeding the maximum herein fixed.

Sec. 7. That any person unlawfully forging, counterfeiting, or uttering such forged or counterfeited script as authorized in this act shall be guilty of a felony.

Sec. 8. That this act shall apply to Lee County only.

Sec. 9. That all laws and clauses of laws in conflict with this act, in so far as they apply to Lee County, are hereby repealed.

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

Ratified this the 18th day of April, A.D. 1933.
S. B. 536

CHAPTER 337

AN ACT TO EMPOWER THE BOARD OF ALDERMEN OF THE CITY OF STATESVILLE AND THE BOARD OF COMMISSIONERS OF IREDELL COUNTY TO CONFER UPON THE RECORDER'S COURT OF IREDELL COUNTY THE JURISDICTION OF THE MAYOR'S COURT OF THE CITY OF STATESVILLE.

The General Assembly of North Carolina do enact:

SECTION 1. The Board of Aldermen of the City of Statesville and the Board of Commissioners of the County of Iredell shall have the power, by joint resolution at a joint meeting of the two bodies, to take away from the Mayor's Court of the City of Statesville all jurisdiction it now exercises and confer such jurisdiction on the Recorder's Court of Iredell County, heretofore established under the general law. After the adoption of such joint resolution, a majority of each Board concurring therein, the Recorder's Court of Iredell County shall possess all the powers and functions and exercise all the territorial jurisdiction heretofore exercised by the Mayor's Court of the City of Statesville, which shall be in addition to the powers and functions now exercised by said Recorder's Court of Iredell County.

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

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

Ratified this the 18th day of April, A.D. 1933.

H. B. 840

CHAPTER 338

AN ACT FOR THE RELIEF OF PROPERTY OWNERS IN THE MATTAMUSKEET DRAINAGE DISTRICT.

Whereas, the operation of pumps and other facilities by which drainage of the Mattamuskeet lake area in Mattamuskeet Drainage District in Hyde County has ceased, and all efforts to keep and free the lands within said district from ponding or overflow of the waters from said lake area have for some time been discontinued; and

Whereas, by reason of the cessation of said operations, the purposes and objects for which said drainage district were created, and for which assessments were laid upon the property owners therein, have been nullified; and

Whereas, unless said pumping of the water from said lake area is immediately resumed so that the lands within said drain-
age district may be freed from the waters which are now pond-
ing back and overflowing upon them; and

Whereas, as the result of the cessation of said operations, the
lands within said drainage district are not being drained, and
the owners of said lands are suffering irreparable injury and
damage by reason thereof, and the preservation of their rights
and their properties can only be had by instant action; Now,
therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That upon a petition from the landowners affected
by the backing and impounding of said waters, and the failure
to drain said lands, and a finding by the Board of Commissioners
of Hyde County that said lands are being injured and damaged
by such backing and impounding and failure to drain, the Board
of Commissioners of Hyde County are authorized and empowered,
upon a deposit by said landowners of a sufficient sum to cover
the cost thereof, to cause apertures or openings to be made in
the dam at New Holland, in said drainage district, so as to
cause and permit the impounded waters within said lake area
to flow therefrom, to such extent as will free the lands of
surrounding owners within said drainage district from said over-
flowing and impounding of water, and so as adequately to drain
the lands within said drainage district: Provided, the New Hol-
land Corporation Company may, in their discretion, place suffi-
cient flood-gates at said apertures or openings to protect their
lands from salt water, the cost of same to be borne by said New
Holland Corporation Company: Provided further, the powers
herein conferred upon the Board of County Commissioners shall
not be exercised without the written consent of the New Hol-
land Corporation if and so long as said Corporation shall lower
the said dam and maintain the same at a height corresponding
to sea level, thereby permitting the waters of Mattamuskeet
Lake when above sea level to overflow said dam over into the
outfall canal.

SEC. 2. That cost of making said apertures or openings de-
scribed above shall be paid by the owner or owners of the land
benefited by said apertures or openings.

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 18th day of April, A.D. 1933.
H. B. 1181

CHAPTER 339

AN ACT TO AMEND THE OFFICIAL REGULATIONS GOV-ENRING THE SALE OF FRESH MEATS IN THE CITY OF RALEIGH AND WAKE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section (d) of the Official Regulations governing the slaughter and sale of fresh meats, as defined by Wake County Board of Health, be amended by adding the following at the end of said section:

"That the restriction herein contained shall not apply to farmers who actually raise hogs, sheep, veal, goats, cattle or poultry, and that the said farmers be permitted to sell at the Market House at Raleigh, or in Wake County, at retail, for use as human food the fresh meat of any hog, sheep, veal, goat, cattle or poultry, after such meat has been duly inspected and stamped by a health officer or his duly authorized agent."

SEC. 2. That the last sentence in section four of said Official Regulations be amended by striking out the words "Wholesale and Retail" at the beginning of said sentence and inserting in lieu thereof "Wholesaler, Retailer and Farmer."

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 force and effect from and after its ratification.

Ratified this the 18th day of April, A.D. 1933.

H. B. 1226

CHAPTER 340

AN ACT TO AMEND HOUSE BILL 997, BEING "AN ACT TO APPOINT A BOARD OF REVALUATION AND REVIEW IN YANCEY COUNTY."

The General Assembly of North Carolina do enact:

SECTION 1. That wherever the name "Glenn Profitt" appears in this act the name "W. C. Edwards" be, and the same is, hereby inserted in lieu thereof.

SEC. 2. That the said Board of Revaluation shall meet on the third Monday in April, one thousand nine hundred thirty-three, and proceed to appoint tax listers and assessors in accordance with the provisions of the general Machinery Act; that said Board may appoint a general tax supervisor from among its members, or the Board as a whole may act as such general tax supervisor.
SEC. 3. That all laws and clauses of laws in conflict herewith be and the same are hereby repealed.

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

Ratified this the 18th day of April, A.D. 1933.

H. B. 1248

CHAPTER 341

AN ACT TO CORRECT SOME UNCERTAINTY IN THE LOCATION OF THE LINE BETWEEN THE COUNTIES OF WILKES AND ALLEGHANY.

Whereas, there is uncertainty as to the exact location of the County line between the Counties of Wilkes and Alleghany as the same runs through the farm of Curtis Brooks;

Whereas, the said Curtis Brooks resides within eight miles from the Town of Sparta, County-seat of Alleghany, and approximately forty miles from Wilkesboro, County-seat of Wilkes County: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the County line between Wilkes and Alleghany Counties shall be and is hereby located so that the farm of Curtis Brooks shall be in and form a part of Alleghany County, but this Act shall involve no other change in the line between the said Counties.

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

Ratified this the 18th day of April, A.D. 1933.

H. B. 1278

CHAPTER 342

AN ACT TO REGULATE THE COSTS IN CRIMINAL ACTIONS IN COURTS OF JUSTICES OF THE PEACE FOR RICHMOND COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That upon conviction of any person in a Justice of the Peace or Mayor's Court in Richmond County there shall be taxed against the defendant the following costs and no more:

(a) A process fee of two dollars and fifty cents ($2.50) for the use and benefit of the officer making the arrests and serving all processes.

(b) A fee of two dollars ($2.00) for the use and benefit of the trial justice or Mayor: Provided, that in cases of removal
from one Justice to another the said amount shall be prorated between them.

(c) For each witness offered by the State, not to exceed two, fifty cents (50c), and for each witness subpoenaed by the defendant, a fee of fifty cents (50c).

(d) Jail fees at the rate fixed by the County Commissioners, but not to exceed the sum of seventy-five cents (75c) per day.

SEC. 2. (a) If the defendant is sentenced to jail to be assigned to the roads for non-payment of the costs, the County shall pay one-half the fees hereinbefore set forth to the Mayor or Justice of the Peace and officer serving the process: Provided, that the County shall not be liable for or pay to any Justice of the Peace or Mayor a sum in excess of ten dollars ($10.00) per month for cases in which he has final jurisdiction.

(b) That upon appeal by the defendant from the justice's court or mayor's court to a higher court, or if the defendant be bound over to any higher court for trial, such costs as hereinbefore provided shall be charged upon the warrant, and if paid shall accrue to the use and benefit of the persons entitled thereto, and if the defendant do not pay the costs, the county shall pay one-half the costs assessed by such Justice of the Peace or Mayor to the persons entitled to the same: Provided, that the county shall not be liable for witness and mileage fees of witnesses for the defendant.

SEC. 3. That if any Justice of the Peace or Mayor or officer shall collect any fees other than set forth herein or in excess of the sums set forth herein, he shall be guilty of a misdemeanor and fined or imprisoned in the discretion of the court.

SEC. 4. That all laws and clauses of laws in conflict herewith be and the same are hereby repealed.

SEC. 5. That this act shall be and remain in full force and effect from and after June first, nineteen hundred and thirty-three.

Ratified this the 18th day of April, A.D. 1933.

H. B. 1293  CHAPTER 343

AN ACT TO FIX THE COMPENSATION OF THE SHERIFF OF ANSON COUNTY FOR THE COLLECTION OF TAXES.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of Anson County, in their settlement with the Sheriff of said County, are authorized to credit him with the sum of four thousand ($4,000.00) dollars per annum, to be prorated among the several funds for which levies are made in said County for any and all purposes.
The sum so hereby authorized to be credited shall be in lieu of all commissions for the collection of taxes due the County and School Fund, and said Commissioners shall in no form or guise allow him any other or further compensation for the collection of taxes: Provided, however, the compensation herein allowed shall be treated and considered as commissions for the collection of taxes and not as a salary, and the Sheriff of said County shall be entitled to receive all fees for the serving of processes in his county for services rendered in connection with the serving of notices, judgments, executions and sale of property for unpaid taxes, together with all other fees allowed by law to be paid to sheriffs.

Sec. 2. This act shall apply for the collection of the taxes to be levied for the year nineteen hundred and thirty-three and succeeding years.

Sec. 3. All laws and clauses of laws in conflict with this act are to the extent of such conflict repealed.

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

Ratified this the 18th day of April, A.D. 1933.

H.B. 1321  CHAPTER 344

AN ACT TO ALLOW PERSONS HAVING DEPOSITS IN CLOSED BANKS IN BUNCOMBE COUNTY TO SELL SAME AND PERMIT PURCHASERS OF SAME TO APPLY SUCH DEPOSITS IN PAYMENT OF ANY DEBTS OR OBLIGATIONS WHICH SUCH PURCHASERS MAY OWE TO SUCH CLOSED BANKS.

The General Assembly of North Carolina do enact:

Section 1. That any person, firm or corporation, society or organization, by whatsoever name designated, having any moneys or funds on deposit in any bank in Buncombe County, North Carolina, that is now closed and which has not paid its depositors and other creditors in full, shall, from and after the ratification of this act, have authority to sell and convey such accounts or deposits to any person, firm or corporation that may desire to purchase said bank and who owe such closed banks any money, and such person, firm or corporation purchasing such account or deposit shall be entitled to apply such account or deposit to the discharge of any debts owing by them to such closed banks at the full face value of such account or deposit.

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

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

Ratified this the 18th day of April, A.D. 1933.
CHAPTER 345

AN ACT RELATING TO THE PAYMENT OF TOWNSHIP HIGHWAY BONDS IN RUTHERFORD COUNTY.

Whereas, several townships in Rutherford County have issued or had issued for township account bonds for the improvement of roads and highways, the respective proceeds of which were expended in the respective townships on roads and highways which were taken over by the County Highway Commission and became a part of the county system of highways and/or which were taken over by the State Highway Commission and became a part of the State system of highways and are all now under the control of the State Highway System: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the payment of the principal of and the interest on all bonds issued by the several townships of Rutherford County for the improvement of highways and now outstanding shall be provided by a county-wide tax levy in said county, and the commissioners of said county are hereby authorized, empowered and directed to include the annual debt service therefor in the county-wide budget and to make appropriation to cover same and to levy county-wide annual tax to provide for the payment of the principal thereof and interest thereon as same shall mature, and hereafter the said bonds now outstanding shall be and become county-wide obligations of Rutherford County.

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 and effect from and after the thirtieth of June in the year nineteen hundred and thirty-three.

Ratified this the 19th day of April, A.D. 1933.

S. B. 535

CHAPTER 346

AN ACT TO PROVIDE FOR THE ISSUANCE OF REVENUE ANTICIPATION NOTES OF THE COUNTY OF GUILFORD AND FOR THE EXECUTION OF SAID NOTES BY FAC-SIMILE SIGNATURES OF THE OFFICERS OF SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That revenue anticipation notes of the County of Guilford may be issued pursuant to the provisions of the County Finance Act, Chapter eighty-one, Public Laws of one thousand nine hundred twenty-seven, as amended, except that power is
hereby conferred upon the governing body of said County with respect to the issuance, authorization and execution of such notes to modify the provisions of Section six of the County Finance Act in accordance with the following: Such notes may be executed by the manual or facsimile signatures of the Chairman of the Board of County Commissioners and the Clerk to said Board under the seal of the County, which seal may be either impressed, embossed, engraved, lithographed or printed on such notes.

Sec. 2. That the facsimile signature of the Chief Financial Officer of Guilford County shall be deemed sufficient for signing any statement on such notes as provided in Section seven of the County Finance Act, Chapter eighty-one, Public Laws of one thousand nine hundred twenty-seven, as amended.

Sec. 3. That the facsimile signature of the Secretary of the Local Government Commission or of an assistant designated by him for that purpose shall be deemed sufficient for the signature to the certificate on such notes as is required by Section twenty-two of the Local Government Act, Chapter sixty, Public Laws of one thousand nine hundred thirty-one, as amended.

Sec. 4. That the provisions of this Act shall be applicable only to such notes of Guilford County as may be issued prior to the first day of September, one thousand nine hundred thirty-three, and the notes of said County issued in renewal of such notes.

Sec. 5. That any notes of the County of Guilford issued in accordance with the provisions of this Act shall be valid obligations of said County as though the same had been issued in accordance with provisions of the County Finance Act.

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

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

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

S. B. 564

CHAPTER 347

AN ACT SUPPLEMENTAL TO AND AMENDATORY OF SENATE BILL 332, BEING "AN ACT TO AUTHORIZE, EMPower AND DIRECT THE SHERIFF AND OTHER TAX COLLECTORS IN RANDOLPH COUNTY, AND MUNICIPALITIES IN SAID COUNTY, TO ESTABLISH A PARTIAL PAYMENT PLAN FOR THE COLLECTION OF TAXES," RATIFIED MARCH 13, 1933.

The General Assembly of North Carolina do enact:

Section 1. That Senate Bill 332, being "An Act to authorize, empower and direct the sheriff and other tax collector in Ran-
dolph County, and municipalities in said county, to establish a partial payment plan for the collection of taxes," ratified March 13, 1933, be and the same is hereby amended as follows:

In Section 1 of said section wherever the word "April" appears in said section strike the word "April" out and insert in lieu thereof the word "May."

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

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

H. B. 962  CHAPTER 348

AN ACT TO AUTHORIZE AND EMPOWER THE BOARD OF COMMISSIONERS OF SURRY COUNTY TO FIX AND REDUCE THE SALARIES OF CERTAIN OFFICERS IN SAID COUNTY IN ACCORDANCE WITH THE CURRENT STANDARD OF PRICES, WAGES, AND SALARIES.

Whereas, at the Democratic county convention held in Surry County in September, one thousand nine hundred and thirty-two, a platform and resolutions were adopted, demanding a reduction in the cost of government; and

Whereas, one section of said platform and resolutions was as follows:

"First: That our Representatives in the next General Assembly endeavor to secure the enactment of laws reducing officials' salaries in Surry County in keeping with the condition of the time, even though such reductions may result in lowering such salaries to a schedule of from fifteen hundred dollars, or lower, to a maximum of three thousand dollars;" and

Whereas, full authority and power should be conferred upon the Board of Commissioners of Surry County to effect economies in government by fixing and reducing salaries of public officers, so that said salaries may be more nearly in accord with the current standard of prices in said county: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of Surry County be, and they are hereby authorized, empowered and directed to fix and reduce the salaries of the Clerk of the Superior Court, the Sheriff, the Register of Deeds, and the Auditor, and/or Accountant of said County, and the salaries of the Judges of the Recorder's Courts and the Solicitors of the Recorder's Courts, and all other persons receiving salaries from said county, so that said salaries of said public officers shall, when so fixed and reduced, be in accordance with their relation to prices and salaries in other employments and businesses in said county.
SEC. 2. All laws and clauses of laws in conflict with this act are hereby repealed.

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

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

H. B. 1124  CHAPTER 349
AN ACT TO REPEAL CHAPTER EIGHTY-THREE OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED TWENTY-NINE, RELATING TO THE NOMINATION AND ELECTION OF COUNTY COMMISSIONERS IN COLUMBUS COUNTY.

The General Assembly of North Carolina do enact:

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

Section 2. That at the expiration of the term of the present Board of County Commissioners, to wit, the first Monday in December, one thousand nine hundred and thirty-four, the Board of County Commissioners of Columbus County shall be reduced from five to three members. That in the next Primary to be held in Columbus County in the year one thousand nine hundred and thirty-four, and biennially thereafter, the three candidates receiving the highest number of votes shall be declared duly nominated.

Section 3. That this act shall take effect at the next nominating primary.

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

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

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

H. B. 1308  CHAPTER 350
AN ACT RELATING TO COURT PROCEDURE IN CHEROKEE, CLAY AND MACON COUNTIES.

The General Assembly of North Carolina do enact:

Section 1. That where the holder of any notes, bonds, mortgages and/or other evidence of indebtedness secured by mortgage and/or deed of trust upon real estate within the Counties of Cherokee, Clay and Macon shall, within three years from the date of ratification of this act, foreclose the same by causing Defendants in deficiency suits after foreclosure of mortgages allowed two years to answer in Cherokee, Clay and Macon Counties.
such real estate to be sold under the powers of sale contained in any such mortgage and/or deed of trust or otherwise, or where any mortgagee or trustee under such mortgage or deed of trust shall within said period foreclose such mortgage or deed of trust by exercise of the power of sale therein contained or otherwise within the time herein specified, and such real property upon such sale does not bring a sum sufficient to pay the total indebtedness thereby secured, with the cost and expenses of sale, and thereafter the holder of such bonds, notes or other evidence of indebtedness, or their assignee, shall institute an action against the maker of such notes, bonds or other evidence of indebtedness, secured as aforesaid, and/or its or their successors or legal representatives, then and in such event the defendant in any such action is hereby granted the period of two years in which to file answer in such foreclosure suit.

Sec. 2. That no judgment shall be entered in any action mentioned in section one hereof until the time for answering as therein limited shall have expired: Provided, however, that the defendant may, at its election, voluntarily file answer, in which event the cause shall be proceeded with as in case of other civil actions.

Sec. 3. That this act shall apply only to the Counties of Cherokee, Clay and Macon.

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

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

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

H. B. 837

CHAPTER 351

AN ACT TO REPEAL CERTAIN SECTIONS OF CHAPTER 64, PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION 1931, RELATING TO PUBLICATION OF LEGAL ADVERTISEMENTS.

The General Assembly of North Carolina do enact:

SECTION 1. That sections four, five and six of chapter sixty-four, Public-Local Laws of North Carolina, session nineteen hundred and thirty-one, be and the same are hereby repealed.

SEC. 2. That the books of the County Auditor shall be open at all times for inspection by the public or persons who have a bona fide interest in the examination of the books, under the supervision of the auditor.

SEC. 3. That it shall be the duty of all boards and commissions to keep accurate records of all transactions of their office, and that all records and minute books shall be kept in the courthouse at all times.
CHAPTER 352

H. B. 1264

AN ACT TO FIX THE COMPENSATION OF THE BOARD OF COMMISSIONERS OF HARNETT COUNTY AND TO REQUIRE A PUBLICATION OF EXPENDITURES BY SAID BOARD.

The General Assembly of North Carolina do enact:

SECTION 1. That the Chairman of the Board of Commissioners of Harnett County shall receive a salary of Three Hundred Dollars annually to be paid in monthly installments of Twenty-five Dollars ($25.00) each, and in addition to said salary shall be allowed and paid his actual traveling expense while on official duties: Provided, that in no event shall the said commissioners, or any of them, be paid for more than twenty-four meetings in any one year.

SEC. 2. That the members of the said board of commissioners, other than the Chairman, shall receive for their services as commissioner the sum of four dollars per diem and mileage at the rate of five cents per mile while in actual attendance upon their official duties: Provided, that in no event shall the said commissioners, or any of them, be paid for more than twenty-four meetings in any one year.

SEC. 3. That the said board of commissioners shall cause to be published every three months, in some newspaper published in Harnett County, a complete financial statement of the county affairs and the financial condition of the county, which said statement shall show the total receipts and expenditures for each three months period.

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

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

The General Assembly of North Carolina do enact:

SECTION 1. That the Clerk of the Superior Court of Harnett County shall receive as full compensation for his services as Clerk of the Superior Court, Clerk of the Recorder's Court and Juvenile Judge for the County of Harnett the sum of Thirty-six Hundred ($3,600.00) Dollars annually, to be paid in monthly installments of Three Hundred Dollars each by the Board of Commissioners of Harnett County, and that out of the said salary the said clerk shall provide for an office assistant or deputy clerk, if in his opinion the same shall be necessary to a proper and efficient discharge of the duties of said office.

SEC. 2. That the Clerk of the Superior Court of Harnett County shall keep a true, accurate and just account of all costs and fees coming into his hands as such clerk of the Superior or Recorder’s Court, or a Judge of the Juvenile Court, or any other sums that may come into his hands under and by virtue of his said office, and shall pay all such costs and fees as he may be entitled to by virtue of his office as Clerk to the Superior Court, Clerk to the Recorder’s Court or Juvenile Judge to the Auditor of Harnett County at least once each month, which said fees when paid to the auditor shall be placed in a separate fund to be known as the “Salary Fund.” And the said Clerk of the Superior Court shall cause immediate payment of all other costs and fees paid into his hands to be made to the parties and persons entitled thereto: Provided, that when the address or whereabouts of any person or persons entitled to fees or costs in the hands of the said clerk is unknown that the said fees, costs or other sums of money belonging to the said persons shall be deposited in a separate fund by the said Clerk for the use and benefit of the persons entitled thereto, or their legal representatives.

SEC. 3. That the Register of Deeds of Harnett County shall receive as full compensation for his services as such officer the sum of Twenty-eight Hundred Dollars annually, to be paid in monthly installments of Two Hundred Thirty-three Dollars and Thirty-three cents ($233.33) each by the Board of Commissioners of Harnett County, and that out of the said salary as herein provided the said Register of Deeds shall, when he deems it to be necessary for the efficient discharge of the duties of his
office, provide and pay the expense of an office assistant, deputy register of deeds or clerk.

Sec. 4. That the said Register of Deeds shall collect all fees which may be allowed by law for recording papers, deeds, mortgages, deeds of trust, chattel mortgages, crop liens, contracts, options, or other documents which are required by law to be recorded, or which may be recorded, and any and all other fees and emoluments coming into his hands under and by virtue of his said office, including his fees for the issuance of marriage license, and shall keep a just, true and accurate account of the same and pay them over to the Auditor of Harnett County at least once each month, which said fees when paid to the auditor shall be placed in a separate fund to be known as the "Salary Fund."

Sec. 5. That the Judge of the Recorder's Court of Harnett County shall receive as full compensation for his services the sum of Twelve Hundred Dollars annually to be paid by the county commissioners of Harnett County in monthly installments of One Hundred Dollars each.

Sec. 6. That the Solicitor of the Recorder's Court shall receive a salary of Nine Hundred Dollars annually, to be paid by the county commissioners of Harnett County in monthly installments of Seventy-five Dollars each.

Sec. 7. That in addition to the salaries herein provided the Board of Commissioners of Harnett County shall provide and maintain in the office of Clerk of the Superior Court and Register of Deeds all such books, stationery, supplies and postage and/or other expenses necessary and incident to the efficient operation of the said offices, excluding salaries of any office assistants or deputies: Provided, however, that such supplies shall be furnished only upon requisition by the said officers, accompanied by an itemized statement of the supplies needed, which said requisition shall be made to the Auditor of Harnett County, and thereupon the said Auditor shall cause proper and adequate provision therefor to be made.

Sec. 8. That this act shall take effect on the first Monday in December, 1934.

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

Ratified this the 21st day of April, A.D. 1933.
H. B. 1282  CHAPTER 354
AN ACT TO VALIDATE THE ACTS OF E. D. GOOCH AS A JUSTICE OF THE PEACE IN AND FOR GRANVILLE COUNTY.

The General Assembly of North Carolina do enact:

Whereas, E. D. Gooch was duly elected as a Justice of the Peace for Walnut Grove Township, Granville County, by the Legislature of one thousand nine hundred and thirty-one, his term to commence at the expiration of his prior term of office which expired on October fourteenth, one thousand nine hundred and thirty-one; and

Whereas, the said E. D. Gooch neglected to qualify as a Justice of the Peace in pursuance of his election by said Legislature of one thousand nine hundred and thirty-one, but continued to act as a Justice of the Peace; Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That all of the acts performed by the said E. D. Gooch as a Justice of the Peace since the expiration of his former term as Justice of the Peace and the present time be, and the same are hereby, in all respects confirmed and validated.

SEC. 2. That all deeds, conveyances, mortgages, deeds of trust and other instruments required or permitted to be registered by the laws of this State, which were or have been probated by the said E. D. Gooch since the expiration of his term of office, where the certificates of said probate are sufficient in form, are hereby declared to have been duly proved, probated and recorded, and the registration of the same is hereby declared to be as sufficient and effectual as if the said E. D. Gooch had been a duly qualified Justice of the Peace at the time of probating same.

SEC. 3. That this act shall not affect litigation pending at the time of its ratification.

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

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

H. B. 1338  CHAPTER 355
AN ACT TO ALLOW THE COUNTIES, MUNICIPALITIES, AND OTHER GOVERNING AGENCIES TO REFUND TAX SALES CERTIFICATES.

The General Assembly of North Carolina do enact:

SECTION 1. That the several Counties, Municipalities and other agencies of government owning taxes, or tax sales certifi-
cates for lands in their several units for the year one thousand nine hundred thirty-one and years prior thereto, at the request of the owner or owners of the land, are hereby authorized, empowered, and directed to enter into agreements with the owners of the lands covered by said tax sales certificates whereby said taxes or tax sales certificates, exclusive of interest, but including penalties and costs incurred, may be paid in installments covering a period not to exceed five years and bearing interest at the rate of six per cent per annum, payable annually from and after the first day of April, 1933: Provided, that unless the said Counties, Municipalities and other agencies of government and the owners of lands covered by said taxes, or tax sales certificates, enter into said agreements on or before the first day of November, 1933, this section shall become inoperative, and the said Counties and other governmental units are authorized to proceed with foreclosure proceedings as hereinafter set out or otherwise provided by law: Provided, that as a condition precedent to this settlement the said agencies of government are authorized and empowered in their discretion to require the payment of the 1932 taxes by resolution duly passed by the governmental agencies.

Sec. 2. That on or before August 1st, 1933, the County Accountant or other person designated to receive tax receipts and/or tax sales certificates, shall notify the delinquent taxpayers by registered mail to their last named address that unless said taxes are paid for the year 1931 and prior years thereto, or notes executed in accordance with the provisions of this act on or before November 1st, 1933, that judgment will be rendered against said taxpayer for said taxes and costs on the first Monday in January following. Said notice shall also contain a statement as to whether or not the governing unit will require the payment of the 1932 taxes as a condition precedent to the acceptance of the notes of the taxpayer as provided in this act.

Sec. 3. That the County, Municipality, or other agencies of government owning taxes, or tax sales certificates, for lands in their several units for the year 1931 and prior years thereto, which have not been foreclosed, shall have the right of foreclosure of said lands under the laws governing foreclosure and sale of lands under tax sales certificates, as provided by law, and may proceed to obtain judgment thereon on the first Monday in January, 1934, provided the owner of said land covered by said taxes, or said tax sales certificates, shall not have paid said taxes or executed notes as provided herein on or before November 1st, 1933.

Sec. 4. When said agreement is entered into between the Counties, Municipalities, and other governing agencies and the
owner of said land covered by said taxes, or tax sales certificates, they shall take from the owner a note in substantially the following form:

§.................................................................................................................................

Form of.

For the taxes for the years 192..., 192..., 193..., and 193..., on those lands in.........Township, .................County, North Carolina, adjoining the lands of.........(brief description of land)......, I or we promise to pay to the order of.........County the sum of.................dollars, with interest from April 1st, 1933, at the rate of six per cent per annum, payable annually, and payable as to principal in.................annual payments of .................on the.........day of......................in each of the years............... respectively. Upon my failure to pay any installment of principal or interest, the whole amount shall immediately become due and payable. This note shall constitute a lien on the lands above described, and said land shall be subject to foreclosure sale at the option of said County, Municipality or other government agency under the law providing for foreclosure sales under tax sales certificates upon my failure to make the payments as above set out.

Witness my hand and seal, this the........day of...................... 193...

SEC. 5. That the said note, when given and received as above set out, shall constitute a first lien on the lands described, superior to all other liens except current taxes, and shall be of the same dignity as those, and said notes shall be construed as a continuing lien on the land from the time the lien of the taxes first attached against said land, and shall not be considered a novation; and the said county or municipality and other governing agency taking said note shall have the right of foreclosure on said land under the law governing foreclosure of sale of lands under tax sales certificates at any time after said note or any installment thereof is due and within twelve months thereafter. The said county, municipality, or other governing agency shall have a right at its option to foreclose after the failure of any one of the payments as provided in said note, but shall not be compelled to foreclose until the whole note is due and within twelve months thereafter.

SEC. 6. All notes taken for taxes, or tax sales certificates, hereunder shall be and constitute a continuing lien from the time the taxes were originally assessed on the lands therein described, but the said notes shall not be subject to be reduced to a personal judgment.

SEC. 7. Upon taking notes for taxes as above described, the Auditor or County Accountant, or other officer having charge of tax sales certificates, shall enter a notation of the same on the record of the tax sales certificates, and shall state on said record the amount of said note and the time the said installments
thereof are payable, and the said officers shall endorse said tax sales certificates as follows: “Absorbed in a note given this day as provided by Chapter 355, Laws of one thousand nine hundred thirty-three,” and shall be signed by the said County Accountant or other officer, and the said tax sales certificate shall be kept by the County Accountant or other officer until the note taken therefor is paid or foreclosure proceedings thereon are completed.

Sec. 8. Whenever a note is given and taken as heretofore provided, the same shall be registered in the office of the Register of Deeds of the county, in a book to be kept by him and marked "Tax Liens”; said notes shall be prepared and recorded at the cost of the maker, and the fees for the same are hereby fixed as follows: For all work up to and including the drawing and execution of the note the sum of One Dollar to be paid to the County Accountant or other officer doing the work. For probating the said note the Clerk shall receive the sum of ten cents, and for recording and indexing same, the Register of Deeds shall receive the sum of fifteen cents: Provided, however, that in any county or city having such officials upon a salary basis, the above named fees shall be collected and paid into the general fund of such county or city, unless otherwise directed by the governing board.

Sec. 9. All tax liens held by counties, municipalities, and other governing agencies for the year one thousand nine hundred twenty-six and the years prior thereto, whether evidenced by the original tax certificates or tax sales certificates, and upon which no foreclosure proceedings have been instituted, are hereby declared to be barred and uncollectible: Provided, that no part of this section or of this act shall be construed as applying to liens for street and/or sidewalk improvements.

Sec. 10. All counties, municipalities, or other governing agencies holding tax sales certificates for lands for the years one thousand nine hundred twenty-seven, one thousand nine hundred twenty-eight, one thousand nine hundred twenty-nine, one thousand nine hundred thirty, and one thousand nine hundred thirty-one, whether foreclosure proceedings have been instituted or not, are hereby given until October first, one thousand nine hundred thirty-four, to institute said proceedings, with all the rights and privileges and liens which they had at any time heretofore, which rights shall be in addition to and not in abrogation of the rights heretofore granted for foreclosure in the event a note is taken as hereinbefore provided.

Sec. 11. Whenever any lands for which the counties, municipalities, or other governing agencies own tax sales certificates, or taxes are owned by minors or by several persons as tenants in common, the note heretofore provided for may be made and
executed by either one or more of the tenants in common, and in case of a minor, by his or her guardian or receiver; and the note, when so executed, whether by one tenant in common alone or by a guardian or receiver, shall constitute a lien on the whole interest in said land, if the taxes for which the tax sales certificates are held were taxes on the whole of said property.

Sec. 12. That any person, firm or corporation who, at the time of the purchase of any lands of any county or municipality at any tax sale, is the bona fide owner or holder of a first mortgage or deed of trust covering same, or any part thereof, for the payment of money or other valuable consideration, shall, upon failure of the former owner or owners to take title thereto under this act within the time specified and after giving thirty days notice by registered mail to the last known address of said owner or owners, be entitled to receive a deed therefor from the county or municipality in the same manner and under the same terms as provided for said owner or owners under this act.

Sec. 13. Any county, municipality or other governmental agency which has heretofore bought lands under foreclosure proceedings are hereby authorized and empowered to convey the said land to the former owner for the amount of taxes, costs, and charges which the said county, municipality or other governmental agency has paid for said lands, and for the purchase price of said lands are hereby authorized and empowered to take a note from said former owner, payable in installments not to exceed five years, and bearing interest at the rate of six per cent per annum; said notes shall be secured by a deed of trust prepared and registered at the cost of the former owner, and providing for foreclosure upon default in the payment of any payment of principal or interest: Provided, that the said owner or owners or other persons interested shall take advantage of this option on or before the first day of April, 1934; and Provided further, that the county is still the bona fide holder of said lands; and Provided further, that the said owner or owners shall also include in said notes all subsequent taxes due on said land and that might have become due on said land if the said county, municipality or other governmental agency had not become the purchaser thereof under foreclosure proceedings.

Sec. 14. Where any person has purchased a tax certificate in good faith, the owner is allowed to redeem same until April 1, 1934, by reimbursing the purchaser of the full amount paid with all necessary and proper expenses incurred, together with six per cent interest thereon.

Sec. 15. This act shall apply only to Gaston County.

Sec. 16. All laws or clauses of laws in conflict with this act are hereby repealed.

Sec. 17. This act shall be in full force and effect from and after its ratification.

Ratified this the 21st day of April, A.D. 1933.
CHAPTER 356
AN ACT RELATING TO ELECTION OF SCHOOL TEACHERS IN CHEROKEE, CLAY, GRAHAM, MACON AND SWAIN COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That the Boards of Education and School Committee members in Cherokee, Clay, Graham, Haywood, Jackson, Macon, Swain and Transylvania Counties in selecting teachers for the schools in their respective counties shall, whenever possible, give preference to residents of said counties, especially as between said residents and applicants who are non-residents of the State.

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

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

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

CHAPTER 357
AN ACT FOR THE RELIEF OF J. F. MARTIN, FORMER SHERIFF OF ANSON COUNTY.

Whereas, J. F. Martin, former Sheriff of Anson County, had certain funds in the sum hereinafter named belonging to Anson County deposited in the Bank of Lilesville, of Lilesville, North Carolina; and

Whereas, on the 9th day of December, one thousand nine hundred and thirty, said bank was closed and a liquidation thereof begun, said liquidation not yet having been completed, the said funds belonging to Anson County being on deposit in said bank at the time when same was closed, and no dividend having been paid on said deposit: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of Anson County be, and they are hereby, authorized and empowered in their discretion to relieve J. F. Martin, former Sheriff of Anson County, and his official bond from liability for the payment of any and all sums which the said J. F. Martin, former Sheriff, as aforesaid, may have had on deposit in the Bank of Lilesville, of Lilesville, North Carolina, on the 9th day of December, one thousand nine hundred and thirty, belonging to the County of Anson, the net sum for which relief is hereby given, as disclosed by the audit of the liquidating agent of said bank, being the sum of Six Hundred and Two and 97/100 ($602.97) Dollars.
Dividends payable to County Auditor.

Conflicting laws repealed.

SEC. 2. That all sums of money that may be paid by the liquidating agent of the Bank of Lilesville as dividends on the said deposit of the said J. F. Martin, former Sheriff, as aforesaid, shall be paid to the Auditor of Anson County and shall be placed to the credit of the proper fund or funds to which they belong.

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 and effect from and after its ratification.

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

S. B. 451

CHAPTER 358

AN ACT ALLOWING AND DIRECTING THE TAX COLLECTING AUTHORITIES IN THE CITY OF ASHEBORO TO ACCEPT BONDS IN THE PAYMENT OF STREET ASSESSMENTS AND CERTAIN TAXES.

The General Assembly of North Carolina do enact:

SECTION 1. The governing agency of Randolph County and each governing agency in Randolph County is authorized in its discretion to accept in payment of the debt service portion of current taxes the bonds and notes of its local unit which matured in the current or calendar year.

SEC. 2. The governing agency of Randolph County and each governing agency in Randolph County is authorized in its discretion to accept in payment of old taxes due prior to the current tax year the bonds and notes of its local unit which mature either in the current year or in the future.

SEC. 3. Each governing agency in Randolph County is authorized in its discretion to accept in payment of street assessments the bonds and notes of its local unit which mature either in the current year or in the future.

SEC. 3-a. Two or more taxpayers may consolidate their tax or street assessment accounts and bonds or coupons shall be accepted in the payment of such consolidated accounts the same as it were one account, but any difference between the amount of such consolidated accounts and the amount of bonds and coupons tendered for the payment thereof shall be paid in cash by said taxpayers.

SEC. 4. It shall be the duty of each governing agency who accepts bonds in payment of either taxes or street assessments to publish the names of the persons from whom such bonds are accepted in the payment of taxes or street assessments the
face value of the bond and the amount of taxes and/or street assessments paid. Such publication shall be made in the next issue of the county paper immediately following the acceptance of said bonds as provided.

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

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

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

S. B. 537  
CHAPTER 359
AN ACT RELATING TO THE REVALUATION OF PROPERTY IN VANCE COUNTY.

Whereas, the Board of County Commissioners of Vance County in the year of 1931, operating under Chapter 344, Public Laws of 1929, sitting as a Board of Equalization and Review, obtained information relative to valuation of real property in Vance County and with the values thereof have since levied taxes with reference thereto, and they are now desirous of using such information and to sit as a Board of Equalization and Review with the respective township assessors of 1931, and to readjust and equalize any property valuation that may be inequitable or unfair, and make horizontal cut if in their opinion it be wise, and use the same as the basis instead of going to the expense of a new revaluation of real property in Vance County for the purpose of taxation in 1933: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners of Vance County is hereby authorized, with the respective township assessors of 1931, empowered and directed to sit as a Board of Equalization and Review, and to use information obtained in 1931, now on file, and to adjust any inequalities in valuation of real property, and to make horizontal cut upon the valuation thereof, if in their opinion the same is just, wise and proper, upon all the real property within the boundaries of Vance County, and upon completion of the same it shall be in all respects and in lieu of a general revaluation of real property in Vance County for the year of 1933.

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

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

Ratified this the 24th day of April, A.D. 1933.
AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF BLADEN COUNTY TO MAKE REGULATIONS FOR THE PREVENTION OF HYDROPHOBIA IN BLADEN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. The Board of Commissioners of Bladen County is hereby authorized and empowered to make such rules, regulations and to impose such penalties as in its judgment may be necessary or proper, at such times as the said board may deem proper, to prevent the spread of hydrophobia, including authority to make and declare it unlawful for the owner of any dog to allow such dog to run at large or be off the premises of the owner or person having charge of such dog, and including the authority to instruct, authorize and empower any sheriff, deputy sheriff, rural policeman, municipal officer or other police officer to catch, impound, or kill any dog found off the premises of its owner.

SEC. 2. In addition to the above the Board of Commissioners is also authorized and empowered, in its discretion, to require the vaccination for rabies of any, or all, dogs in the County, or in any part or subdivision thereof, and it shall be the duty of said Commissioners to secure the serum for such vaccination at lowest possible wholesale cost.

SEC. 3. That the Board of Commissioners of Bladen County may enact such rules and regulations so as to apply to the County of Bladen as a whole or to any part or subdivision thereof, and when so enacted such rule or regulation shall remain in force and effect until rescinded by the Board of Commissioners.

SEC. 4. That any person violating any rules or regulations made by the said Board of Commissioners, under the authority of this act, shall be guilty of a misdemeanor and fined not more than fifty dollars or imprisoned not more than thirty days.

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

Ratified this the 24th day of April, A.D. 1933.
CHAPTER 361

AN ACT TO AMEND HOUSE BILL 507, ENTITLED "AN ACT TO AUTHORIZE, EMPOWER AND DIRECT THE SHERIFF AND/OR TAX COLLECTOR OF BLADEN COUNTY TO ACCEPT COUNTY VOUCHERS IN PAYMENT OF TAXES," RATIFIED FEBRUARY 28th, 1933.

The General Assembly of North Carolina do enact:

SECTION 1. That House Bill five hundred seven, ratified on the twenty-eighth day of February, one thousand nine hundred thirty-three, be and the same is hereby amended by adding at the end of section one thereof the following: And that, upon demand, the County Commissioners and/or heads of departments of Bladen County shall issue a special voucher or vouchers for salaries and wages due for services rendered when the money is not available to meet such dues. The said special vouchers shall be accepted by the Sheriff or Tax Collector in payment of any taxes due to said county, and such vouchers shall be approved by the Auditor of Bladen County for the special purpose set forth herein. And when such special vouchers are issued for back salary or wages the same shall not be charged against current dues for salary or wages for which funds are or may become available.

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

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

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

H. B. 618

CHAPTER 362

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF BUNCOMBE COUNTY TO REFUND CERTAIN LICENSE TAXES ERRONEOUSLY COLLECTED.

Whereas, the Tax Collector for Buncombe County unlawfully collected and received from the Blue Ridge Building & Loan Association of Asheville, North Carolina, a license tax for the year one thousand nine hundred and thirty-one in the sum of five hundred forty dollars and ninety-five cents; and

Whereas, the collection and receipt of said license tax was erroneous, in that there was no law requiring the payment of such tax: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of Buncombe County be and they are hereby authorized to pay and refund
Conflicting laws repealed.

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

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

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

H. B. 656

CHAPTER 363

AN ACT TO PERMIT THE FISHING WITH MORE THAN ONE HOOK, LINE AND POLE, BUT NOT MORE THAN THREE, AT THE SAME TIME IN THE WATER COURSES OF DURHAM COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That it shall be lawful for any person, otherwise privileged thereto, to fish in the water courses of Durham County with more than one pole, line and hook, but not to exceed three, at one and the same time; that where fishing with more than one pole and line, there shall not be more than two hooks to the line.

Sec. 2. All laws in conflict with this act are hereby repealed, but it is the intention of this act only to extend the right of one person to fish with more than one pole at the same time, when he is otherwise qualified to do so.

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

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

H. B. 978

CHAPTER 364

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF LENOIR COUNTY TO FIX THE SALARIES OF THE COUNTY OFFICERS OF LENOIR COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the Board of County Commissioners for Lenoir County is hereby authorized and empowered to reduce the salaries of the Clerk of Superior Court, the Sheriff, the Register of Deeds, and all other officers of said County, whether elected by the people or appointed: Provided, however, that the salaries of said officers shall not be reduced more than twenty-
five per centum of the salary schedule in effect at date of ratification of this act.

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

SEC. 3. That this act shall be in full force and effect from and after its ratification.
Ratified this the 24th day of April, A.D. 1933.

H. B. 995    CHAPTER 365
AN ACT FIXING THE SALARY AS A CORONER OF JOHNSTON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the coroner of Johnston County shall receive in lieu of all fees, commissions and compensations allowed and provided by section three thousand nine hundred and five of the Consolidated Statutes of North Carolina the sum of six hundred and fifty ($650.00) dollars per annum, payable monthly by the Treasurer of Johnston 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 from and after the first day of April, one thousand nine hundred and thirty-three.
Ratified this the 24th day of April, A.D. 1933.

H. B. 1028    CHAPTER 366
AN ACT TO REGULATE THE COMPENSATION OF THE SHERIFF OF BRUNSWICK COUNTY WITH REFERENCE TO TAX SUITS.

The General Assembly of North Carolina do enact:

SECTION 1. That the Sheriff of Brunswick County shall receive the same fees for serving summons in suits against delinquent taxpayers and be paid as taxes are paid as provided by and in Public Laws of nineteen hundred and thirty-one.

SEC. 2. That the Sheriff of Brunswick County shall be allowed twelve months from the sixteenth day of June, nineteen hundred and thirty-two, in which to serve summons on tax suits for the year nineteen hundred and twenty-nine.

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 24th day of April, A.D. 1933.
H. B. 1095  CHAPTER 367

AN ACT FOR THE RELIEF OF THE SHERIFFS AND TAX COLLECTORS IN THE COLLECTION OF DRAINAGE ASSESSMENTS IN ALEXANDER COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That any sheriff and/or tax collector of Alexander County who, by virtue of his office, has the assessment roll for the purpose of collecting the drainage assessments for Alexander County Drainage District Number One in his hands for the years one thousand nine hundred and twenty-eight, one thousand nine hundred and twenty-nine, one thousand nine hundred and thirty, one thousand nine hundred and thirty-one and one thousand nine hundred and thirty-two, and in case of default in collection or death, his personal representative, bondsman, or any agent or agents that they may designate, is authorized and empowered to collect arrears of drainage assessments of said drainage district for the years aforesaid under such rules and regulations as are now or may hereafter be provided for the collection of drainage assessments.

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

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

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

H. B. 1229  CHAPTER 368

AN ACT TO PROVIDE FOR THE SUSPENSION OF THE LEVY AND COLLECTION OF SPECIAL SCHOOL TAXES IN IOTLA SCHOOL DISTRICT, MACON COUNTY, FOR A PERIOD OF TWO YEARS.

The General Assembly of North Carolina do enact:

Section 1. That the collection of all special school taxes in Iotla School District, Macon County, be and the same is hereby suspended for a period of two years.

Sec. 2. That for the years one thousand nine hundred and thirty-three and one thousand nine hundred and thirty-four the county commissioners of Macon County shall levy no special school tax in Iotla School District and no taxes shall be collected in said school district for said years: Provided, however, in case of outstanding bonds of said school district the commissioners are authorized to levy and collect such part of said Iotla Special
School District tax as may be necessary to pay the interest and sinking funds on 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 full force and effect from and after its ratification.

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

H. B. 1230
CHAPTER 369

AN ACT ABOLISHING TAX PENALTIES IN MACON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That no penalties shall be charged against any delinquent taxpayer in Macon County for taxes due for the year one thousand nine hundred and twenty-eight and subsequent years; and from and after the ratification of this act no penalty on delinquent taxes shall be charged in Macon 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 full force and effect from and after its ratification.

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

H. B. 1243
CHAPTER 370

AN ACT TO PROMOTE THE LISTING AND COLLECTION OF TAXES ON UNLISTED PROPERTY IN WAKE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the County Commissioners of Wake County are hereby authorized and directed to value and place upon the tax books of the current year all shares of stock upon which taxes may be due without regard to any statute, general or local, limiting the time within which such valuations may be taxed, except that no taxes may be assessed for any year prior to the year 1923, and to compute, assess and direct the collection of taxes on such valuation at the rate levied for the year in which such valuation should have been taxed, and to add to and to collect, on taxes so assessed, interest at the rate of six per centum per annum, beginning February 1st in the year after the year for which said taxes are due, and running until paid in full.
SEC. 2. The County Commissioners of Wake County are hereby authorized to adjust and correct the valuation of shares of stock which may have been incorrectly valued as a result of erroneous or misleading statements or representations by any taxpayer or its agent, whether such statements were made intentionally or otherwise, as well as to tax the shares of stock of any corporation which may have escaped taxation for any year.

SEC. 3. The definition of shares of stock, the basis for valuing the same, and the manner and place of assessing and collecting the tax shall be as provided by law for the year in which the tax is levied, except as otherwise specified herein; and notice shall be served upon the taxpayer and the right of appeal allowed in the manner provided by law of the year for which the taxes are assessed in connection with the listing of property escaping taxation in previous years.

SEC. 4. After any valuations herein referred to have been assessed by the County Commissioners of Wake County and placed upon the tax books of the County, the governing body of any municipality within the County wherein the situs of any property referred to herein is or was located shall have like authority with Wake County to list, assess, and collect taxes on such valuations.

SEC. 5. This law shall apply only to Wake County.

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

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

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

H. B. 1285

CHAPTER 371

AN ACT TO ALLOW THE COMMISSIONERS OF HENDERSON COUNTY TO ACCEPT BONDS IN PAYMENT OF CERTAIN TAXES.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners of Henderson County are hereby authorized, empowered and directed to accept county bonds and/or coupons that are past due or which may become due within the fiscal year in payment of the debt service portion of past due or current taxes: Provided, however, the taxpayer shall be required to pay the balance of his taxes due for each year on which bonds and/or coupons are used in cash.

SEC. 2. That the Tax Collector for said county is hereby authorized and directed to accept any such past due bonds and/or
coupons at par plus accrued interest in payment of the debt service portion of such taxes and not otherwise, provided the taxpayer completes the payment of his taxes in cash, as hereinbefore required, and when such bonds and/or coupons have been so accepted by said Tax Collector he shall be allowed full credit therefor in his settlement with the Board of County Commissioners on such taxes.

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 24th day of April, A.D. 1933.

H. B. 1259

CHAPTER 372

AN ACT TO REPEAL CHAPTER TWO HUNDRED AND SEVENTY-THREE OF PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-ONE RELATING TO CERTAIN PUBLIC FUNDS IN CURRITUCK COUNTY.

The General Assembly of North Carolina do enact:

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

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

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

H. B. 134

CHAPTER 373

AN ACT TO AMEND SECTION 1 OF CHAPTER 471 OF THE PUBLIC-LOCAL LAWS OF 1931, RELATING TO FEES PAID EX OFFICIO GAME WARDENS IN BUNCOMBE COUNTY. (APPLICABLE ALSO TO MADISON COUNTY.)

The General Assembly of North Carolina do enact:

Section 1. That Buncombe County be and is hereby exempted from the provision of section one, chapter four hundred seventy-one, Public-Local Laws of one thousand nine hundred thirty-one, providing for the payment of ten dollars ($10.00) to all ex officio officers in which evidence is obtained for a conviction in violating the game laws in Buncombe County.

Sec. 2. That this act shall apply also to Madison County.
SEC. 3. That all laws or 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 24th day of April, A.D. 1933.

H. B. 981

CHAPTER 374

AN ACT TO REPEAL CHAPTER 20, PUBLIC-LOCAL LAWS OF 1927, RELATING TO THE SALE AND TRANSPORTATION OF FIREWORKS IN JACKSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter twenty, Public-Local Laws of one thousand nine hundred and twenty-seven, 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 April, A.D. 1933.

H. B. 1065

CHAPTER 375

AN ACT TO REGULATE FOX HUNTING IN MACON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be lawful to hunt foxes at any time in Macon County and no license shall be charged therefor in 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 full force and effect from and after its ratification.

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

H. B. 1222

CHAPTER 376

AN ACT TO AMEND CHAPTER 282, PUBLIC-LOCAL LAWS, SESSION 1919, RELATING TO FOXES IN GRANVILLE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one, chapter two hundred and eighty-two, Public-Local Laws, session one thousand nine hundred and nineteen, be and the same is hereby amended by striking out the period after the word county at the end of said section and
adding thereto the following: "Provided, that it shall be lawful to hunt and run foxes in said county between the hours of sunset and sun-up during the month of August."

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

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

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

H. B. 1228

CHAPTER 377

AN ACT TO VALIDATE THE ACTS OF CERTAIN JUSTICES OF THE PEACE IN MACON COUNTY.

Whereas, it appearing that the Clerk of Superior Court of Macon County, in the years nineteen hundred and twenty-eight and nineteen hundred and thirty, appointed certain justices of the peace, and that said justices of the peace, acting in good faith, passed on various and sundry papers; and

Whereas, the Clerk did not have the authority to appoint said justices of the peace, and that it is now necessary that their acts be validated: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That all the official acts performed by Onley Moses, I. V. Ramey, and any other justices of the peace in Macon County who were appointed by the Clerk of Superior Court in the years nineteen hundred and twenty-eight and nineteen hundred and thirty be and the same are hereby validated.

SEC. 2. That all deeds, conveyances or other instruments permitted by law to be registered in this State which have been probated or ordered to be registered by any of the several justices of the peace appointed by the Clerk of Superior Court in the year nineteen hundred and twenty-eight and nineteen hundred and thirty be and the same are hereby validated.

SEC. 2. (a) This act shall not apply to pending litigation.

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 24th day of April, A.D. 1933.
H. B. 1267  
CHAPTER 378

AN ACT TO PREVENT DRUNKENNESS AND DISORDERLY CONDUCT IN PUBLIC PLACES IN ORANGE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That any person drunk and disorderly in any public place in Orange County shall be guilty of a misdemeanor and punished by a fine of not more than fifty ($50.00) dollars or by imprisonment for not more than thirty days.

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

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

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

H. B. 1286  
CHAPTER 379

AN ACT TO AUTHORIZE THE BOARD OF EDUCATION OF BUNCOMBE COUNTY TO PAY TO MRS. HELEN CREASEMAN WHITTEMORE FOR SERVICES RENDERED IN THE YEARS 1931-1932.

Whereas, during the years nineteen thirty-one and nineteen thirty-two the local school committee of the Paint Fork School District of Buncombe County employed Mrs. Helen C. Whittemore to teach a local school at Paint Fork at her regular State salary rating of seventy dollars and eighty-seven cents per month; and

Whereas, the said Helen C. Whittemore did teach at said school for three full months during September, October and November of nineteen thirty-one and January, nineteen thirty-two, and duly filed her reports with the Board of Education of Buncombe County; and

Whereas, the Paint Fork School District had been consolidated with the Barnardsville School District by the State Board of Equalization, and the Buncombe County Board of Education was without power or authority to pay the said Mrs. Helen C. Whittemore for services rendered, which services were rendered in good faith and under contract with the local Paint Fork School Committee: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Education of Buncombe County be and they are hereby authorized to pay out of any funds that they may have on hand and not otherwise appropriated to Mrs. Helen C. Whittemore the sum of two hundred and twelve dollars
and sixty-three cents ($212.63), and that such sum paid to Mrs. Helen C. Whittemore for services rendered during the years nineteen hundred thirty-one and nineteen hundred thirty-two be added to and charged in the nineteen thirty-three—thirty-four budget.

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

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

H. B. 1287

CHAPTER 380

AN ACT SUPPLEMENTAL TO AND AMENDATORY OF SENATE BILL No. 135 ENTITLED "AN ACT RELATING TO FORECLOSURES OF MORTGAGES OR DEEDS OF TRUST IN MACON COUNTY," RATIFIED FEBRUARY 27, 1933.

The General Assembly of North Carolina do enact:

Section 1. That Senate Bill No. 135, it being "An Act relating to foreclosures of mortgages or Deeds of Trust," ratified February 27, 1933, be and the same is amended by adding the words "Cherokee" and "Graham" after the word "Jackson" and before the word "Counties" in section 2 of said Act.

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

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

H. B. 1324

CHAPTER 381

AN ACT TO REGULATE THE SANITARY CONDITIONS OF SEINE BEACHES IN BEAUFORT COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That no owner, lessee, operator or other person, firm or corporation using the shores of Pamlico River in Beaufort County as a seine or fishing beach shall throw or permit to be thrown any fish, crabs, or other aquatic animals upon the ground where the odors of same may become obnoxious to persons using adjoining property.

Sec. 2. That every person, firm or corporation, as defined in Section 1 hereof, shall bury or cause to be buried, at a distance of not less than one hundred and fifty (150) feet from the boundary line of an adjoining landowner, and at a depth of not less than two (2) feet, all fish, crabs or other aquatic animals not sold or otherwise disposed of.
Violation made misdemeanor.

Conflicting laws repealed.

SEC. 3. That a violation of this act shall be a misdemeanor and punishable as such.

SEC. 4. That this act shall apply to Beaufort County only.

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

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

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

H. B. 1357 CHAPTER 382

AN ACT TO VALIDATE TAX SALE IN CHATHAM COUNTY.

That whereas, the County Commissioners of Chatham County, North Carolina, were, on or before the first day of May, one thousand nine hundred and thirty-two, restrained from selling the property for delinquent taxes due said County for the year one thousand nine hundred and thirty-one; and

Whereas, the Commissioners aforesaid continued the time for selling said property for the non-payment of taxes until the first Monday in February, one thousand nine hundred and thirty-three, at which time the property of all delinquent taxpayers of said County were duly advertised and sold; and

Whereas, it appears to be necessary that the acts and actions of the Board of County Commissioners of Chatham County in postponing the sale, and the sale of said property, be validated:

Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That all acts and things done by the Board of County Commissioners of Chatham County in continuing the date for selling the lands of the delinquent taxpayers for taxes due said County for the year one thousand nine hundred and thirty-one and the sale of said lands for said taxes be, and the same are, hereby validated.

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

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

Ratified this the 24th day of April, A.D. 1933.
S. B. 459  

CHAPTER 383  

AN ACT REGULATING THE FEES OF JURORS AND WITNESSES IN THE COURTS OF CATAWBA COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. Tales Jurors serving in the Superior Court of Catawba County shall not be entitled to prove mileage for such service.

Sec. 2. Any juror summoned for duty in the Superior Court of Catawba County who is excused on the first day of the court by the presiding Judge upon request of said juror shall not be entitled to pay or mileage.

Sec. 3. The County of Catawba shall not be liable for the payment of any witness summoned in behalf of a defendant in any of the courts of said county.

Sec. 4. No witness summoned in the Recorder's Court of Catawba County shall be entitled to mileage for his attendance upon said court.

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

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

Ratified this the 26th day of April, A.D. 1933.

S. B. 494  

CHAPTER 384  

AN ACT TO REPEAL CHAPTER 181, PUBLIC-LOCAL LAWS, EXTRA SESSION 1920, RELATING TO HUNTING SQUIRRELS, FOXES, O'POSSUMS AND COONS IN WILSON COUNTY AND TO PROVIDE AN OPEN SEASON FOR FOXES.

The General Assembly of North Carolina do enact:

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

Sec. 2. That there shall be no close season for the hunting of foxes in Wilson County, but the same may be taken, killed and hunted at all seasons of the year.

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

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

Ratified this the 26th day of April, A.D. 1933.
H. B. 786  CHAPTER 385
AN ACT TO REGULATE THE OPERATION OF DANCE AND RECREATION HALLS IN BUNCOMBE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person, firm or corporation to operate a dance or recreation hall for profit in Buncombe County outside of the incorporated limits of any town without having first applied to and obtained from the Board of County Commissioners of said County for a permit to operate same, and that the matter of whether the permit shall be granted or refused shall be within the discretion of said Board of County Commissioners.

SEC. 2. That at any time after the granting of such permit as hereinbefore provided, the said Board of County Commissioners of Buncombe County shall have the right, in its discretion, to revoke same, if in the opinion of said Board the said revocation would be for the best interests of the public: Provided further, that the owner or operator of such dance or recreation hall shall be entitled to a hearing before such revocation is made and shall have at least seven days written notice of such hearing before said Board of County Commissioners: Provided also, that an appeal shall lie from the decision of the Board of County Commissioners to the General County Court in like manner as appeals from a court of a Justice of the Peace.

SEC. 3. That any person, firm or corporation violating any provision of this act shall be guilty of a misdemeanor and shall be punishable by fine or imprisonment or both in the discretion of the court.

SEC. 4. That all laws and clauses of laws in conflict herewith are hereby repealed.

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

Ratified this the 26th day of April, A.D. 1933.

H. B. 1019  CHAPTER 386
AN ACT TO REGULATE THE SALARIES OF PUBLIC OFFICIALS IN TRANSYLVANIA COUNTY AND FOR OTHER PURPOSES.

The General Assembly of North Carolina do enact:

SECTION 1. That the office of County Treasurer of Transylvania County is hereby abolished.

SEC. 2. That the office of sheriff and tax collector for Transylvania County be and the same are hereby separated and there
shall hereafter be a sheriff and a tax collector for said county, both of whom shall be elected by the vote of the people as other County officers are elected.

Sec. 3. The salary of the sheriff of said County shall be twenty-seven hundred and fifty dollars per year.

Sec. 4. The Tax Collector for Transylvania County shall serve on a commission basis of not exceeding two per centum per annum of the amount collected; that such commission shall not exceed the aggregate sum of $1,565.00 per annum, the said Tax Collector to collect all taxes—current, delinquent and special.

Sec. 5. That the salary of the Clerk of the Superior Court and the Register of Deeds shall be fifteen hundred and sixty-five dollars per year each, and all salaries and commissions on tax collections herein provided shall be due and payable in twelve equal monthly installments, and shall be in full and complete payment for all services of said officers.

Sec. 6. That any and all fees collected by any of the afore- said officers, either directly or indirectly, shall be immediately turned over to the County Commissioners and proper receipt taken therefor.

Sec. 7. That the County Accountant shall receive a salary of $1,000.00 per year for the years 1933 and 1934; and that the said office of said County Accountant shall be, and the same is hereby, abolished on the first Monday in December, 1934, and the duties of said office are hereby transferred to and consolidated with the office of Register of Deeds for Transylvania County, to become effective on or after the aforesaid date: Provided, that L. V. Sigmon, the present County Accountant, shall be allowed to charge full fees for his duties as County Commissioner, in addition to his salary as County Accountant: Provided further, that said County Accountant shall not be required to perform any duty or duties required by statute to be performed by other officer or officers.

Sec. 8. The Board of Commissioners of Transylvania County may employ a janitor for the courthouse and county jail, such janitor to take care of the court house, courthouse grounds and the heating plant in the jail from seven a. m. to five p. m.: Provided, however, that the County Commissioners may, in their discretion, use any prisoners serving jail sentences and entitled to jail bounds in performing the duties herein described of the janitor.

Sec. 9. That no County official or employee shall be entitled to receive nor shall the County Commissioners pay any such official or employee any moneys other than his salary, commissions, or wages as provided by law for or in consideration of the services such official or employee may render, and no bonus, fee, nor reward shall hereafter be paid by the County Commissioners
Capturing officers may sell still and retain proceeds.

After 1934 officers placed on fee basis.

Official bonds.

Emergency reductions in operating expenses.

Conflicting laws repealed.

Effective April 1, 1933.

for the destruction of illicit distilleries destroyed by sheriffs, deputy sheriffs, or constables, nor shall these officers be required to “bring in” any part of such outfits but may destroy same where found: Provided, that any officer capturing any such whiskey-making outfit may, so far as the County Commissioners are concerned, sell all copper or other metals used in connection therewith after same have been rendered useless for making whiskey, and shall be entitled to the proceeds derived therefrom.

Sec. 10. That from and after the first Monday in December, one thousand nine hundred and thirty-four, the Sheriff, the Clerk of the Superior Court and the Register of Deeds of Transylvania County shall each operate on a fee basis and shall be governed by the official fee bill as set out in the Consolidated Statutes, such fees to be collected by said officers, which shall be in lieu of all salary theretofore received by any of said officers. That on or after the first Monday in December, 1934, the Commissioners of Transylvania County may, in their discretion, require that all bonds given by county officials shall be made through a bonding company, said company to be approved by the Commissioner of Insurance of North Carolina.

Sec. 11. In cases of extreme emergencies or crises the Board of County Commissioners shall have power, in conjunction with the Local Government Commission, to make such further reduction in the operating expenses of the County as conditions may warrant or which the exercise of reasonable and proper discretion may justify, to the end that the taxpayers may receive just and proper consideration and protection.

Sec. 12. That any and all laws or clauses of laws contrary to or 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 the first day of April, one thousand nine hundred and thirty-three.

Ratified this the 26th day of April, A.D. 1933.

H. B. 1266       CHAPTER 387

AN ACT TO FIX THE COMPENSATION OF THE COUNTY ATTORNEY FOR THE COUNTY OF HARNETT.

The General Assembly of North Carolina do enact:

Section 1. That the County Commissioners of Harnett County are hereby empowered to employ a county attorney, and that he shall receive a salary to be fixed by the Commissioners of Harnett County, not less than twenty-five or more than fifty dollars per month: Provided, however, that nothing herein shall pro-
hibit the County Commissioners from employing special counsel in actions or proceedings in which the County of Harnett is a party.

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 full force and effect from and after its ratification.

Ratified this the 26th day of April, A.D. 1933.

S. B. 559

CHAPTER 388

AN ACT TO AMEND CHAPTER 318, PUBLIC-LOCAL LAWS OF 1931, FOR THE RELIEF OF IREDELL-ROWAN COUNTY DRAINAGE DISTRICT NUMBER ONE.

The General Assembly of North Carolina do enact:

Section 1. That Chapter 318, Public-Local Laws of 1931, being an act for the relief of Iredell-Rowan County Drainage District Number One, be and the same is hereby amended as follows: By striking out the words "two years" in line six, section 2, of said act, and inserting in lieu thereof the words "four years."

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

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

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

S. B. 588

CHAPTER 389

AN ACT TO AUTHORIZE THE COMMITTEEEMEN OF GREEN HOPE HIGH SCHOOL DISTRICT, WAKE COUNTY, TO USE UNEXPENDED FUNDS DERIVED FROM SPECIAL SCHOOL TAXES IN PAST YEARS.

The General Assembly of North Carolina do enact:

Section 1. That the local School Committeeemen of White Oak Number Four School District, known as Green Hope School District, Wake County, be and they are hereby authorized, with the approval of the Wake County Board of Education, to use for the benefit of said school all moneys not already expended by said school derived from special school taxes levied in the year one thousand nine hundred and twenty-nine and subsequent years, and all back taxes due said school district from previous years.

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

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

Ratified this the 27th day of April, A.D. 1933.
H. B. 1191  

CHAPTER 390

AN ACT TO AUTHORIZE, EMPOWER AND DIRECT THE BOARD OF COMMISSIONERS OF MADISON COUNTY TO LEVY SPECIAL TAX FOR THE PAYMENT OF CERTAIN INDEBTEDNESS DUE TO YANCEY COUNTY.

Whereas, certain criminal cases were removed from the Superior Court of Madison County to the Superior Court of Yancey County for trial, being the cases of the State versus West Fowler and others; and

Whereas, the expenses incurred by the County of Yancey in conducting said trials amounted to approximately the sum of two thousand five hundred dollars; and

Whereas, the County of Madison has not been able to pay said sum to the County of Yancey without the levy of a special tax for that purpose: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the County of Madison, through its Board of County Commissioners, be and it is hereby authorized, empowered and directed to lay and levy a special tax, at the regular time of the levying of general county taxes, not to exceed two cents on the one hundred dollars valuation of all property, real, personal or mixed, for the purpose of paying to the County of Yancey the amount of the indebtedness now due by the County of Madison to the County of Yancey for the purpose of defraying the expenses and indebtedness incurred on account of the trial of the cases of the State versus West Fowler et als., which cases were removed from the County of Madison to the County of Yancey for trial, and this is hereby declared to be a special and emergency purpose.

SEC. 2. That the Board of County Commissioners of Madison County be and it is hereby authorized and empowered, in anticipation of the collection of the taxes provided for in section one of this act, to issue its note and borrow money thereon to the extent of the sum of two thousand five hundred dollars, and thereupon said Board of County Commissioners is directed to pay into the treasury of Yancey County the full amount due by said County of Madison to the County of Yancey.

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 from and after its ratification.

Ratified this the 27th day of April, A.D. 1933.
CHAPTER 391
AN ACT TO REPEAL SECTION 5, OF CHAPTER 691, OF THE PUBLIC-LOCAL LAWS OF 1915, RELATIVE TO FEES FOR SERVING SUMMONS AND OTHER PROCESSES IN LOUISBURG TOWNSHIP, FRANKLIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section five, of chapter six hundred ninety-one, of the Public-Local Laws of one thousand nine hundred fifteen, relative to fees for serving summons and other processes in Louisburg Township, Franklin County, be and said section is hereby repealed.

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

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

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

CHAPTER 392
AN ACT TO AMEND SENATE BILL No. 334, RATIFIED THE 27TH DAY OF MARCH, 1933, THE SAME BEING AN ACT AMENDING THE RECORDER’S COURT FOR THOMASVILLE.

The General Assembly of North Carolina do enact:

SECTION 1. Amend Senate Bill number three hundred thirty-four, ratified the twenty-seventh day of March, one thousand nine hundred thirty-three, the same being “An act amending the act creating the Recorder’s Court of Thomasville.”

Sec. 2. That paragraph (A) of section three of said act be and the same is hereby amended by striking out the following words in line two thereof: “upon recommendation of the City of Thomasville.”

Sec. 3. That paragraph (B) of section three of said act be and the same is hereby amended by striking out the following words in line two thereof, “upon recommendation of the City of Thomasville.”

Sec. 4. That paragraph (C) of section three of said act be and the same is hereby amended by striking out the following, “upon recommendation of the City Council of the City of Thomasville.”

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

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

Ratified this the 27th day of April, A.D. 1933.
S. B. 387  

CHAPTER 393

AN ACT RELATING TO THE DISPOSITION OF WITNESS FEES AND OFFICERS' FEES IN THE OFFICE OF THE CLERK OF THE SUPERIOR COURT OF WILKES COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Clerk of the Superior Court of Wilkes County be, and he is, hereby authorized, empowered and directed to turn over to the Commissioners of Wilkes County all witness fees, officers' fees and all other fees which have been held by him or may be held by him as said Clerk for a period of ten years, said fees to be turned into the County general fund.

Sec. 2. That the Commissioners of Wilkes County be, and they are, hereby authorized and empowered to receive said funds and to receipt the Clerk of the Superior Court of said County for same, which receipt shall be used in the final settlement and accounting by and with said Clerk.

Sec. 3. That all laws and clauses of laws in so far as the same 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 28th day of April, A.D. 1933.

S. B. 551  

CHAPTER 394

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY TO LEVY ADDITIONAL TAX FOR THE SUPPORT AND MAINTENANCE OF THE COUNTY TUBERCULAR HOSPITAL.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of Mecklenburg County are hereby authorized and empowered to levy a special annual tax not to exceed six (6c) cents on the One Hundred ($100.00) Dollar valuation of property and fifteen (15c) cents on the poll to be used as a maintenance fund for the support and upkeep of the Mecklenburg Tubercular Hospital.

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

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

Ratified this the 28th day of April, A.D. 1933.
S. B. 611  

CHAPTER 395

AN ACT TO DIVEST AND TERMINATE THE CRIMINAL JURISDICTION OF THE MAYOR OF WILSON AND CONFER UPON THE GENERAL COUNTY COURT OF SAID COUNTY THE JURISDICTION OF THE MAYOR'S COURT OF THE CITY OF WILSON, AND TO AMEND THE GENERAL COUNTY COURT ACTS AS RELATE TO WILSON COUNTY IN ORDER TO DISPENSE WITH JURIES IN CRIMINAL CASES, TO CHANGE THE RETURN DATE OF WARRANTS, TO ABOLISH JURY TAX AND STENOGRAPHER FEES IN CRIMINAL CASES, TO CHANGE SOLICITOR'S FEES, AND TO EMPOWER THE CLERK OF THE SUPERIOR COURT OF WILSON COUNTY TO APPOINT DEPUTY GENERAL COUNTY COURT CLERKS AND TEMPORARY EMERGENCY JUDGES AND SOLICITORS FOR SAID COURT.

The General Assembly of North Carolina do enact:

Section 1. The jurisdiction heretofore exercised by the Mayor of the City of Wilson in the trial of all causes, of whatever nature, is hereby divested and terminated, and the trial of such causes shall be within the jurisdiction of the General County Court of Wilson County heretofore established under the general law and under the special acts relating to Wilson County. And such General County Court shall have and exercise all the jurisdiction with respect thereto heretofore exercised by said Mayor of the City of Wilson.

Sec. 2. That in the trial of criminal cases in the General County Court of Wilson County there shall be no trial by jury, but the judge shall hear all questions of law and fact in said court: Provided, however, that nothing herein shall be construed to revoke or impair the right of trial by jury in civil cases, or to in any wise change the procedure of the civil end of said court or the jurisdiction thereof.

Sec. 3. That all warrants issued and returnable to said General County Court shall be returnable on the day following the service thereof, except where the same falls on Sunday or a holiday, in which event the warrant shall be returnable on Monday or the day following.

Sec. 4. That there shall not be a jury tax or stenographer fee charged in the trial of criminal cases in the General County Court of Wilson County, but there shall be a solicitor's fee of four dollars taxed against each defendant in each warrant where such defendant is convicted, except in cases where the charge is the violation of a town ordinance, in which event there shall be no solicitor's fee taxed against the defendant.

Sec. 5. That the Clerk of the Superior Court of Wilson County as ex officio Clerk of the General County Court of said County
is hereby authorized and empowered to appoint any person, or persons, employed by the City of Wilson in the capacity of Desk Sergeant as Deputy Clerks of this Court to the extent of issuing, upon proper affidavit, warrant or warrants for the arrest of any person or persons for the violations of an ordinance of the City of Wilson or the commission of any crime within the County of Wilson, and to the extent of authorizing such person or persons so designated to subpoena witnesses to give testimony in the trial of any person arrested by virtue of a warrant issued by such designated person or persons, and to the further extent, if deemed necessary by the Clerk of this Court, and with the approval of the Board of Aldermen of the City of Wilson, to attend said criminal courts of the General County Court and to take minutes of the same for and in behalf of the Clerk of said Court.

SEC. 6. That the Clerk of the Superior Court of Wilson County is hereby authorized and empowered to appoint an emergency judge or solicitor to hold said General County Courts of Wilson County in the event the regularly elected judge or solicitor shall become unable to hold said courts by illness or absence, and the remuneration of the emergency judge or solicitor so appointed shall be fixed by the Board of County Commissioners of Wilson County, and shall be paid by the same authority and from the same source as the regularly elected judge and solicitor are now paid under the law.

SEC. 7. That, in the event of death or resignation of the regularly elected judge or solicitor of the General County Court of Wilson County, the Board of County Commissioners of said County shall have the power and authority to appoint a judge or solicitor to hold said courts for the unexpired term of the resigned or deceased judge or solicitor of said court.

SEC. 8. That the witness fees of all salaried officers of the City of Wilson and the County of Wilson, when proved, shall be paid into the general county fund of Wilson County, and all other costs, fines, forfeitures and penalties arising in said court shall be disbursed in the manner and form and to the same sources and funds as costs, fines, forfeitures and penalties arising out of the Superior Courts of Wilson County are now disbursed under the law.

SEC. 9. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

SEC. 10. That this act shall be in full force and effect from and after July 3rd, 1933.

Ratified this the 28th day of April, A.D. 1933.
H. B. 1322 CHAPTER 396
AN ACT TO AUTHORIZE AND EMPOWER THE BOARD OF COMMISSIONERS OF ASHE COUNTY TO LEVY TAXES FOR DEBT SERVICE IN PROPORTION TO THE ABILITY OF THE TAXPAYERS TO PAY.

The General Assembly of North Carolina do enact:

That whereas, about one-third (1/3) of the tax levies for the years 1927, 1928, 1929, 1930 and 1931 for the County of Ashe all remain unpaid and uncalled;

Now, therefore, be it enacted:

SECTION 1. That the Board of Commissioners of the County of Ashe is hereby authorized, empowered and directed to make such levies for debt service, and for any and/or all county government purposes, for the County of Ashe for the years 1933 and 1934 as in their opinion the taxpayers of the County of Ashe may be able to pay, and no more.

SEC. 2. That this Act shall apply to the County of Ashe only.

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 April, A.D. 1933.

H. B. 1343  CHAPTER 397
AN ACT TO REPEAL SENATE BILL 466, RATIFIED APRIL 3, 1933, ENTITLED "AN ACT TO REGULATE THE SALE OF MILK BOTTLES AND CONTAINERS IN MECKLENBURG COUNTY."

The General Assembly of North Carolina do enact:

SECTION 1. That Senate Bill four hundred sixty-six, ratified April third, nineteen hundred thirty-three, entitled "An act to regulate the sale of milk bottles and containers in Mecklenburg County," be and the same is hereby repealed.

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

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

Ratified this the 28th day of April, A.D. 1933.
H. B. 1405

CHAPTER 398

AN ACT TO FIX THE SALARIES AND COMPENSATION OF CERTAIN OFFICERS OF BLADEN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the sheriff of Bladen County shall receive the salary of twenty-one hundred dollars per annum, payable monthly, and, in addition thereto, shall also receive fees and commissions as sheriff and tax collector of said county as follows:

a. For his services in collecting all taxes and commissions at the rate of one per centum on the first fifty thousand dollars of taxes collected, and commissions at the rate of two per centum of all taxes collected in excess of fifty thousand dollars up to and including, but not in excess of, one hundred thousand dollars, and commissions at the rate of four per centum of all taxes so collected in excess of one hundred thousand dollars.

b. For all services in serving process, all fees as now or hereafter may be allowed by law, including a fee of fifty cents for each levy made on personal property in the collection of taxes, and also such fees allowed for his services in connection with sale or foreclosure of land for delinquent taxes, as allowed to the sheriff by Chapter one hundred forty-eight, Public Laws nineteen hundred thirty-three:

Provided, however, that the salary, compensation, fees and commissions herein allowed and established for said sheriff of Bladen County shall in no event exceed the sum of four thousand dollars per year. It shall be the duty of said sheriff to keep an accurate record of all fees, commissions and other emoluments of his office, collected or which should have been collected by him, and make accurate report thereof to the Board of Commissioners of Bladen County at each regular monthly meeting of such Board, covering such collection for the preceding calendar month, the said report to be audited and passed upon by the County Auditor or County Accountant, and all sums received by said sheriff from the salary, commissions, fees and other emoluments, as hereinbefore set out, in the excess of the sum of four thousand dollars per year shall by said sheriff be paid over into the treasury of Bladen County as a part of the general fund thereof.

SEC. 2. The sheriff of Bladen County is hereby authorized and empowered to appoint such deputies and assistants as may be necessary in the conduct of his duties as such sheriff, as permitted by law, the compensation of such deputies and assistants to be paid by him out of the salary, compensation, fees and commissions hereinbefore provided for said sheriff, the said county
of Bladen not to be responsible in any way for payment of any salary or compensation for such deputies or assistants.

Sec. 3. The Clerk of the Superior Court of Bladen County shall receive the salary of fifteen hundred dollars per annum, payable monthly, with an allowance of forty-five dollars per month for clerical help, the same to be in full compensation for all services of the said Clerk of the Superior Court.

Sec. 4. The Register of Deeds of Bladen County shall receive a salary of twelve hundred dollars per annum, payable monthly, the same to be in full compensation for all services of the Register of Deeds.

Sec. 5. The auditor of Bladen County shall receive a salary of fifteen hundred dollars per annum, payable monthly, with an allowance of seventy-five dollars per month for clerical help, the same to be in full compensation for all services of said Auditor.

Sec. 6. The Judge of the Recorder's Court of Bladen County shall receive a salary of seven hundred twenty dollars per annum, payable monthly, the same to be in full compensation for all services of said Recorder.

Sec. 7. The Prosecuting Attorney of the Recorder's Court of Bladen County shall be allowed and receive a fee of seven dollars and fifty cents for each conviction in said Court, the said fee to be taxed in the bill of costs and to be in lieu of any salary or fees heretofore provided for and to be in full compensation for all services of said prosecuting attorney.

Sec. 8. The members of the Board of County Commissioners of Bladen County shall each receive three dollars per day and five cents per mile in going to and returning from regular or special meetings of said Board of County Commissioners, when such meetings are called in accordance with the provisions of section twelve hundred ninety-six of the Consolidated Statutes.

Sec. 9. The members of the Board of Education of Bladen County shall each receive the sum of three dollars per day, and five cents per mile in going to and returning from each meeting of the Board of Education of said county as held in accordance with law.

Sec. 10. The Farm Demonstration Agent of Bladen County shall receive out of county funds a salary of nine hundred dollars per annum, payable monthly, the same to be in full for Bladen County's share, part and/or contribution to the salary of such Farm Demonstration Agent.

Sec. 11. The Home Demonstration Agent of Bladen County shall receive out of county funds a salary of eight hundred dollars per annum, payable monthly, the same to be in full for Bladen County's share, part and/or contribution to the salary of such Home Demonstration Agent.
SEC. 12. That the turnkey fees allowed the jailer of Bladen County shall be twenty-five cents one way, in lieu of the fees now allowed by law.

SEC. 13. That the County Attorney of Bladen County shall receive a salary of six hundred dollars per annum, payable monthly, in full compensation for all services performed by him as such County Attorney.

SEC. 14. The salaries, fees, commissions and compensation of the several officers and employees of Bladen County, as herein-before named, shall be as fixed in this Act and the Board of Commissioners and any and all other county officials charged with duty in the premises are hereby authorized, empowered and directed to levy the necessary taxes making provision for and paying the salaries and compensation as fixed in this Act.

SEC. 15. All prior laws and clauses of laws in conflict with this Act, whether passed at this or previous sessions of the General Assembly, are, to the extent of such conflict, hereby repealed.

SEC. 16. This Act shall be in full force and effect on May first, nineteen hundred thirty-three.

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

H. B. 931  
CHAPTER 399

AN ACT TO REGULATE CHARGES MADE BY THE CITY OF ASHEVILLE FOR WATER CONSUMED IN BUNCOMBE COUNTY WATER DISTRICTS.

The General Assembly of North Carolina do enact:

SECTION 1. That from and after the passage of this act it shall be unlawful for the City of Asheville, or any of the governing authorities, agents, or employees thereof, to charge, exact, or collect from any resident of Buncombe County, whose property is now connected or may hereafter be connected with the main of any water district which has paid or issued bonds for the payment of the expense of laying such main, a rate for water consumed higher than that charged by the City of Asheville to persons residing within the corporate limits of said city.

SEC. 2. That the City of Asheville is hereby specifically authorized and empowered, through its officers, agents and employees, to cause any user of water who shall fail to pay promptly his water rent for any month to be cut off, and his right to further use of water from the city system to be discontinued until payment of any water rent arrearages.

SEC. 3. That it is the purpose and intent of this act to declare that persons residing outside of the corporate limits of the City
of Asheville shall be entitled to the use of Asheville surplus water only, and the governing body of the City of Asheville is authorized and empowered to discontinue the supply of water to any districts, or persons, out of the corporate limits of the City of Asheville at any time that there may be a drought or other emergency, or at any time the governing body of the City of Asheville may deem that the city has use for all of its water supply.

SEC. 4. That it shall be the duty of the County Commissioners of Buncombe County and/or the trustees of the different water districts operating outside of the corporate limits of the City of Asheville, in Buncombe County, to maintain the water lines in proper repair in order that there may not be a waste of water by leakage.

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 28th day of April, A.D. 1933.

H. B. 1250

CHAPTER 400

AN ACT TO REGULATE THE BUILDING OF DAMS ACROSS CREEKS, BAYS, AND RIVER ESTUARIES. (APPLICABLE ONLY TO CARTERET COUNTY.)

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be lawful for any person or persons owning the lands on both sides of any creek, bay, river or branch of such river or creek, subject to the approval and permission of the War Department of the United States Government, to construct and maintain across said creek, bay, river or branch thereof, a dam, breakwater, or fill, such construction and maintenance to be performed upon such terms and conditions as may be prescribed by the said War Department.

SEC. 2. Provided, that this act shall apply only to Carteret 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 28th day of April, A.D. 1933.
H. B. 1323  CHAPTER 401

AN ACT TO REGULATE THE SALE OF LUBRICATING OIL, BENZINE, NAPHTHA, GASOLINE AND OTHER PRODUCTS BY WHOLESALE IN MECKLENBURG COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person, firm or corporation licensed and engaged in the business of the wholesale distribution or the distribution to retail filling station operators of illuminating or lubricating oil or grease, or benzine, naphtha, gasoline or other products of a like kind, to neglect or refuse to sell said products to any licensed retail filling station operator at the same price charged any other licensed filling station operator in the same community, or at the same price charged for delivery to other filling stations in the same community operating under commission agency agreements, commission lease agreements, lease vending privilege agreements and lease rental determined by sales agreements, or other similar agreements by which any such wholesale distributor seeks to control the product sold by any such filling station or the price at which such products may be sold.

SEC. 2. That any person, firm or corporation violating the provisions of this Act shall be guilty of a misdemeanor and upon conviction thereof shall be fined not to exceed the sum of Five Hundred ($500.00) Dollars for each such offense.

SEC. 3. That this Act shall apply only to Mecklenburg County.

SEC. 4. That all laws and clauses of laws in conflict herewith are hereby repealed.

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

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

H. B. 1379  CHAPTER 402

AN ACT TO IMPOSE A PRIVILEGE TAX ON PERSONS AND CORPORATIONS RECEIVING COMPENSATION FOR PERMISSION TO FISH IN STREAMS STOCKED BY THE STATE.

The General Assembly of North Carolina do enact:

SECTION 1. A privilege or license tax of fifty dollars per year, the privilege to extend from May first through May thirtieth of the following year, is hereby imposed upon every person, firm or corporation which shall issue for compensation permits for fishing from streams stocked by the State upon their own lands or lands leased by them.
Sec. 2. This privilege tax shall be paid to the Sheriff of the county, and his receipt therefor shall constitute the license to charge for such permission.

Sec. 3. The proceeds of such license taxes shall be turned over to the Treasurer of the county, to be used in the general fund.

Sec. 4. The privilege so extended shall not take the place of any fishing license provided by law, nor shall it give the licensee the right to fish as provided by the laws applicable to the particular county, nor shall it be construed to apply to permits issued without compensation therefor.

Sec. 5. This act shall apply only to Graham County.

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

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

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

S. B. 572  
CHAPTER 403  
AN ACT FIXING THE FEES OF JURORS IN CLAY AND MACON COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That the fees of all jurors serving in the courts of Clay and Macon Counties shall be one dollar and fifty cents ($1.50) per day and mileage at five cents per mile each way to and from the place of residence of each juror for one round trip: Provided, however, that in murder cases the jurors serving shall be paid three dollars ($3.00) per day and mileage as hereinbefore set out.

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

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

Ratified this the 1st day of May, A.D. 1933.

S. B. 587  
CHAPTER 404  
AN ACT TO REPEAL SENATE BILL 149, RATIFIED FEBRUARY 28, 1933, ENTITLED “AN ACT TO PROHIBIT FISHING AND HUNTING IN AND ON THE WATERS OF LAKE SUMMIT AND GREEN RIVER, IN HENDERSON COUNTY.”

The General Assembly of North Carolina do enact:

SECTION 1. That Senate Bill No. 149, ratified by the General Assembly February 28, 1933, entitled “An Act to Prohibit Fish-
Effective May 25, 1933.

H. B. 945  CHAPTER 405

AN ACT PROVIDING FOR CERTAIN SPECIAL TAX IN JACKSON COUNTY. (APPLICABLE ALSO TO THE COUNTIES OF ALAMANCE, ALLEGHANY, CURRITUCK, GRAHAM, JONES, McDOWELL AND TYRRELL.)

The General Assembly of North Carolina do enact:

SECTION 1. Subject to approval of the Director of Local Government, the Board of County Commissioners of Jackson County is hereby authorized to levy such special property tax as may be necessary, not to exceed ten (10c) cents on the one hundred ($100.00) dollars valuation for the following special purposes, in addition to any tax now allowed by law for such purposes and in addition to the rate allowed by the Constitution, for the expense of holding courts in said county and for the expense of maintenance of jails and jail prisoners.

Sec. 2. That this act shall also apply to the Counties of Alamance, Alleghany, Currituck, Graham, Jones, McDowell and Tyrrell.

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

Ratified this the 1st day of May, A.D. 1933.

H. B. 1281  CHAPTER 406

AN ACT TO REGULATE THE SALE OF MILK BOTTLES AND CONTAINERS IN PITTS COUNTY.

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 any milk or milk products in any bottle, can, crate or container when said utensils have the name or trade-mark other than that of the seller or owner written, stamped or moulded thereon; and if said container be marked in any way, the name on the cap must be the same as that on the container.
SEC. 2. That it shall be unlawful for any person, firm or corporation to deface or attempt to remove any name or trade-mark stamped or moulded on any milk bottle, can, crate or other container.

SEC. 3. That it shall be unlawful for any person, firm or corporation to buy, sell or offer for sale any used milk bottle, can, crate or container that has the name or trade-mark of the owner written or stamped or moulded thereon except an authorized agent of associated dairymen.

SEC. 4. That it shall be unlawful for any person, firm or corporation to salvage from any wagon, trash dump, office building, vacant property or any other locality any milk bottle, can, crate or container where said milk bottle, can, crate or container may be misplaced or lost if said utensils have the name or trade-mark of the owner written, stamped or moulded thereon, unless it be for the purpose of returning same to the owner or his authorized agent.

SEC. 5. That this act shall apply to Pitt County only.

SEC. 6. That any person, firm or corporation violating any of the provisions of this act shall be guilty of a misdemeanor and be subject to a penalty of fifty ($50.00) dollars for each and every offense.

SEC. 7. That all laws and clauses of laws in conflict herewith be and they are hereby repealed.

SEC. 8. That this act shall be in full force and effect from and after its ratification.

Ratified this the 1st day of May, A.D. 1933.

H. B. 1296

CHAPTER 407

AN ACT TO POSTPONE TAX SALES IN YANCEY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That tax sales for the years one thousand nine hundred and thirty-two and one thousand nine hundred and thirty-three shall be postponed in Yancey County until the first Monday in November, one thousand nine hundred and thirty-three, for the taxes for the year one thousand nine hundred and thirty-two, and until November first, one thousand nine hundred and thirty-four, for the taxes for the year one thousand nine hundred and thirty-three.

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

Ratified this the 1st day of May, A.D. 1933.
H. B. 1334  CHAPTER 408
AN ACT RELATING TO REMISSION OF PENALTIES ON 1932 TAXES IN PITT COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the boards of Commissioners of Pitt and Caswell Counties and/or the governing body of any municipality in said counties are hereby authorized, empowered and directed to remit all penalties on taxes due for the year one thousand nine hundred and thirty-two if said taxes are paid on or before the first day of July, one thousand nine hundred and thirty-three, and also to remit any and all penalties heretofore charged and collected on any taxes due for the year one thousand nine hundred and thirty-two which have already been paid.

Sec. 2. That the said boards of commissioners and/or the governing body of any municipality in said counties are authorized, in their discretion, to substitute newspaper advertising in lieu of notices to delinquent taxpayers by registered mail.

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

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

Ratified this the 1st day of May, A.D. 1933.

H. B. 1392  CHAPTER 409
AN ACT TO PROVIDE FOR THE REDEMPTION OF PROPERTY SOLD FOR TAXES IN YANCEY COUNTY OR IN ANY MUNICIPALITY THEREIN.

The General Assembly of North Carolina do enact:

Section 1. That Yancey County, and any municipality therein, shall permit the original owner of any land sold for taxes for the year nineteen hundred and thirty-one, and previous years, where said County or municipality owns the tax certificate, or is the holder of the deed therefor, to redeem the same under the general provisions contained in Senate Bill number one hundred and eighty, ratified the twenty-seventh day of March, nineteen hundred and thirty-three.

Sec. 2. That such delinquent taxes may be paid in county bonds where the property has been purchased by the county and municipal bonds where the property has been purchased by the municipality, at par, plus accrued interest.

Sec. 3. That the original owner shall have the right to the possession of the property, but shall pay at least fifty per cent of the rents and income received therefrom on taxes due.
1933—Chapter 409—410—411

SEC. 4. That all laws and clauses of laws in conflict herewith are hereby repealed.

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

Ratified this the 1st day of May, A.D. 1933.

S. B. 470

CHAPTER 410

AN ACT TO AMEND THE PRIMARY LAW FOR MITCHELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. In all primary elections held in Mitchell County the aspirant for nomination to any County office, or for the office of State Senator or member of the House of Representatives of the party to which he affiliates, the said candidate receiving the largest number of votes shall be declared the nominee of said respective office to which he aspires by the Board of Elections of Mitchell County, and his name shall be placed on the official ballot to be voted for at the general election as his party's candidate.

SEC. 2. This act shall apply to Mitchell County only.

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

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

Ratified this the 2nd day of May, A.D. 1933.

H. B. 1195

CHAPTER 411

AN ACT SUPPLEMENTAL TO HOUSE BILL 1033, THE SAME BEING "A BILL TO BE ENTITLED AN ACT RELATING TO PAYMENT OF INDEBTEDNESS OF SPECIAL AND/OR SPECIAL CHARTER SCHOOL DISTRICTS INCURRED IN ERECTING AND EQUIPPING SCHOOL BUILDINGS NECESSARY FOR THE CONSTITUTIONAL SIX MONTHS SCHOOL TERM IN RUTHERFORD COUNTY," RATIFIED ON THE THIRD DAY OF APRIL, 1933.

The General Assembly of North Carolina do enact:

SECTION 1. That House Bill one thousand and thirty-three, ratified April third, one thousand nine hundred and thirty-three, be and the same is hereby amended by adding at the end of section one of said bill the following:
"That in addition to the authority vested in the County Board of Education of Rutherford County and in the Commissioners of said County the said Boards are hereby authorized and empowered in any case where the title to school property is not now vested in the Board of Education or in said County to negotiate with the owners for the purchase thereof and to either pay the purchase price in cash or issue bonds therefor, upon such terms as may be mutually agreed upon between the said County Board of Education and the Board of Commissioners of said County and the owner of said property, and provide for payment of said bonds as same shall mature in the same manner as is provided in said act for paying the outstanding indebtedness of the special school tax districts or special charter districts: Provided, this authority shall extend only to the purchase of property now being used for school purposes in Rutherford 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 full force and effect from and after its ratification.

Ratified this the 2nd day of May, A.D. 1933.

H. B. 1231  CHAPTER 412

AN ACT TO ALLOW FISHING IN THE STREAMS OF YADKIN COUNTY WITH TROT LINES, BASKETS AND SEINES.

The General Assembly of North Carolina do enact:

SECTION 1. That from and after the date of the ratification of this act it shall be lawful for any person to fish in the waters of Yadkin County with trot lines, baskets and seines.

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

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

Ratified this the 2nd day of May, A.D. 1933.

H. B. 1233  CHAPTER 413

AN ACT TO REGULATE THE GRAND JURY OF MECKLENBURG COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That at the first Spring Term for the trial of criminal cases held in the County of Mecklenburg in the year of 1933 there shall be chosen a grand jury as now provided by
law, and the first nine members of said grand jury chosen at
said term shall serve for a term of one year and the second nine
members of said grand jury chosen shall serve for a term of
six months; and thereafter, at the Fall and Spring Terms of
the criminal court of each year there shall be chosen nine mem-
ers of said grand jury to serve for one term of one 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 rat-
ification.

Ratified this the 2nd day of May, A.D. 1933.

H. B. 1300  CHAPTER 414

AN ACT TO AMEND HOUSE BILL No. 1217, ENTITLED “AN
ACT TO AMEND THE FISHING LAWS AS TO CHEROKEE
COUNTY,” RATIFIED APRIL 10, 1933.

The General Assembly of North Carolina do enact:

SECTION 1. That House Bill number twelve hundred and
seventeen, ratified on the tenth day of April, one thousand nine
hundred thirty-three, be and the same is hereby amended by
adding in line one, section two, following the word “shoot” the
words “with rifle.”

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

Ratified this the 2nd day of May, A.D. 1933.

H. B. 1313  CHAPTER 415

AN ACT TO PROTECT VENDORS OF PERSONAL PROPERTY
UPON INSTALLMENT PAYMENT PLAN. (APPLIES TO
WAKE COUNTY ONLY.)

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for a vendor of personal
property purchased upon the installment payment plan with title
retained in the vendor until property is fully paid for to remove
said personal property from the premises to which same was
delivered when purchased without first giving the vendor five
days’ notice of such intent to remove the property and five days’
notice thereafter of each successive intended removal.

SEC. 2. That it shall be unlawful for the purchaser of per-
sonal property as described in section one to remove said per-
sonal property from the county in which said property was de-
livered by vendor when purchased without giving notice in
writing to vendor and obtaining vendor's consent to such removal
in writing.

Sec. 3. The provisions of this act shall not apply to motor
vehicles or livestock.

Sec. 4. That any person violating any provision of this act
shall be guilty of a misdemeanor.

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

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

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

Ratified this the 2nd day of May, A.D. 1933.

H. B. 1332  
CHAPTER 416
AN ACT TO ALLOW FISHING IN THE STREAMS OF ALEX-
ANDER, DAVIE AND WILKES COUNTIES WITH TROT
LINES OR BASKETS.

The General Assembly of North Carolina do enact:

Section 1. That from and after the date of the ratification of
this act it shall be lawful for any landowner in Wilkes, Alex-
ander and Davie Counties, or any person having written permis-
sion from said landowner, to fish with trot lines or baskets in
any stream in said counties contiguous to or running through
the lands of such landowner.

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

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

Ratified this the 2nd day of May, A.D. 1933.

H. B. 1373  
CHAPTER 417
AN ACT TO PROVIDE FOR THE EXPENSES OF REVALU-
ATION OF PROPERTY IN YANCEY COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the Board of County Commissioners of Yancey
County shall provide for the payment of the expenses of the Board of Revaluation and Review in Yancey County, including
payment to Clerk of Board and listers and assessors, as approved
by the Board of Revaluation and Review. That all the powers
and duties defined by the general Machinery Act shall be performed by the Board of Revaluation and Review.

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

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

Ratified this the 2nd day of May, A.D. 1933.

H. B. 1377  CHAPTER 418

AN ACT TO AMEND SECTION FOUR OF CHAPTER TWENTY-FIVE OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND NINETEEN, RELATING TO COLLECTION OF TAXES IN GATES COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section four of chapter twenty-five of the Public-Local Laws of one thousand nine hundred and nineteen be and the same is hereby amended by striking out the proviso in lines nine to thirteen of said section and inserting in lieu thereof the following:

"Provided, however, that should any constable, in any of the several townships of the said county, fail or refuse to give the bonds of him herein required, then it shall be the duty of the board of commissioners of said county to appoint the sheriff or some other person to serve as tax collector in such township or townships."

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

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

Ratified this the 2nd day of May, A.D. 1933.

H. B. 1393  CHAPTER 419

AN ACT TO REGULATE LICENSE OR FRANCHISE TAXES ON BUILDING AND LOAN ASSOCIATIONS IN MECKLENBURG COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That no city or town in Mecklenburg County shall charge or collect from any duly licensed building and loan association operating in said county a license or privilege tax in excess of one hundred ($100.00) dollars per annum.
Conflicting laws repealed.

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 2nd day of May, A.D. 1933.

H. B. 1396 CHAPrer 420

AN ACT TO PROVIDE FOR A MORE EFFICIENT AUDITING OF THE BOOKS AND ACCOUNTS OF THE OFFICERS OF COLUMBUS COUNTY.

Whereas, over a period of years there have been various shortages in the accounts of public officers in Columbus County; and

Whereas, a more efficient fiscal system is not only advisable but deemed necessary by the voters of said county: Now, therefore,

The General Assembly of North Carolina do enact:

Section 1. That it shall be the duty of the board of commissioners of Columbus County to see that the provisions of the County Government and Fiscal Control Acts relating to the auditing and examination of all books and accounts by the county auditor are strictly carried out in said county.

Section 2. That the county commissioners of Columbus County are hereby authorized, empowered and directed, in carrying out the spirit of the Local Government Act of one thousand nine hundred and thirty-one and years prior thereto, to secure the services of a certified public accountant to make an annual audit in said county of all books of county officers as required by law, and no such annual audit shall be made except by a certified public accountant.

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

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

Ratified this the 2d day of May, A.D. 1933.

H. B. 1436 CHAPTER 421

AN ACT RELATING TO DISPOSITION AND USE OF BACK TAXES COLLECTED IN CARVER'S CREEK TOWNSHIP SPECIAL SCHOOL TAX DISTRICT, BLADEN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That all delinquent taxes which have been or may hereafter be collected from, and as the proceeds of, the special
maintenance school tax heretofore levied in Carver's Creek Township Special School Tax District, Bladen County, shall be used and disbursed exclusively for and in payment of debt service requirements of said district, including payments due on a piano, bought for and used in the school in said district, the first of such taxes so collected to be applied toward payment of the balance due on said piano, and the remainder, as afore-said, to any other debt service needs of said district.

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

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

Ratified this the 2nd day of May, A.D. 1933.

H. B. 1442

CHAPTER 422

AN ACT TO CREATE A GAME COMMISSION FOR BURKE COUNTY AND TO REGULATE FISHING IN CERTAIN WATERS OF SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That a Game Commission for Burke County be and the same is hereby created, which shall consist of three members to be appointed by the county commissioners to serve until the first Monday in December, one thousand nine hundred and thirty-four, when, and biennially thereafter, their successors shall be appointed. The said game commission is authorized and directed to cooperate with the State Department of Conservation and Development in the employment of Game and Fish Wardens, in protecting the game and fish in said county and in enforcing the rules and regulations pertaining thereto.

SEC. 2. That the output of Mull's Hatchery shall be used to stock Lake James and Lake Rhodhiss in Burke County with fish.

SEC. 3. That no license or fees shall be charged to residents of Burke County for fishing with poles and lines in all streams in Burke County below the Catawba and Linville dams in said county.

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

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

Ratified this the 2nd day of May, A.D. 1933.
H. B. 1446

CHAPTER 423

AN ACT TO REPEAL CHAPTER 88, PUBLIC-LOCAL LAWS 1929, RELATING TO POOL AND BILLIARD ROOMS IN CALDWELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter eighty-eight, Public-Local Laws one thousand nine hundred and twenty-nine, which regulates the operation of pool and billiard rooms in Caldwell County be and the same is hereby repealed.

SEC. 2. That all other 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 2nd day of May, A.D. 1933.

H. B. 1451

CHAPTER 424

AN ACT TO AMEND HOUSE BILL 565, SAME BEING "A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 520 OF THE PUBLIC-LOCAL LAWS OF 1915, BEING AN ACT TO ESTABLISH A SPECIAL COURT FOR FORSYTH COUNTY WITH CIVIL JURISDICTION TO BE KNOWN AS FORSYTH COUNTY COURT AND THE AMENDMENTS THERETO, RELATING TO TERMS OF COURT," RATIFIED MARCH 16TH, 1933.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of House Bill number five hundred sixty-five, ratified March sixteenth, nineteen thirty-three, be and the same is hereby amended by striking out the words "Seventeenth Monday after the first Monday in March," in line fifteen, and inserting in lieu thereof the words "Ninth Monday before the first Monday of September"; and by striking out the word "before" in line sixteen and inserting in lieu thereof the word "after."

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 2nd day of May, A.D. 1933.
S. B. 623  CHAPTER 425

AN ACT TO ALLOW HAYWOOD AND JACKSON COUNTIES TO COME UNDER THE PROVISIONS OF HOUSE BILL NUMBER 1308 OF THE 1933 SESSION OF THE GENERAL ASSEMBLY OF NORTH CAROLINA, RELATING TO COURT PROCEDURE IN CHEROKEE, CLAY AND MACON COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That House Bill number 1308 of the 1933 Session of the General Assembly of North Carolina be amended by inserting after the word "Clay" and before the word "and," in line 4 of said section, the words "Haywood and Jackson."

SEC. 2. That Section 3 of said House Bill number 1308 be amended by inserting "Haywood and Jackson" after the word "Clay" and before the word "and" in line 2 of said section.

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

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

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

H. B. 874  CHAPTER 426

AN ACT TO PROHIBIT ANY PERSON FROM ENTERING ANY PLACE OF AMUSEMENT OTHER THAN BY THE REGULAR ENTRANCE PROVIDED THEREFOR.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person to enter, attempt to enter or cause, aid or assist any one else to enter any moving picture building or other place of entertainment which is required by a State Law or City Ordinance to provide special exit doors, by any entrance other than the regular and recognized main entrance provided for the public.

SEC. 2. That any person violating the provisions of this act shall be guilty of a misdemeanor and upon conviction fined not exceeding fifty dollars or imprisoned not more than thirty days.

SEC. 2½. Provided, this act shall apply to Pasquotank County only.

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

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

Ratified this the 3rd day of May, A.D. 1933.
H. B. 1302  CHAPTER 427
AN ACT TO AMEND HOUSE BILL 135, RATIFIED APRIL
11, 1933, ENTITLED “AN ACT TO AUTHORIZE FISHING IN
THE FRENCH BROAD RIVER FROM THE POINT WHERE
IT ENTERS Buncombe COUNTY TO THE POINT WHERE
IT ENTERS Madison COUNTY WITHOUT FIRST PRO-
CURING A LICENSE TO FISH THEREIN.”

The General Assembly of North Carolina do enact:

Section 1. That House Bill one hundred thirty-five, ratified
April eleventh, one thousand nine hundred thirty-three, entitled
“An act to authorize fishing in the French Broad River from
the point where it enters Buncombe County to the point where
it enters Madison County without first procuring a license to
fish therein,” be amended by striking out in line five of section
one the words “Madison County” and inserting in lieu thereof
the following, “the State of Tennessee.”

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

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

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

H. B. 1437  CHAPTER 428
AN ACT TO AMEND HOUSE BILL No. 880, RATIFIED MARCH
28, 1933, BEING “AN ACT PROVIDING FOR RENEWAL OF
NOTES AND MORTGAGES DUE COLUMBUS COUNTY.”

The General Assembly of North Carolina do enact:

Section 1. Section one of House Bill No. 880, ratified on the
twenty-eighth day of March, one thousand nine hundred and
thirty-three, is hereby repealed and the following section is
enacted in lieu thereof:

“Section 1. The Board of County Commissioners of Columbus
County is hereby directed to permit all persons owing said
Columbus County on account of money borrowed from said
County and secured by a first mortgage on real estate or by a
deed of trust, and whose obligations on account of said loans
so secured are now due and unpaid or may become due during
the calendar year one thousand nine hundred and thirty-three,
to renew their several obligations to said County without present
reduction of the principal amount thereof upon the terms and
conditions hereinafter set forth.
“Each said renewal shall be secured by a new first mortgage or deed of trust, as the case may be, and the cost of such renewal, including fees for recording, documentary stamp taxes or any other cost whatever, shall be paid by the obligor. Interest on the principal sum of said obligation shall be payable semi-annually on the thirtieth days of May and September of each year; and one-tenth of the principal sum thereof shall mature on the thirtieth day of June in each of the years 1934, 1935, 1936, 1937, 1938 and 1939, and the balance of said principal sum shall be paid during the year 1939: Provided, however, that this act shall not be mandatory upon the Board of County Commissioners unless the obligor shall make written application to said board requesting the privilege of renewing his obligation, as provided in this act, and unless the land described in his said mortgage or deed of trust is free and clear of any other encumbrance save taxes owing to the County of Columbus.

“Said Board of Commissioners is further authorized, in its discretion, to permit renewals of obligations of the kind above described maturing during the year 1934, under the same terms and conditions as hereinabove set forth, the installments in reduction to begin on June 30, 1934, and the entire balance to mature during the year 1939, as aforesaid.”

Sec. 2. Section 2 of said House Bill No. 880 is hereby repealed and the following section enacted in lieu thereof:

“Section 2. Said Board of Commissioners may, in its discretion, include in the principal amount of any renewal loan made hereunder the amount of any delinquent taxes owed to the County of Columbus which are liens on the real property securing said loan, and said Board may, in its discretion, include in the principal amount of any such renewal the amount of any interest accrued and unpaid on the matured loan at the date of renewal thereof.”

Sec. 3. Nothing herein contained shall be construed to invalidate any action heretofore taken by said Board of County Commissioners of Columbus County under said House Bill No. 880 as originally ratified. And except as herein specifically repealed, said House Bill No. 880 shall remain in full force and effect.

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

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

Ratified this the 3rd day of May, A.D. 1933.
S. B. 612

CHAPTER 429

AN ACT TO CREATE THE OFFICE OF TAX COLLECTOR FOR MONTGOMERY COUNTY AND TO FIX THE SALARY OF THE SHERIFF OF SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That there is hereby created the office of tax collector for Montgomery County, and the commissioners of said county are hereby authorized and empowered to appoint a tax collector for said county who shall serve for a term of one year and until his successor has been appointed and qualified. The said commissioners are also authorized and empowered to fix the salary of said tax collector. That the tax collector hereafter to be appointed for the collection of the taxes levied for the year one thousand nine hundred and thirty-three shall take over the tax books for the collection of said taxes on the first Monday in October of said year.

SEC. 2. The Tax Collector, before entering upon the discharge of his duties, shall take and subscribe an oath as is taken by officers of the county, and to truly and faithfully and impartially discharge the duties of Tax Collector to the best of his skill and ability; and he shall give the bond now required by law for sheriffs acting as tax collector. Upon his appointment all of the powers and duties and liabilities now pertaining to the sheriff of the county as tax collector regarding the collection, custody, and disposition of the taxes, turning over and accounting for the same, distraint, advertisement, sale, and in all other respects pertaining to said matters which are now given or shall hereafter be given, designated or required of Sheriffs in the performance of similar duties shall be conveyed upon, given to, and required of said tax collector. He shall make the reports now required of the sheriff as tax collector and be subject to the same rules and regulations.

SEC. 3. That beginning on the first Monday in December, one thousand nine hundred and thirty-three, the sheriff of Montgomery shall receive a salary of two thousand five hundred dollars annually in lieu of commissions heretofore allowed for the collection of taxes, and he shall be also allowed six hundred dollars per annum for a deputy. The Sheriff shall also receive all fees for service of process as now provided by law.

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

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

Ratified this the 3rd day of May, A.D. 1933.
H. B. 980  CHAPTER 430
AN ACT TO AMEND CHAPTER 61 OF THE PUBLIC-LOCAL LAWS OF 1931, RELATIVE TO THE ELECTION OF COMMISSIONERS OF FRANKLIN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section five, of chapter sixty-one, of the Public-Local Laws of one thousand nine hundred thirty-one, is hereby repealed and a new section re-enacted as follows:

"Section 5. That there shall be elected in the general election in one thousand nine hundred thirty-four three county commissioners; one from district number one, one from district number two, and one from district number three, as set out in this act; that the commissioners elected in districts numbers four and five of this act shall serve for the entire term of four years for which they were elected in the general election of one thousand nine hundred thirty-two, and after the expiration of their four-year term of office all of the said commissioners from all of the respective districts shall be elected for a term of two years from their respective districts as now by law provided, it being the purpose and intention of this act to change the election of county commissioners in said county back to a two-year period after the two commissioners, now serving four-year terms, terms of office have expired."

Sec. 2. That section six, of chapter sixty-one, of the Public-Local Laws of one thousand nine hundred thirty-one, be and the same is hereby repealed.

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

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

Ratified this the 4th day of May, A.D. 1933.

H. B. 1333  CHAPTER 431
AN ACT TO ALLOW THE COUNTY COMMISSIONERS OF FRANKLIN COUNTY TO LEVY AN ADDITIONAL TAX FOR OPERATING THE SUPERIOR COURTS OF SAID COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the county commissioners of Franklin County be and they are hereby authorized and empowered, in their discretion, to levy and collect an additional tax of five cents on each one hundred dollars valuation of property in said county, the same to be used for the expense of operating and maintaining the Superior Courts of said county.
Conflicting laws repealed.

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

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

Ratified this the 4th day of May, A.D. 1933.

H. B. 1467 CHAPTER 432

AN ACT RELATING TO THE DUTIES OF THE SHERIFF AND COUNTY ACCOUNTANT OF CASWELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be the duty of the County Accountant of Caswell County to assist the Sheriff, if requested by said Sheriff, in the collection of taxes and the regular routine work of his office: Provided, that the duties imposed upon the County Accountant, under the provisions of this act, shall be in addition to the duties now prescribed by law, and for such extra work he shall receive no extra compensation: Provided further, that the Board of County Commissioners direct the said County Accountant to handle the tax certificates under the Tax Foreclosure Act of 1933 and is allowed the fees therefor.

SEC. 2. That the Sheriff of Caswell County shall keep his office open from eight-thirty (8:30) a. m. until five (5:00) p. m. on each day in the week, Sundays and legal holidays excepted.

SEC. 3. That it shall be the duty of the Board of County Commissioners, when requested by the Sheriff, to prepare the room in the courthouse now used for the Grand Jury for the use of the Sheriff and County Accountant: Provided, however, that the room now used by the sheriff shall hereafter be used by the Grand Jury.

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

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

Ratified this the 4th day of May, A.D. 1933.

H. B. 1516 CHAPTER 433

AN ACT TO VALIDATE SETTLEMENT BETWEEN BOARD OF COMMISSIONERS OF BRUNSWICK COUNTY AND BOARD OF EDUCATION.

Whereas, the Brunswick County Board of Education has on deposit funds in the "Old Current Expense Fund" which was operative for general expenses prior to July 1, 1931, and since for expenses incurred prior to that date; and
Whereas, the said Old Current Expense Fund balance exceeds the outstanding obligation chargeable to said fund; and

Whereas, there is a considerable amount in uncollected taxes due the said fund; and

Whereas, the County Board of Commissioners have been required by law to provide funds for the operation of the constitutional school term, and in order to provide said funds have been forced to borrow from the special school district; and

Whereas, said funds have not been repaid;

Now, therefore, in order that the County Commissioners may repay said special school districts:

The General Assembly of North Carolina do enact:

Section 1. That the Board of Education of Brunswick County pay all obligations due as shown in the audit report of Hollowell-Gorham Co. as of July 1, 1931, as soon as practical, or set aside the exact amounts necessary to pay said accounts.

Sec. 2. That any balance remaining in the said fund after obligations chargeable to this fund are paid, or set aside for a specified amount, be paid to the Board of County Commissioners, and to be deposited in the General Fund in order that the Board of County Commissioners may pay the several special school districts or any other County obligations.

Sec. 3. That the tax collector or other officer collecting taxes or other funds heretofore belonging to the said Old Current Expense Fund deposit same in the County Depository to the credit of the General Fund, to be used as provided for in section 2.

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

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

Ratified this the 4th day of May, A.D. 1933.

S. B. 469

CHAPTER 434

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF MITCHELL COUNTY TO LEVY SPECIAL TAXES FOR JAIL.

Whereas, an emergency exists in the financial affairs of the County General Fund of Mitchell County and a levy of the special tax hereafter set forth is found to be necessary: Now, therefore,

The General Assembly of North Carolina do enact:

Section 1. Subject to the approval of the Director of Local Government, the Board of County Commissioners of Mitchell County has provided funds for constitutional term.

Funds not repaid

Repayment by Board of Education ordered.

Balance also payable to County.

Unpaid taxes credited to County as collected.

Conflicting laws repealed.

SPECIAL

CHAPTER 434

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF MITCHELL COUNTY TO LEVY SPECIAL TAXES FOR JAIL.

Whereas, an emergency exists in the financial affairs of the County General Fund of Mitchell County and a levy of the special tax hereafter set forth is found to be necessary: Now, therefore,

The General Assembly of North Carolina do enact:

Section 1. Subject to the approval of the Director of Local Government, the Board of County Commissioners of Mitchell
County is hereby authorized to levy such special property taxes as may be necessary, not to exceed ten (10 cts.) cents on the one hundred ($100.00) dollars valuation, for the following purposes, in addition to any tax now allowed by law for such purposes and in addition to the rate allowed by the Constitution: First, for the expense of holding courts in the County, and second, for the expense of the maintenance of the jail and jail prisoners.

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

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

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

S. B. 522

CHAPTER 435

AN ACT TO REGULATE THE SALE OF UNGINNED OR SEED COTTON IN WILSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. No person, firm or corporation, after the ratification of this Act, shall purchase unginned or seed cotton anywhere in Wilson County unless such person, firm or corporation shall have obtained a license to do so from the Sheriff of Wilson County, and the Sheriff of Wilson County shall issue a license to any person, firm or corporation applying for the same, upon the payment unto him of the sum of twenty-five ($25.00) dollars, which said sum shall be by said Sheriff paid into the General Fund of the County of Wilson.

SEC. 2. Every person, firm or corporation who shall have procured a license as herein provided for shall keep a true and accurate record of all unginned or seed cotton purchased by such person, firm or corporation, which record shall show: (a) The name of the person from whom the cotton was purchased; (b) The amount of the cotton purchased; (c) The price paid therefor; (d) The date and hour of making such purchase; and such records shall be open to the inspection of the public.

SEC. 3. Any one violating any of the provisions of this Act shall be guilty of a misdemeanor, and if such person, firm or corporation has been licensed, upon conviction such licensee shall forfeit his license in addition to being fined or imprisoned in the discretion of the Court.

SEC. 4. This Act shall be in force from and after the date of its ratification.

Ratified this the 5th day of May, A.D. 1933.
S. B. 609  
CHAPTER 436  
AN ACT TO PROVIDE FOR THE REDEMPTION OF PROPERTY SOLD FOR TAXES IN MITCHELL AND MADISON COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That Mitchell and Madison Counties, and any municipalities therein, shall permit the original owner of any land sold for taxes for the year 1931, and previous years, where said Counties and municipalities own the tax certificate, or are the holders of the deed therefor, to redeem the same under the general provisions contained in Senate Bill No. 180, ratified the 27th day of March, 1933.

Sec. 2. That the original owner shall have the right to the possession of the property, but shall pay at least fifty per cent (50%) of the rents and income received therefrom on taxes due.

Sec. 3. That all laws and clauses of law 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 5th day of May, A.D. 1933.

S. B. 619  
CHAPTER 437  
AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS FOR THE COUNTY OF FORSYTH TO CONVEY TO THE CITY OF WINSTON-SALEM AN EASEMENT FOR STREET AND SIDEWALK PURPOSES OF A PORTION OF THE COURTHOUSE PROPERTY AND TO PROVIDE FOR THE IMPROVEMENT OF THE SAME AND THE ASSESSMENT OF BENEFITS RESULTING THEREFROM.

The General Assembly of North Carolina do enact:

SECTION 1. The Board of Commissioners for the County of Forsyth is hereby authorized to convey, by deed, to the City of Winston-Salem for street and sidewalk purposes for a period of twenty years an easement in a strip of land around the outer edge of the lot on which the courthouse is now located in the City of Winston-Salem, not exceeding twenty feet in width, measured from the line of the sidewalk as now located nearest the courthouse, together with such easement in any property right the County may now have in the lands covered by the present sidewalk.

Sec. 2. After the conveyance to the City of Winston-Salem by the Board of Commissioners for the County of Forsyth, au-
authorized in the preceding section, the municipality shall have the power, by resolution of its Board of Aldermen upon petition made as provided in the next succeeding section, to cause said strip to be improved as hereinafter set out and to defray the expense of such improvement by local assessment, by general taxation and by borrowing, as provided in the Municipal Finance Act.

Sec. 3. The petition for said improvements shall be signed by at least two-thirds in number of the owners who must represent at least two-thirds of all lineal feet of frontage of the lands (a majority in interest of owners of undivided interests in any piece of property to be deemed and treated as one person for the purpose of the petition), abutting upon the opposite side of the four streets adjacent to the lot on which the Forsyth County courthouse is located, praying that the said strip be improved by paving a specified portion thereof and by laying a sidewalk upon a specified portion thereof, and also praying that the cost of the entire improvement, including grading, the altering of curbs, gutters and drains, making all water and sewer connections and the laying of curbs and gutters, be specially assessed against the lands abutting upon the opposite side of the four streets adjacent to the lot on which the courthouse is located, according to the extent of their respective frontage thereon by an equal rate per foot of such frontage. The petition shall designate, by a general description, the kind of materials to be used and the kind of pavement and sidewalk to be laid. The petition shall be lodged with the Secretary of the Board of Aldermen of the City of Winston-Salem, who shall investigate the sufficiency thereof, submit the petition to the Board of Aldermen and certify the result of his investigation. The determination of the Board of Aldermen upon the sufficiency of the petition shall be final and conclusive.

Sec. 4. No portion of the cost of making the improvements above authorized shall be assessed against any property owned by Forsyth County, and assessments may be made only against property abutting on the four streets named above opposite from the lot on which the courthouse is located, in proportion as it may be determined that the same may be benefited by said improvements, according to the respective frontage as set forth in the preceding section, and if the Board of Aldermen so determine the total cost may be assessed against said property.

Sec. 5. Upon the determination by the Board of Aldermen that the petition is sufficient and that the improvements should be made, it shall thereupon adopt a preliminary resolution determining to make the improvements, which shall, after its passage, be published once in a newspaper of general circulation in Forsyth County. Such resolution shall designate by a general
description the improvements to be made and the proportion of the costs thereof to be assessed upon property abutting upon the opposite side of the streets adjacent to the courthouse lot, and the terms and manner of the payment, and shall also contain an approximate estimate of the total cost of improvements to be made. Said resolution shall fix the time and place for a meeting of the Board of Aldermen, not later than ten days from said publication, for hearing of persons affected by the proposed improvements and assessments. At such hearing all persons who favor or oppose the proposed improvements shall be heard as to the necessity of the proposed improvements, the legality of proposed assessments and as to any matter whatever affecting the right of the municipality to make the improvements and to assess the costs or any portion thereof against the property abutting on one side, as above set forth. The determination of the Board of Aldermen as to the necessity of the improvements shall be conclusive.

SEC. 6. If the Board of Aldermen shall determine that the proposed improvements should be made, it shall so determine by resolution, which resolution shall set forth in general terms the nature of the improvements to be made and the kind of materials to be used, and whether the work shall be done by the forces of the municipality or by contract, and shall estimate approximately the total cost of the improvements to be made, which estimate shall not exceed the amount specified in the preliminary resolution provided above. After the adoption of said resolution determining the estimated cost of the proposed improvements, the total assessments when made shall not exceed the amount of said estimate.

SEC. 7. If any person affected is dissatisfied with the determination of the Board of Aldermen as to any of the matters contained in said resolution, or as to the authority of the Board of Aldermen to make any of said improvements, or to make said assessments, or as to the total cost thereof, or the proportion of the cost to be assessed, or as to any matters affecting the legality and validity of the assessments, other than the question of the necessity for making the improvements, the determination as to which by the Board of Aldermen shall be conclusive, he may give notice to the Secretary of the Board of Aldermen within ten days after the adoption of the resolution provided for in the preceding section that he takes an appeal to the Superior Court for Forsyth County, and he shall, within five days thereafter, serve upon the Secretary of the Board of Aldermen a statement of facts upon which he bases his appeal, but the appeal shall not delay or stop the improvements. The appeal shall be tried as other actions at law. The appeal to the Superior Court herein provided shall constitute the sole and exclusive remedy
No collateral attack permitted.

Computation of cost of improvements.

Assessment roll.

Inspection of roll by interested parties.

Publication of roll.

Objections heard.

Corrections.

Confirmation.

Lien declared.

Appeal to Superior Court on amount of charge.

whereby any person affected may attack the making of the proposed improvements and any of the matters determined by the resolution referred to in the preceding section. Upon failure to perfect the appeal to the Superior Court as provided herein, no right of action or defense founded upon the invalidity of the resolution determining to make the improvements shall be asserted, nor shall the validity of the resolution nor the making of said improvements and the levying of assessments thereunder be open to question in any court upon any ground whatever.

Sec. 8. Upon the completion of the improvements herein authorized the Board of Aldermen shall compute and ascertain the total cost thereof. The Board of Aldermen shall thereupon make an assessment of such total cost and shall make out an assessment roll in which shall be entered the names of the persons assessed as far as they can ascertain same, and the amount assessed against them respectively, with a brief description of the lots or parcels of land assessed.

Sec. 9. Immediately after such assessment roll has been completed, the Board of Aldermen shall cause it to be deposited in the office of the Secretary of the Board of Aldermen for inspection by parties interested, and shall cause to be published once in a newspaper of general circulation in Forsyth County a notice of the completion of the assessment roll, setting forth the description in general terms of the improvements made and the time fixed for the meeting of the Board of Aldermen for the hearing of allegations and objections in respect to the amount assessed against the several tracts of land affected, such meeting not to be earlier than ten days from the publication of said notice. At the time appointed for that purpose, the Board of Aldermen shall hear the allegations and objections of all persons interested with respect to the amount assessed against the respective lots affected. The Board of Aldermen may thereupon correct the assessment roll or either confirm the same or set it aside and provide for a new assessment. Whenever the Board of Aldermen shall confirm the assessment roll the Secretary of the Board shall enter on its minutes the date, hour and minute of such confirmation, and from the time of such confirmation the assessments embraced in the assessment roll shall be a lien on the real property against which the same are assessed superior to all other liens and encumbrances. After the roll is confirmed a copy of the same shall be delivered to the Tax Collector of the City of Winston-Salem.

Sec. 10. If any person assessed is dissatisfied with the amount of the charge, he may give notice within ten days after such confirmation that he takes an appeal to the Superior Court for the County of Forsyth, and shall, within five days thereafter, serve a statement of facts upon the Secretary of the Board of
Aldermen upon which he bases his appeal. At the hearing of such appeal the only question open for determination shall be the amount of the costs of the improvements assessed against the lot or lots owned by the appellant. No change of ownership after the adoption of the resolution provided in Section 5 of this act shall affect the validity of the proceedings: Provided, that a copy of the resolution when adopted shall be filed in the office of the Clerk of the Superior Court of Forsyth County and by him recorded in the record in which lis pendens is recorded, and when so filed shall be binding upon all subsequent purchasers with the same force and effect as if they had been owners or interested at the time the resolution was adopted.

Sec. 11. The Board of Aldermen of the City of Winston-Salem shall have power to correct, cancel or remit any assessments; to require the payment of the same in not less than five equal annual installments, as may be determined by it; to enforce the collection of assessments in the same manner as is provided by law with respect to other assessments for local improvements in Article 9 of Chapter 56 of the Consolidated Statutes. Installments shall bear interest at the rate of six per cent per annum from the date of the confirmation of the assessment roll, and upon failure of any property owner to pay any installment when the same shall become due and payable, then and in that event all of the installments remaining unpaid shall at once become due and payable.

Sec. 12. The street and sidewalk pavement used in making the proposed improvements shall be of such a character that its period of probable usefulness shall not exceed the duration of the easement conveyed to the City of Winston-Salem.

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

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

S. B. 622  
CHAPTER 438

AN ACT TO APPOINT A BOXING COMMISSION FOR THE COUNTY OF CABARRUS.

The General Assembly of North Carolina do enact:

Section 1. That the Board of County Commissioners of the County of Cabarrus is hereby empowered and authorized to appoint a boxing commission, to consist of three citizens, who shall serve for a period not to exceed that of the board appointing said commissioners, and who shall serve without compensation.
Boxing exhibitions allowed.

Rules and regulations.

Staging bouts without permission or violation of rules of Commission made misdemeanor.

Punishment.

No license taxes levied.

Conflicting laws repealed.

SEC. 2. That it shall be lawful to engage in, manage, or promote boxing exhibitions which do not exceed twelve rounds in length: Provided, said commission shall have full power and authority to make such rules and regulations as in its discretion may be necessary for the proper regulation of such boxing exhibition, and shall have power to prohibit or stop a match at any time, even after consent has been given for the holding of such boxing exhibition.

SEC. 3. Any person or persons guilty of engaging in or promoting, aiding, or abetting such sparring matches without first having the written consent of said boxing commission, and any person or persons violating the rules and regulations of said commission or refusing to obey orders of said commission controlling a sparring match shall be guilty of a misdemeanor, and shall be fined not more than five hundred dollars ($500) or imprisoned not more than six months, in the discretion of the court.

SEC. 4. No county, city or town shall levy, assess or collect any license tax on any boxing exhibitions held in Cabarrus County which do not exceed twelve rounds in length for each contest.

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

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

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

H. B. 610  CHAPTER 439

AN ACT TO REGULATE THE HUNTING OF FOXES IN CASWELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the open season for hunting foxes in Caswell County shall be from September 15 to February 15.

SEC. 2. That it shall be unlawful to trap or shoot any foxes in Caswell County.

SEC. 3. That any persons hunting foxes at any time than that specified in this act and violating any other provisions of said act shall be guilty of misdemeanor, and upon conviction shall be fined not more than fifty dollars ($50) or imprisoned more than thirty days (30).

SEC. 4. That this act shall apply to Caswell 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 and effect from and after its ratification.

Ratified this the 5th day of May, A.D. 1933.
CHAPTER 440
AN ACT TO VALIDATE THE FORECLOSURE OF TAX CERTIFICATES IN POLK COUNTY.

Whereas, Polk County is the owner of tax certificates evidencing unpaid and delinquent taxes on numerous lots and parcels of real estate in said County; and

Whereas, in many cases a valid foreclosure of said certificates cannot be had on account of the interpretation of the existing laws to the effect that properties must be listed by the owners thereof or the duly authorized agents of the owners, or by the chairman of the Board of County Commissioners, and assessed against and charged to the record owner; and

Whereas, it is necessary and desirable that all tax listings in Polk County be validated, and all tax certificates now owned by Polk County be validated to the end that the unpaid taxes on all property in said County may be collected by a sale of the property and a foreclosure of the tax certificates, and the conveyance of a good and valid title to the purchaser: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That all tax listings of real estate in Polk County, whether made by the owners or the duly authorized agents of the owners or by the chairman of the Board of County Commissioners, or by the list taker or tax supervisor, or placed on the books by discovery, and the tax certificates executed and outstanding on all property so listed, be and the same are hereby validated.

SEC. 2. That all tax certificates in Polk County which have been foreclosed or which are now in process of foreclosure, or which are now outstanding, are declared to be valid evidences of a tax lien against the respective parties and property against which such certificates have been issued and may be foreclosed in the manner now provided by law, and any and all defects or omissions in the listings of the property against which said tax certificates have been issued are hereby declared to be cured and removed.

SEC. 3. All laws or parts of laws in conflict herewith are hereby repealed.

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

Ratified this the 5th day of May, A.D. 1933.
H. B. 1176  CHAPTER 441
AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF WATAUGA COUNTY, IN THEIR DISCRETION, TO ABOLISH THE RECORDER'S COURT OF SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Watauga County be and they are hereby authorized and empowered, in their discretion, to abolish the Recorder's Court heretofore established for Watauga 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 full force and effect from and after its ratification.

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

H. B. 1325  CHAPTER 442
AN ACT TO AMEND CHAPTER 576 OF THE PUBLIC-LOCAL LAWS OF NINETEEN HUNDRED AND NINETEEN, RELATIVE TO FEES TO THE CLERK OF SUPERIOR COURT OF GUILFORD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter 576 of the Public-Local Laws of North Carolina, session nineteen hundred and nineteen, be amended as follows: That the Clerk of the Superior Court of Guilford County shall receive, in addition to the auditing fees as prescribed and provided in said Act, on sales of land under deeds of trust and mortgages for docketing, indexing and recording, the sum of two dollars and forty cents.

SEC. 2. That the said Clerk shall be entitled to charge for hearings before him the following fees, to wit: For hearings before the clerk the said clerk shall charge fifty cents (50c) per hour for each hour over two, with a minimum fee of one ($1.00) dollar and a maximum fee of ten ($10.00) dollars.

SEC. 3. All of above fees, when collected, to be paid over to the county of Guilford as required by law.

SEC. 4. That this act shall take effect from and after its ratification.

Ratified this the 5th day of May, A.D. 1933.
CHAPTER 443

AN ACT TO PROTECT PHEASANTS IN THE COUNTY OF IREDELL.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person to shoot, trap, net, or in any manner kill or injure any pheasant in the county of Iredell: Provided, that this section shall not apply to pheasant breeders who may at any time kill pheasants bred by them in captivity.

Sec. 2. That it shall be unlawful for any person in the county of Iredell to possess any dead pheasant: Provided, that this section shall not apply to pheasant breeders who shall possess any dead pheasants bred by them in captivity.

Sec. 3. That any person violating any of the provisions of this act shall be guilty of a misdemeanor.

Sec. 4. That this act shall be in force from the date of its ratification until the twentieth day of November, one thousand nine hundred and thirty-five.

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

CHAPTER 444

AN ACT PROVIDING FOR A SPECIAL TAX LEVY IN ALEXANDER COUNTY FOR SPECIAL PURPOSES.

The General Assembly of North Carolina do enact:

SECTION 1. That, subject to the approval of the Director of Local Government, the Board of County Commissioners of Alexander is hereby authorized to levy such special property taxes as may be necessary, not to exceed fifteen cents on the one hundred dollars valuation, for the following special purposes, respectively, in addition to any taxes now allowed by law for such purposes, and in addition to the rate allowed by the Constitution:

(1) For the expenses of the quadrennial valuation and assessment of property.
(2) For the expenses of holding courts in the county and the expense of maintenance of the jail and prisoners.
(3) For election expenses.

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

Ratified this the 5th day of May, A.D. 1933.
H. B. 1394  CHAPTER 445

AN ACT TO REGULATE THE FEES OF THE SHERIFF OF SURRY COUNTY FOR CAPTURING STILLS USED IN THE MANUFACTURE OF INTOXICATING LIQUORS.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners of Surry County shall pay to the Sheriff of Surry County a fee of five dollars as a reward for the capture of each still used in the manufacture of intoxicating liquors, captured by said sheriff within the limits of Surry 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 full force and effect from and after its ratification.

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

H. B. 1427  CHAPTER 446

AN ACT TO PERMIT THE DISCHARGE OF THE GRAND JURY IN SURRY COUNTY WHEN IT HAS COMPLETED THE BUSINESS OF THE TERM.

The General Assembly of North Carolina do enact:

SECTION 1. It shall be lawful for any judge holding a term of the criminal court of Surry County to discharge the grand jury upon any day of the term, and when said jury has completed its work for that term.

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

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

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

H. B. 1430  CHAPTER 447

AN ACT TO REGULATE AND PROHIBIT THE POSSESSION AND USE OF SLOT MACHINES AND OTHER DEVICES IN PASQUOTANK COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. Any and all slot machines or punch boards of every kind and description, except as hereinafter expressly exempted, are hereby declared a public nuisance; and it shall be unlawful for any person, firm or corporation to operate or keep
in his or its possession, or in the possession of any other person, firm or corporation, for the purpose of being operated, any slot machine or punch board except such as are hereinafter expressly exempted.

Sec. 2. This act shall not apply to (1) slot machines or devices declared legal by section one, chapter fourteen, Public Laws one thousand nine hundred and thirty-one, and sections one and two, chapter one hundred and thirty-eight, Public Laws one thousand nine hundred and twenty-three, and (2) any machine or device designed and used solely as a game for amusement, and where no prize, reward or other thing of value is given or procured, or offered or rendered possible to any person because of or in connection with the use or operation of said machine or device.

Sec. 3. Any person violating any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned, or both, in the discretion of the Court.

Sec. 4. That each day any machine or device herein declared unlawful shall be kept in possession by or for any person, and each time any machine or device herein declared unlawful shall be operated, such possession and/or operation shall constitute a separate offense.

Sec. 5. That in addition to the remedies and penalties herein provided for, the proper peace officers shall have the right and it shall be their duty to abate said acts and things herein declared to be a public nuisance; and the remedies provided in section four thousand four hundred and thirty-five, Consolidated Statutes of North Carolina of the year one thousand nine hundred and nineteen, are hereby declared applicable for the abatement of said public nuisances, as in this act are declared.

Sec. 6. This act shall apply only to Pasquotank County.

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

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

H. B. 1449  CHAPTER 448

AN ACT AUTHORIZING THE TRANSFER OF CERTAIN CRIMINAL CASES FROM THE SUPERIOR COURT OF GUILFORD COUNTY TO THE MUNICIPAL COURT OF THE CITY OF GREENSBORO.

The General Assembly of North Carolina do enact:

Section 1. That the Judge of the Superior Court of Guilford County may, by general or special orders, transfer from the criminal docket of the Superior Court of said County any or all
criminal actions pending in said Court for offenses now within the jurisdiction of the Municipal Court of the City of Greensboro, as the jurisdiction of that Court is enlarged and defined under an act of this session of the General Assembly.

SEC. 2. That the said Municipal Court of the City of Greensboro shall proceed as rapidly as possible to try and dispose of any and all actions thus transferred to said Court, after notice shall have been given to defendants and witnesses of such transfer and of the time fixed for the trial of such cases in said 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 full force and effect from and after its ratification.

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

H. B. 1484  CHAPTER 449

AN ACT REGULATING THE COSTS IN THE CRIMINAL COURT FOR THE COUNTY OF SCOTLAND.

The General Assembly of North Carolina do enact:

SECTION 1. That hereafter the following costs and fees shall be charged in the trial of each criminal case tried in the Criminal Court for the County of Scotland, which Court was created by virtue of Chapter 115 of the Public-Local Laws of North Carolina, Session 1913, and none other, and when collected shall be paid out as hereafter provided:

For the services of any Justice of the Peace issuing any warrant of arrest in any criminal action, the sum of Twenty-five Cents for each defendant, and for issuing subpoenas for witnesses, the sum of Ten Cents for each witness, but not more than Fifty Cents shall be charged and collected for the services of any Justice of the Peace in the trial of any one defendant in said Court, notwithstanding the number of subpoenas issued;

For all services performed by the Clerk of the Superior Court of Scotland County in each criminal case the sum of One Dollar;

For all services performed by the Trial Justice of said Court in each case the sum of One Dollar for each defendant;

For all services performed by the Prosecuting Attorney of said Court in each case the sum of Two Dollars and Fifty Cents for each defendant;

For making each arrest by the Sheriff or other officer of any county in the State of North Carolina authorized by law to make arrest in criminal actions the sum of One Dollar in each case;

For serving subpoenas on witnesses by the Sheriff or any other officer of any county in North Carolina authorized by law to
serve subpoenas in criminal actions, the sum of Twenty-five Cents for each witness served, but the total sum which may be charged for such service in any one case shall not exceed One Dollar and Fifty Cents, regardless of the number of witnesses served;

Each witness for the State shall receive the sum of Fifty Cents in each case, but the Trial Justice of said Court shall have the power, in his discretion, to limit the number of witnesses to receive compensation to three witnesses, to be designated by him, in any one case.

Sec. 2. That when said costs shall have been collected as provided by law the same shall be distributed by the Clerk of the Superior Court of Scotland County directly to the individuals and officers entitled to receive the same, but in the case of all officers of Scotland County whose compensation may be paid on a salary basis, all of said costs so collected for the services of such officers shall be paid into the general fund of Scotland County.

Sec. 3. That in all cases hereafter tried in the Criminal Court for Scotland County in which the County of Scotland may be required to pay the costs or any part thereof the said County shall not be required to pay any witness fees whatever, and shall in no event be required to pay any part of said costs in excess of one-half fees of all officers not on salaries.

Sec. 4. That the Trial Justice presiding over the Criminal Court of Scotland County shall have the power and authority to, in his judgment, upon conviction of any defendant, designate in said judgment the amount of cost to be paid by the said defendant, not to exceed the amount provided by this bill.

Sec. 5. That all the provisions contained in Chapter 115 of the Public-Local Laws of North Carolina, Session 1913, and all laws amending said Chapter in conflict with this Act, as well as all other laws and clauses of laws, whether Public, Public-Local, or Private, in conflict with this Act be and the same are hereby repealed.

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

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

H. B. 1485

CHAPTER 450

AN ACT TO REARRANGE AND ESTABLISH THE TERMS OF OFFICE OF THE MEMBERS OF THE BOARD OF COMMISSIONERS OF POLK COUNTY.

Whereas, the term of office of the members of the Board of Commissioners of Polk County is, under the present laws, for
two and four years, two of the said commissioners being elected each two years;

And whereas, it is desired to rearrange and establish the terms of office of the members of the said Board of Commissioners of Polk County so that the term of office of only one member shall expire each two years, and eventually to fix and establish a term of six years for each of the three members of said Board of Commissioners: Now, therefore,

The General Assembly of North Carolina do enact:

Section 1. That at the general election of one thousand nine hundred thirty-four there shall be elected one member of the Board of Commissioners of Polk County who shall serve for a term of six years, the said commissioner so elected to succeed and fill the office now held by C. D. Davenport.

Sec. 2. That G. C. Fagan is hereby appointed to and shall hold the office as a member of the Board of Commissioners of Polk County for a term ending on the first Monday in December, one thousand nine hundred thirty-six, and at the general election of one thousand nine hundred thirty-six there shall be elected one member of the Board of Commissioners of Polk County to serve for a term of six years, and to fill the office and term of the said G. S. Fagan.

Sec. 3. That Granville Thompson is hereby appointed to and shall serve as a member of the Board of Commissioners of Polk County for a term ending on the first Monday in December, one thousand nine hundred thirty-eight, and at the general election of one thousand nine hundred thirty-eight one member of the Board of Commissioners of Polk County shall be elected for a term of six years, to fill the office and to succeed the said Granville Thompson.

Sec. 4. That at the general election to be held in the year one thousand nine hundred forty, and biennially thereafter, there shall be elected one member of the Board of Commissioners of Polk County to serve for a term of six years, beginning with the first Monday in December following his said election.

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

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

Ratified this the 5th day of May, A.D. 1933.
H. B. 1501

CHAPTER 451

AN ACT TO PROVIDE FOR THE REDUCTION OF INDEBTEDNESS IN CHEROKEE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That in all civil actions in the courts of Cherokee and Clay Counties wherein debtors seek equitable relief either as plaintiffs or as defendants against the enforcement of usurious contracts, they shall be entitled not only to the benefit of the statutes regulating the rate of interest which shall be charged for the loan of money, but also to the reduction of the indebtedness by the imposition of the penalties prescribed by law for a violation of such statutes.

SEC. 2. That this act shall apply only to the Counties of Cherokee and Clay.

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

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

S. B. 599

CHAPTER 452

AN ACT TO AMEND SENATE BILL 451, RATIFIED APRIL 24, 1933, SAME BEING ENTITLED "AN ACT ALLOWING AND DIRECTING THE TAX COLLECTING AUTHORITIES IN THE CITY OF ASHEBORO TO ACCEPT BONDS IN THE PAYMENT OF STREET ASSESSMENTS AND CERTAIN TAXES."

The General Assembly of North Carolina do enact:

SECTION 1. That Senate Bill No. 451, same being "A Bill to Be Entitled an Act Allowing and Directing the Tax Collecting Authorities in the City of Asheboro to Accept Bonds in the Payment of Street Assessments and Certain Taxes," which bill was ratified on April 24, 1933, be and the same is hereby amended by adding a new section to be designated as Section 4-a, reading as follows:

"Section 4-a. All the provisions and authority conferred upon the governing agency of Randolph County and each governing agency in Randolph County is hereby conferred upon the governing agency of Halifax County and each governing agency in Halifax County."

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

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

Ratified this the 8th day of May, A.D. 1933.
AN ACT AUTHORIZING THE ISSUANCE OF NOTES IN EXCHANGE FOR OUTSTANDING SCHOOL VOUCHERS BY SAMPSON COUNTY.

That whereas, there are now outstanding school vouchers issued by the Board of Education of Sampson County to teachers and others in payment of the school expense for the years 1930 and 1931 in the amount Forty-two Thousand Eight Hundred Ninety-five Dollars and Eighty-two Cents ($42,895.82); and

Whereas, these vouchers are obligations of Sampson County which it is not able to retire because of the outstanding uncollected tax against which said vouchers were issued: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. The Board of Commissioners of Sampson County is hereby authorized and empowered to refund the outstanding school vouchers issued by the Board of Education of Sampson County against the 1930 regular tax levy by issuing notes bearing six per cent interest from July 1, 1933: Provided, that these notes may be exchanged for the outstanding vouchers by and with the consent of the owners of such vouchers; and Provided further, that the said notes may be renewed from time to time by the Board of Commissioners of Sampson County, and shall be paid, together with the interest on the same, from the taxes levied for school purposes for the year 1930 and prior thereto.

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

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

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

AN ACT TO PLACE THE SHERIFF OF WILSON COUNTY ON A SALARY AND TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS TO FIX THE AMOUNT THEREOF.

The General Assembly of North Carolina do enact:

SECTION 1. The Sheriff of Wilson County shall, on and after the effective date of this act, be paid an annual salary, the amount thereof to be fixed and determined by the Board of County Commissioners, but being not less than $2,000.00 per year, which shall be paid in monthly installments. The said
sheriff shall also retain for his own use all process fees of every nature which may be collected by the sheriff or his office as compensation additional to the salary herein named.

From and after the effective date of this Act the sheriff shall not be entitled to receive commissions on the collection of taxes, and all remittances to and settlements with the county for taxes collected after the effective date of this Act shall be for the total amounts collected. The duties of the sheriff shall be in no wise changed or altered by this Act. The premiums on the official bonds of the sheriff shall be paid by said sheriff.

SEC. 2. It shall be the duty of the Sheriff of Wilson County to appoint three deputy sheriffs, two of whom shall receive an annual salary of not less than $1,800.00 each, payable in monthly installments, and one of whom shall receive an annual salary of not less than $1,500.00, payable in monthly installments, which salaries shall be paid from the treasury of said county. The Board of County Commissioners is authorized to fix the salaries of said deputies, the amounts thereof to be not less than the sums named.

SEC. 3. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 4. This Act shall be in full force and effect on and after June 1, 1933.

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

H. B. 853    CHAPTER 455

AN ACT TO PROVIDE CONDITIONS UNDER WHICH A FARM AGENT OR FARM DEMONSTRATOR MAY BE EMPLOYED IN YANCEY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners of Yancey County shall not employ any Farm Agent or Farm Demonstrator for Yancey County until all past due installments on bonds have been paid and until all past due interest on indebtedness due by the County of Yancey, whether on notes or bonds, has been paid.

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

Ratified this the 8th day of May, A.D. 1933.
H. B. 1064  CHAPTER 456
AN ACT TO PROVIDE FOR THE COLLECTION OF DELINQUENT TAXES ON REAL ESTATE IN POLK COUNTY.

Whereas, there are unpaid and delinquent taxes due Polk County on numerous lots and parcels of real estate in said County; and

Whereas, said Polk County is the owner of the tax certificates evidencing said delinquent taxes; and

Whereas, under the existing laws and opinion of the Supreme Court of North Carolina it is doubtful if a foreclosure of said tax certificates will result in the conveyance of a good and valid title in such foreclosure proceedings for the reason, among others, that said properties have not been listed by the owners thereof or the duly authorized agents of the owners, or placed on the tax books by the Chairman of the Board of County Commissioners, or that the taxes are not assessed against and charged to the record owner of said property; and

Whereas, it is necessary and desirable that means be provided whereby the unpaid and delinquent taxes due said Polk County may be collected to the end that property on which taxes are delinquent and unpaid may bear its proper share of the tax burden, and in order to provide for the collection and enforcement of the tax lien against any property on which taxes have not been paid: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That an action may be brought in the Superior Court for Polk County in the nature of an action in rem to collect any unpaid and delinquent taxes due and owing Polk County on any property in said County on which the taxes have not been paid for any year during the period of the years one thousand nine hundred and twenty-seven to one thousand nine hundred and thirty-one, both years inclusive.

Sec. 2. That the action provided for by Section one shall be in the nature of an action in rem, and shall be commenced by the issuance of a summons against the lands on which the taxes are unpaid, which land shall be briefly described in the title, and substantially described in the body of the summons.

Sec. 3. When any action is commenced, in accordance with the provisions of this act, the plaintiff may join as defendants any person in possession of the real property on which the taxes are unpaid, or any person having or claiming or who may have or could claim an estate or interest therein or a lien thereon, and all such persons are required to answer the complaint in accordance with the requirements of same, and set up such claims and rights as they may have in and to the property against
which the action is brought, and the court may make a decree determining such claims and forever barring all defendants who are properly made parties to the action from afterward asserting any claim, right, interest or estate in or to said property.

Sec. 4. In any action brought to enforce a claim for taxes in accordance with the provisions hereof, the plaintiff may insert in the title thereof, in addition to the names of such persons as are known or appear of record to have some right, title, interest, estate or lien in or on the real property in controversy, the following: "also all other persons unknown claiming any right, title, estate, interest in or lien upon the real estate described in the complaint herein." Service of the summons may be had upon all such unknown persons defendant by publication, in the same manner as against non-resident defendants upon the filing of an affidavit of the plaintiff, its agent or attorney, stating the existence of a cause of action to collect unpaid taxes on the land described in the complaint. All such unknown persons so served shall have the right to appear and defend as would named defendants upon whom service is made by publication, and any order or judgment in the action shall be binding upon them who may have been so served or who shall appear and defend.

Sec. 5. Any judgment entered in an action brought in accordance with the provisions of this act shall be binding upon all of the defendants joined in said action, and when unknown owners and claimants are joined as defendants it shall be binding upon any and all persons or parties having or claiming or who might or could claim an interest in or lien upon said property adverse to the plaintiff, who have been served or who shall appear and defend, whether residents of this State or non-residents.

Sec. 6. The court shall have the right to determine the taxes due said County, including all penalties and costs, and to enter a decree and judgment providing for the sale of said lands, the payment of the taxes, including penalties and costs, and the payment of the excess, if any, to the parties entitled thereto, in order of their priority as may be established in the action. And the purchaser at any sale shall acquire a good and valid title to the premises, and all parties to the action shall be barred and foreclosed from claiming any right, title, estate or interest in said land. An order of survey may be made at any time.

Sec. 7. No judgment or decree entered in accordance with the provisions of this act shall be adjudged invalid or set aside for any reason unless the action or proceeding to vacate or set aside such judgment or decree shall be commenced, or application for leave to defend be made within one year from the time of entry of said judgment.
SEC. 8. The purchaser of any lands sold in an action brought in accordance with the provisions of this act shall be entitled to the possession of the said lands, and upon a motion in the cause a writ of possession may issue directing the Sheriff of Polk County to put the purchaser in possession.

SEC. 9. This act shall apply only to Polk County, and shall be in addition to all other acts and laws now existing providing for the collection of taxes and the sale and foreclosure of tax certificates: Provided, this act shall not be construed to deprive any taxpayer of the benefits allowed by Senate Bill No. 180, ratified March 27, 1933.

SEC. 10. The Tax Collector of Polk County, or the Board of County Commissioners of Polk County, are charged with the duty of collecting delinquent taxes on all property on which taxes have not been paid, and with enforcing the provisions of this act in the collection of such delinquent taxes.

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

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

H. B. 1316  
CHAPTER 457  
AN ACT TO AMEND HOUSE BILL NUMBER 763, PUBLIC-LOCAL LAWS OF 1933, RATIFIED ON MARCH 20, 1933, REDUCING THE SALARY OF THE CLERK OF THE SUPERIOR COURT OF FRANKLIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That House Bill number seven hundred and sixty-three of the Public-Local Laws of one thousand nine hundred and thirty-three, ratified on March twentieth, one thousand nine hundred and thirty-three, relating to the salary of the Clerk of the Superior Court of Franklin County, be amended by striking out in said act the words and figures "two thousand seven hundred and fifty dollars," wherever they appear, and inserting in lieu thereof the words and figures "two thousand seven hundred and twenty-five dollars."

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

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

Ratified this the 8th day of May, A.D. 1933.
H. B. 1364  CHAPTER 458

AN ACT TO FIX THE SALARY OF THE CLERK OF THE SUPERIOR COURT OF COLUMBUS COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Clerk of the Superior Court of Columbus County shall receive a salary of two thousand two hundred and eighty dollars ($2,280.00) per annum, and his regular Deputy or Assistant Clerk of the Superior Court shall receive a salary of nine hundred dollars ($900.00) per annum; the same shall be paid in monthly installments by the Board of County Commissioners of Columbus County out of the County 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 8th day of May, A.D. 1933.

H. B. 1366  CHAPTER 459

AN ACT RELATING TO TEACHERS OF VOCATIONAL EDUCATION IN COLUMBUS COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That upon written application of any local school board of any school in Columbus County having facilities and equipment for the teaching of agriculture and home economics in said school, requesting the employment of a full-time teacher of agriculture and home economics for such school by the County Board of Education, the Board of Commissioners of Columbus County are hereby authorized, empowered and directed to provide the county's part of the salary of such teacher as now provided by law for the payment of the salaries of teachers of vocational education in connection with the State and Federal Governments.

Sec. 2. That it shall be lawful for any teacher of agriculture so employed in Columbus County to administer vaccine for hog cholera or to perform other similar services now performed by the County Farm Agent in Columbus County.

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

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

Ratified this the 8th day of May, A.D. 1933.
CHAPTER 460

AN ACT TO PROVIDE FOR THE NOMINATION OF CANDIDATES FOR THE OFFICE OF COUNTY COMMISSIONER OF PASQUOTANK COUNTY BY THE QUALIFIED VOTERS OF THE ENTIRE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That in the general primary or primaries hereafter held preceding the general election in Pasquotank County there shall be nominated by each of the political parties participating therein one candidate from each of the five rural townships and two from Elizabeth City Township for the office of county commissioner of Pasquotank County, to be voted on by the qualified voters of the entire 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 full force and effect from and after its ratification.

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

CHAPTER 461

AN ACT SUPPLEMENTAL TO AND AMENDATORY OF HOUSE BILL 990, IT BEING "AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF TRANSYLVANIA COUNTY TO PURCHASE THE BUILDING KNOWN AS THE BREVARD BANKING COMPANY BUILDING IN THE TOWN OF BREVARD," RATIFIED MARCH 30TH, 1933.

The General Assembly of North Carolina do enact:

SECTION 1. That House Bill 990, it being "An act to authorize the board of commissioners of Transylvania County to purchase the building known as the Brevard Banking Company Building in the Town of Brevard," ratified March 30, 1933, be and the same is hereby amended as follows:

After the words in the latter part of Section 2 of said Act, "due to the said," strike out the word "company" and insert "county," and after the words "by reason of said," in the last part of Section 2, strike out the word "companys" and insert in lieu thereof the word "county's."

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

Ratified this the 8th day of May, A.D. 1933.
H. B. 1417

CHAPTER 462

AN ACT TO AMEND CHAPTER 227 OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-ONE, CREATING FIVE DISTRICTS IN BERTIE COUNTY FOR THE SELECTION OF COUNTY COMMISSIONERS.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred and twenty-seven of the Public-Local Laws of one thousand nine hundred and thirty-one be and the same is hereby amended by striking out all of section three of said chapter and inserting in lieu thereof the following:

"Section 3. That those participating in the primary, both as candidates and voters, shall be restricted to the qualified voters of said district: Provided, however, that any candidate from said districts shall be voted upon by the voters in the entire County in the General 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 full force and effect from and after its ratification.

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

H. B. 1454

CHAPTER 463

AN ACT TO ENCOURAGE THE ENFORCEMENT OF THE TURLINGTON ACT IN FRANKLIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners of Franklin County shall pay to the officers or sheriff of said county from and after March twentieth, one thousand nine hundred and thirty-three, for each distillery outfit captured in said county the sum of five dollars. Said distillery outfit shall be construed to mean the worm, kettle and cap used in the operation of said distillery.

SEC. 2. That this act shall be construed in connection with House Bill No. 490, relative to enforcement of the Turlington Act in Franklin County passed at the one thousand nine hundred and thirty-three session of the General Assembly.

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 as of March twentieth, one thousand nine hundred and thirty-three.

Ratified this the 8th day of May, A.D. 1933.
H. B. 1457  CHAPTER 464

AN ACT TO MAKE CERTAIN PHOTOSTATIC COPIES OF MAP BOOKS IN HARNETT COUNTY ADMISSIBLE AS EVIDENCE IN ALL COURTS FOR THE SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the books in the office of Register of Deeds for Harnett County, North Carolina, known as Photostatic Copy of Official Map Book No. 1, Photostatic Copy of Official Map Book No. 2 and Photostatic Copy of Official Map Book No. 3 are hereby declared to be competent and admissible as evidence in any and all actions or proceedings in Harnett County, and when offered as evidence shall have the same force and effect as the original maps and plats.

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

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

H. B. 1488  CHAPTER 465

AN ACT TO CONSOLIDATE THE TOWNSHIPS OF HATTERAS AND KENNAKEET IN DARE COUNTY, AND TO PROVIDE FOR THE ELECTION OF ONE MEMBER OF THE COUNTY BOARD OF COMMISSIONERS AND ONE MEMBER OF THE COUNTY BOARD OF EDUCATION FROM SUCH CONSOLIDATED TOWNSHIP.

The General Assembly of North Carolina do enact:

SECTION 1. That the townships of Hatteras and Kennakeet in Dare County be and the same are hereby consolidated into one township to be known as Hatteras-Kennakeet Township, for the purposes set out in this act only.

SEC. 2. That Hatteras-Kennakeet Township in its representation on the Board of Commissioners of Dare County shall be entitled to one and only one member, and in its representation on the Board of Education of Dare County shall be entitled to one and only one member.

SEC. 3. That at the regular time for holding primaries in Dare County for the nomination of candidates for the various county offices of said county there shall be nominated by the Democratic electors of said township one Democratic candidate for County Commissioner and who, by the Board of Elections of said county, shall be regularly and duly certified as one of the Democratic nominees for said Board of Commissioners, and
whose name shall be placed upon the county ticket along with
the names of all other nominees of said county, to be voted
upon by the electors as a whole in the general election for said
county.

Sec. 4. That at the regular time for holding primaries in
Dare County for the nomination of candidates for the various
county offices in said county there shall be nominated by the
Democratic electors of said township one Democratic candidate
for the Board of Education of Dare County and who, by the
Board of Elections of said county, shall be regularly and duly
certified as one of the Democratic nominees for the Board of
Education of Dare 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 and effect from and
after its ratification.

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

H. B. 1165  Chapter 466

An Act to Repeal Chapter 171, Private Laws of
1923, Appointing Trustees for School District
Number 8, Waynesville Township, Haywood
County, N. C., and to Authorize the Clerk of the
Superior Court of Haywood County to Convey
Title to a Certain Lot of Land in Said Town-
ship.

The General Assembly of North Carolina do enact:

Section 1. That chapter one hundred seventy-one, Private
Laws of one thousand nine hundred twenty-three, appointing
trustees for School District Number Eight, in Waynesville
Township, Haywood County, be and the same is hereby repealed.

Sec. 2. That the Clerk of the Superior Court of Haywood
County is hereby vested with all the title, right and powers
vested in the trustees named in a certain deed of conveyance
from A. C. Morrow, dated December third, one thousand eight
hundred seventy-six, and duly recorded in the office of the Reg-
ister of Deeds for Haywood County, in Book V, page three hun-
dred seven, record of deeds for Haywood County, the said trus-
tees named in said deed all being dead. The Clerk of the Su-
perior Court of Haywood County is hereby given full power and
authority to sell and convey the lands and premises described
in said deed, and to execute to the purchaser a deed in fee simple
for said lands free and clear from any and all conditions, reser-

Nomination of candidate for Board of Education.

Conflicting laws repealed.

Ch. 171, Private Laws 1923, re-
pealed, as to ap-
pointment of school district
trustees in Hay-
wood County.

Title to school property vested in Clerk Superior
Court.

Sale authorized.
424

Application of proceeds.

Conflicting laws repealed.

vations or reversions, and is authorized to pay the proceeds from the sale of said lands to the Board of Education of Hay-
wood 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 8th day of May, A.D. 1933.

H. B. 1505    CHAPTER 467

AN ACT TO REGULATE THE ISSUANCE OF CRIMINAL PROCESSES OUT OF THE JUSTICE OF THE PEACE COURTS FOR RICHMOND COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That no justice of the peace for Richmond County shall issue any criminal process for the arrest of any person except upon forms or blanks furnished him by the Clerk of the Superior Court of Richmond County as hereinafter provided for.

Sec. 2. That the Clerk of the Superior Court shall cause to be printed forms of warrants to include bonds, affidavits, etc., made up in pads of not less than one hundred (100) nor more than two hundred (200), serially numbered, and like forms of other criminal processes used in the Justice of the Peace Courts, and shall issue the same to each justice of the peace upon his receipt for the same, from time to time, as the same may be needed by each justice: Provided, that not over one hundred of such processes shall be issued to any one justice of the peace at the time. Upon receipt of the said warrants the justices to whom issued shall carefully preserve the same.

Sec. 3. That before issuing any warrant or other criminal process for the arrest of any person, the justice to whom request for a warrant of arrest is made shall make all insertions therein and fill in with ink all blanks required by law to be filled in by him, which shall include the name of the defendant, the charge preferred against him, the name of the officer to whom the same is directed; and before delivering the warrant to any officer the justice shall inscribe in his docket in ink on the page which shall be numbered so as to correspond to the number of the warrant the date of issuance of the warrant, the person or persons against whom the same was issued, the charge set forth in the warrant, and the name of the officer to whom the warrant is directed or delivered.

Sec. 4. If the charge set forth in the warrant charges a mis-
demeanor, the punishment of which is not within the jurisdiction
of the Justice of the Peace, the justice issuing the same shall make the warrant returnable before one of the Recorder's Courts of Richmond County, giving preference to the court that is most convenient for the witnesses to attend, and the justice issuing the warrant shall upon the final payment of the costs in the matter by the defendant receive the sum of seventy-five cents for his services in issuing the warrant, and if the defendant is sentenced to the common jail the justice shall receive a like amount to be paid by the County Commissioners on the first Monday after which the case was terminated.

Sec. 5. When the warrant is returned to the justice issuing the same by the officer to whom directed or delivered, or other officer, the justice shall dispose of the charge preferred against the person named in the warrant according to law, and shall add his judgment or other disposition of the warrant or case to the original entry made on his docket at the time of the issuance of the said warrant.

Sec. 6. If a warrant is spoiled in the process of issuance, the same shall be made to appear of record and preserved by the justice, or other person, the same as if it were issued.

Sec. 7. That on the first day of July and on the first day of January of each year, or not later than the fifth day of the said months, each justice of the aforesaid county to whom the clerk has issued blank processes shall return his criminal dockets to the said clerk, together with all processes issued to him and not previously returned to the clerk, and upon a proper accounting to the said clerk of all blanks or processes by the justice to whom issued during the six months preceding the date of the report, and if the justice has kept his records in accordance with the provisions hereinbefore set forth, then the clerk may reissue or issue other processes and dockets to the said justice: Provided, that if any justice shall fail to return all processes and dockets issued to him, at the times hereinbefore set forth, or has failed to keep his records in accordance with the provisions hereinbefore set forth, then the clerk shall demand and take from the said justice all dockets and processes issued to him by the said clerk, and no other dockets or processes shall be issued to him.

Sec. 8. That any justice of the peace of Richmond County who shall violate any of the provisions of this act shall be guilty of a misdemeanor, and it shall be the duty of the Clerk of the Superior Court to bring any violations of this act to the attention of the solicitor of the district, and to the attention of the grand jury; and upon conviction of a violation of any provision of this act of any justice he shall be impeached and removed from office immediately.
SEC. 9. That if the Clerk of the Superior Court for Richmond County shall issue any process to any Justice of the Peace for Richmond County in violation of this act, or shall fail to bring to the attention of the solicitor of the district or to the grand jury any violation of this act within his knowledge, he shall be guilty of a misdemeanor and upon conviction thereof fined not less than one hundred dollars for each offense.

SEC. 10. That all laws and clauses of laws in conflict with this act be and the same are hereby repealed.

SEC. 11. That this act shall be in full force and effect on and after July first, nineteen hundred and thirty-three.

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

H. B. 1514  CHAPTER 468

AN ACT TO PROVIDE FOR THE APPOINTMENT OF A COURT STENOGRAPHER FOR PITT COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be the duty of the County Commissioners of Pitt County to appoint a court stenographer for Pitt County who shall be an officer of the Court, and who shall attend all of the regular and special terms of the Superior Court for said county.

SEC. 2. The County Commissioners of Pitt County and the officers of Pitt County Bar Association shall, before appointing any person as court stenographer for Pitt County, diligently inquire into the qualification, fitness and competency of such person, and may examine any such person as to his or her qualification, fitness and competency.

SEC. 3. The official stenographer appointed by the County Commissioners hereunder shall hold office for one year from the date of such appointment: Provided, however, in case of a vacancy for any cause the said County Commissioners shall forthwith proceed to fill the vacancy as provided for the appointment of the official court stenographer hereunder; and Provided further, the said County Commissioners may at any time, for incompetency or misconduct in office, declare the office vacant by resolution and notice to the court stenographer, and forthwith proceed to fill said vacancy as provided for the appointment of the official court stenographer hereunder.

SEC. 4. In case of the unavoidable absence of the official court stenographer at any term of court, the Clerk of the Superior Court of Pitt County shall appoint some competent stenographer to act in the place of the official stenographer, who shall have
the same duties and receive the same compensation as the official
stenographer for the time the official stenographer is absent.
Such person so appointed shall take and subscribe the oath pre-
scribed for the official stenographer before entering upon the
discharge of his duties.

Sec. 5. Before entering upon the duties of said office such
stenographer shall take and subscribe an oath to faithfully,
correctly, honestly and conscientiously discharge his or her
duties as official court stenographer as defined by this act.

Sec. 6. Any court stenographer appointed under the provisions
of this act shall receive as compensation for his or her services
such sum or sums as shall, from time to time, be determined
by the County Commissioners of Pitt County: Provided, how-
ever, such compensation shall not be changed by the said County
Commissioners at any time without first giving notice of such
change in compensation to the then duly appointed stenographer.

Sec. 7. In all cases of appeal to the Supreme Court the official
stenographer shall, as soon as practicable, and within five days
after the adjournment of the Court, unless further time be
granted, furnish one copy of the record to the counsel for each
party, and shall receive from the appellant, as compensation
therefor, a price per page to be determined and fixed by the
said County Commissioners and in the same manner as provided
herein for the payment of compensation for the services of said
stenographer.

Sec. 8. For the purpose of providing a fund for the payment
of said official stenographer there shall be taxed by the Clerk
of the Court a fee of Two Dollars and Fifty Cents ($2.50) as a
part of the costs in all civil cases where the services of a stenog-
raper are required and in which issue is joined, and in all
criminal actions there shall be taxed as a part of the costs a
fee of One Dollar and Fifty Cents ($1.50): Provided, that in all
criminal cases in which no jury is empaneled no fee shall be
taxed; and Provided further, that there shall be no fee in
criminal cases taxed against the County. The fees so taxed as a
part of the costs as herein provided shall be paid to said official
stenographer in the manner provided for the payment of costs
in other cases: Provided, any amount in excess of the compensa-
tion for services for said stenographer as fixed by the County
Commissioners shall be paid into the general fund of the County.

Sec. 9. Such official stenographer shall take full stenographic
notes in every contested case tried or heard during any term
of said Superior Court, unless otherwise agreed upon by counsel
on both sides, of all the oral testimony, the admissions made
by either side, the objections made to the introduction of testi-
mony, the rulings of the Court thereon, and the exceptions taken
thereto, all motions and matters heard and passed upon by the
Court arising upon matters controverted by parties, the charges of the court to the jury, shall make a note of all documentary evidence, and such other proceedings as the Court may direct. Such stenographic notes shall be filed with the Clerk of said Court and shall become a part of the records of the Court. Said official stenographer shall furnish a typewritten copy of his or her stenographic notes to the Court and to counsel for each side in all cases when directed by the Court or requested by any of the parties.

Sec. 10. Whenever it becomes necessary in any court in the State to prove the testimony of a witness at the trial of any former case tried in Pitt County, the certified typewritten copy of the notes of such testimony taken by the official stenographer at the court where said witness testified shall be evidence to prove the same.

Sec. 11. That all laws and clauses of laws in conflict with the provisions of this act, as affecting Pitt County, are hereby repealed.

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

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

H. B. 1519  CHAPTER 469

AN ACT TO AMEND HOUSE BILL NO. 1022, RATIFIED MARCH 27, 1933, ENTITLED "AN ACT TO REGULATE THE DUTIES OF SHERIFF OF EDGECOMBE COUNTY AND ESTABLISH OFFICE OF TAX COLLECTOR OF EDGECOMBE COUNTY."

The General Assembly of North Carolina do enact:

Section 1. That all of that part of Section 3, House Bill No. 1022, "a bill to be entitled An Act to regulate the duties of the Sheriff of Edgecombe County and establish office of Tax Collector of Edgecombe County," which act was ratified March 27, 1933, reading as follows, "and in addition the Sheriff shall employ two deputies to be paid by the County, the compensation of each to be a monthly salary of One Hundred and Twenty-five ($125.00) Dollars," is hereby repealed.

Sec. 2. In lieu of the provisions of said Section 3 as are stricken out in Section 1 hereof, insert the following, "and the said Sheriff is hereby authorized and empowered, in his discretion, to appoint three (3) deputies at salaries to be determined and fixed by him, the aggregate of the combined salaries not to exceed Two Hundred and Fifty ($250.00) Dollars per month,
which salaries shall be paid from the general fund of Edgecombe 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 8th day of May, A.D. 1933.

H. B. 1521    CHAPTER 470
AN ACT TO AMEND CHAPTER 441 OF PUBLIC LAWS OF 1931 REGARDING LEVYING OF SPECIAL TAXES IN CERTAIN COUNTIES SO AS TO INCLUDE UNION.

The General Assembly of North Carolina do enact:

Section 1. That section one of chapter four hundred and forty-one, Public Laws of one thousand nine hundred and thirty-one, be and the same is hereby amended so as to include Union 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 and effect from and after its ratification.

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

H. B. 1532    CHAPTER 471
AN ACT TO AMEND CHAPTER 228, PUBLIC-LOCAL LAWS OF 1917, RELATING TO THE OFFICE OF COUNTY TREASURER OF YADKIN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That section one of chapter two hundred and twenty-eight, Public-Local Laws of nineteen hundred and seventeen, be and the same is hereby amended by striking out in line five of said section the words "Yadkin County" and by striking out in line twelve of said section the words "not to exceed two hundred dollars ($200.00)."

Sec. 2. That if the County Commissioners cannot make any satisfactory arrangement with any bank or banks to act as fiscal agent of the County, then the office of County Treasurer is hereby restored.

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 8th day of May, A.D. 1933.
S. B. 670  
CHAPTER 472
AN ACT TO DEFINE THE POWERS AND DUTIES OF THE BOARD OF REVALUATION AND REVIEW OF YANCEY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Revaluation and Review of Yancey County, in addition to the powers heretofore vested in it, be and it is empowered and authorized to fix the amount of the salary of the County Accountant of Yancey County; and on the first Monday in July, one thousand nine hundred and thirty-three, and annually thereafter, the said Board of Revaluation and Review is authorized, empowered and directed to appoint a County Accountant, whose salary shall not exceed one hundred dollars per month, to be paid as provided by law.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed, whether Public, Local or Public-Local.

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

Ratified this the 9th day of May, A.D. 1933.

H. B. 1368  
CHAPTER 473
AN ACT TO AMEND CHAPTER 454 OF THE PUBLIC-LOCAL LAWS OF 1931 RELATING TO THE DUTIES OF THE CLERK OF THE RECORDER'S COURT OF CLEVELAND COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter four hundred and fifty-four of the Public-Local Laws of nineteen hundred and thirty-one be and the same is hereby amended by adding between sections three and four of said chapter a new section to read as follows:

"Section 3. (a) That within thirty (30) days after June thirtieth, nineteen hundred and thirty-three, and each year thereafter, the Clerk of the Recorder's Court of Cleveland County shall post at the courthouse door in Shelby an itemized statement of all fees and costs on hand which have not been claimed or paid to the parties due. That said notice shall show the name of each person to whom any fee or cost is due, together with the amount. That all persons due any fees or costs from said court who fail to call for same within ninety (90) days after the posting of said notice shall be forever barred from any right to collect same. That the Clerk of the Recorder's
Court shall each year after the posting of said notice pay into the general fund of Cleveland County all fees and costs on hand due any person or persons which have not been called for within the ninety (90) days, as herein provided.

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

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

Ratified this the 9th day of May, A.D. 1933.

H. B. 1463  CHAPTER 474
AN ACT TO FIX THE SALARY OF THE REGISTER OF DEEDS OF YANCEY COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the salary of the Register of Deeds of Yancey County be and the same is fixed at the sum of fifteen hundred dollars per annum, which shall include the making of the tax books for said county, said salary payable at the rate of one hundred and twenty-five dollars per month: Provided, that if all fees exceed fifteen hundred dollars per annum, such additional fees shall be paid to the Register of Deeds.

Sec. 2. That all fees shall be collected in advance by the Register of Deeds of said county and remitted monthly to the County Treasurer, or applied by him on his said salary.

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

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

Ratified this the 9th day of May, A.D. 1933.

H. B. 1529  CHAPTER 475
AN ACT RELATING TO OFFICIAL BONDS FOR COUNTY OR MUNICIPAL OFFICERS IN HAYWOOD COUNTY.

The General Assembly of North Carolina do enact:

Section 1. The Board of Commissioners of Haywood County, or the Board of Aldermen of any municipal corporations in said County, are hereby authorized to accept as surety on any bond of any public official, in lieu of the signature of a Surety Company, bonds of the State of North Carolina, or bonds of said County, or of such municipality of the face value of the amount of said official bond, such County or municipal bonds to be held in escrow by such official or bank as may be designated by said Board of Commissioners or Board of Aldermen.
Conflicting laws repealed.

SEC. 2. All laws or clauses of laws in conflict with this act are hereby repealed.

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

Ratified this the 9th day of May, A.D. 1933.

H. B. 1585  CHAPTER 476

AN ACT TO AMEND CHAPTER 415, PUBLIC-LOCAL LAWS 1915, RELATIVE TO THE RECORDER'S COURT OF LEAKSVILLE TOWNSHIP, ROCKINGHAM COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section three of chapter four hundred fifteen, Public-Local Laws of one thousand nine hundred fifteen, be and the same is hereby amended by striking out all of section three and inserting in lieu thereof the following:

"A. The Board of County Commissioners of Rockingham County shall, on the first Monday in May in the year nineteen hundred and thirty-five, and the odd years of the calendar thereafter, appoint a Recorder for the Recorder's Court of Leaksville Township. That the term of the Recorder appointed under this act shall begin on the first Tuesday in June in each biennium after said appointment, and he shall hold office for two years and until his successor is appointed and qualified. Before entering upon the duties of said office the Recorder so appointed shall take and subscribe before the Clerk of the Superior Court of Rockingham County the same oath as now required for Judges of the Superior Court.

B. That the Recorder appointed as aforesaid shall have all the powers and shall perform all the duties as set out in Chapter four hundred fifteen Public-Local Laws of one thousand nine hundred fifteen and amendments thereto."

SEC. 2. That on and after the ratification of this act it shall be unlawful for any Recorder of the Leaksville Township Recorder's Court to be associated with or a member of any firm of attorneys at law, the members or any member of which firm or association practice law in the said Court. Any violation of this provision shall cause the Recorder to immediately forfeit his office, and in the event of forfeiture for said cause the vacancy shall be filled as now provided by law.

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

SEC. 4. This act and every clause thereof shall be in full force and effect on and after its ratification.

Ratified this the 9th day of May, A.D. 1933.
H. B. 1556  CHAPTER 477
AN ACT TO APPROVE POSTPONEMENT OF DATE OF TAX SALES.

The General Assembly of North Carolina do enact:

SECTION 1. That the action of the Board of County Commissioners of any county of North Carolina in postponing the date of sale of real estate for non-payment of 1932 taxes from the first Monday in June, 1933, to the first Monday in August, 1933, be and the same is hereby approved, ratified and validated, and such sales held on the said first Monday in August shall have the same force, effect and validity as if held on the first Monday in June, 1933.

SEC. 2. That this Act shall apply only to McDowell County.

SEC. 3. That all laws and clauses of laws in conflict with this Act are to the extent hereof repealed.

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

Ratified this the 9th day of May, A.D. 1933.

H. B. 756  CHAPTER 478
AN ACT TO REQUIRE THE BOARD OF EDUCATION OF SWAIN COUNTY TO PAY MRS. ROY BEARD FOR SERVICES RENDERED IN THE YEAR 1931.

Whereas, during the year nineteen hundred and thirty-one and during the time of the disturbance in the County of Swain, and particularly in the Cold Spring School District, over the consolidation of schools, Mrs. Roy Beard having been employed by the local Cold Spring School Committee to teach the said local school, and having taught said school for a period of six months at a salary of seventy dollars per month; and

Whereas, the Board of Education of Swain County having refused to pay the said Mrs. Beard for services rendered after the funds of the said local district were exhausted or until certain other conditions were complied with: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Education of Swain County be and they are hereby authorized and empowered to pay out of the funds of the said Swain County and charging the same to the account of Cold Spring School District the sum of two hundred and ten dollars.

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

Ratified this the 9th day of May, A.D. 1933.
S. B. 627  

CHAPTER 479

AN ACT TO PROVIDE FOR CERTAIN SPECIAL TAXES IN RUTHERFORD COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the board of commissioners of Rutherford County are hereby authorized and empowered to levy such special property taxes as may be necessary, not to exceed ten cents on the one hundred dollars valuation, for the following special purposes, respectively, in addition to any tax now allowed by law for such purposes and in addition to the rate allowed by the Constitution: (1) For the expense of the quadrennial valuation or assessment of taxable property, (2) for the expense of holding courts in the county and the expense of maintenance of the jail and jail prisoners, (3) for such contribution to the Rutherford Hospital as may be necessary to care for the charity patients 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 full force and effect from and after its ratification.

Ratified this the 9th day of May, A.D. 1933.

H. B. 1530  

CHAPTER 480

AN ACT TO REGULATE APPEALS FROM COURTS OF JUSTICES OF THE PEACE IN CIVIL ACTIONS IN MARTIN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That appeals from Courts of Justices of the Peace from all judgments rendered in civil actions by Justices of Peace in Martin County may be taken either to the Superior Court or to the County Recorder's Court of said County at the election of the appellant.

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

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

Ratified this the 9th day of May, A.D. 1933.
H. B. 1535  CHAPTER 481
AN ACT AUTHORIZING THE BOARD OF COMMISSIONERS OF TRANSYLVANIA COUNTY TO ACCEPT COUNTY BONDS IN PAYMENT OF CERTAIN NOTES HELD AS ADDITIONAL COLLATERAL FOR COUNTY DEPOSITS IN THE NOW DEFUNCT BREVARD BANKING COMPANY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of Transylvania County be, and they are hereby, authorized and empowered to accept county bonds at par value in payment of any and all notes now held by said county as collateral for county funds on deposit with the Brevard Banking Company at the time of its closing.

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 9th day of May, A.D. 1933.

H. B. 1591  CHAPTER 482
AN ACT TO APPOINT AN AUDITOR FOR COLUMBUS COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That A. W. Baldwin be and he is hereby appointed auditor for Columbus County for a term of two years, beginning June first, nineteen hundred and thirty-three, and shall receive therefor a salary of two thousand and forty dollars per annum, same to be paid to him in monthly installments by the Board of County Commissioners of Columbus County out of the General County Fund.

Sec. 2. That it shall be the duty of said county auditor to carry out the provisions of the County Local Government Act for the year nineteen hundred and thirty-three, and acts prior thereto.

Sec. 3. That all laws and clauses of laws in conflict with the provisions of this act be and they 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 May, A.D. 1933.
H. B. 1543  
CHAPTER 483
AN ACT TO REGULATE THE SALE OF UNGINNED OR SEED COTTON IN BEAUFORT COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That no person, persons, firm, or corporation shall purchase any unginned or seed cotton in Beaufort County until such person, persons, firm or corporation shall have first obtained a license to handle unginned or seed cotton in said county, said license to be procured from the Sheriff of Beaufort County, and the said Sheriff of Beaufort County shall issue such license to any person, persons, firm or corporation of good character applying for the same upon the payment to him in the sum of ten dollars, said license to run from July first to June thirtieth in each year; and it shall be the duty of the said Sheriff of Beaufort County to pay over all such funds as shall come into his hands from the sale of such license to the Treasurer of Beaufort County, to go into the general fund of said county.

Sec. 2. Every person, persons, firm or corporation who shall have procured a license as herein provided for shall be required to keep a true and accurate record of all unginned or seed cotton purchased by them, which record shall show: (a) The name of the person from whom the cotton was purchased; (b) the amount of the cotton purchased; (c) the price paid therefor; (d) the date and hour of making such purchase; (e) the land upon which said cotton was grown, and such records shall be at all times open to inspection by the public.

Sec. 3. Any person, persons, 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, or both, in the discretion of the court; and any such person, persons, firm or corporation who shall violate any of the provisions of this act shall upon conviction forfeit his or their license for the remainder of said fiscal year.

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

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

Ratified this the 9th day of May, A.D. 1933.
AN ACT TO AMEND HOUSE BILL NO. 889 ENTITLED "AN ACT TO PLACE THE OFFICERS OF NEW HANOVER COUNTY UPON A SALARY BASIS AND TO FIX THE SALARIES OF THE CITY COMMISSIONERS INCLUDING THE MAYOR," ENROLLED AND RATIFIED MARCH 22, 1933.

The General Assembly of North Carolina do enact:

Section 1. Amend Section seven, line thirty-four (34), by striking out everything in said Section following the period after the word "hearing" and inserting in lieu thereof the following: "The Board of County Commissioners is authorized to appropriate a sum not exceeding Seventy-five ($75.00) Dollars per month for the use of the Sheriff and two field Deputies in the operation of their automobiles in the performance of their duties. It being the intention of this Act to limit the Sheriff and each of his Deputies to the sum of Twenty-five ($25.00) Dollars per month for actual expenses in the purchase of gasoline and oil for the operation of their respective automobiles in the performance of their duties, but in no event to exceed the actual expense of each in any month."

Sec. 2. Amend Section ten by striking out the words and figures "Nine Hundred ($900.00) Dollars per annum" in lines eight and nine of said Section and substitute in lieu thereof the words and figures "One Thousand and Eighty ($1,080.00) Dollars per annum."

Sec. 3. Amend Section twenty-one by striking out the words and figures "Twenty-seven Hundred ($2,700.00) Dollars per annum" in lines two and three of said Section and inserting in lieu thereof the words and figures "Three Thousand ($3,000.00) Dollars per annum," and strike out the words and figures "Two Hundred and Twenty-five ($225.00) Dollars" and substitute in lieu thereof the words and figures "Two Hundred and Fifty ($250.00) Dollars."

Sec. 4. That all laws and clauses of laws in conflict herewith are hereby repealed.

Sec. 5. That this Act shall be in full force and effect from and after the 1st day of May, 1933.

Ratified this the 9th day of May, A.D. 1933.
H. B. 1552  CHAPTER 485

AN ACT TO AMEND CHAPTER 527 OF THE PUBLIC-LOCAL LAWS OF 1921, AMENDING CHAPTER 800, PUBLIC-LOCAL LAWS OF 1913, RELATING TO SALARY OF COURT STENOGRAPHER FOR HOKE AND BLADEN COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter five hundred and twenty-seven of the Public-Local Laws of one thousand nine hundred and twenty-one, amending chapter eight hundred of the Public-Local Laws of one thousand nine hundred and thirteen, be and the same is hereby amended by striking out section two thereof and inserting the following:

"Section 2. That this act shall not apply to the counties of Robeson, Hoke and Bladen."

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

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

Ratified this the 9th day of May, A.D. 1933.

H. B. 1558  CHAPTER 486

AN ACT TO VALIDATE THE ACTS OF J. S. McRAE, A JUSTICE OF THE PEACE FOR THE COUNTY OF ROBESON.

Whereas, J. S. McRae was appointed a Justice of the Peace in and for Maxton Township, Robeson County, under the provisions of chapter one hundred and seventy-nine, Public Laws of nineteen hundred and twenty-nine; and

Whereas, the said J. S. McRae failed to qualify after the date of his last appointment, March nineteenth, nineteen hundred and twenty-nine, but has continued to perform his several official duties as a Justice of the Peace up to the present time: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That said official acts of J. S. McRae are hereby ratified and confirmed from March nineteenth, nineteen hundred and twenty-nine, and until he is duly qualified under appointment of the Justice of the Peace bill for nineteen hundred and thirty-three.

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

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

Ratified this the 9th day of May, A.D. 1933.
AN ACT TO FIX THE TERMS OF OFFICE OF THE BOARD OF EDUCATION IN MITCHELL COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the term of all members of the Board of Education of Mitchell County shall expire within two years after the ratification of this act, or within two years after the date of qualification of the member of the Board of Education appointed at this session.

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 9th day of May, A.D. 1933.

AN ACT RELATING TO TAX PENALTIES IN THE COUNTY OF CUMBERLAND.

The General Assembly of North Carolina do enact:

Section 1. That no penalty shall be charged against any taxes due and unpaid for the year one thousand nine hundred and thirty-two in Cumberland County: Provided, said taxes are paid on or before the first day of October, one thousand nine hundred and thirty-three. If said taxes are not paid by said date the full penalty now provided by law shall be charged against said taxes.

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

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

Ratified this the 9th day of May, A.D. 1933.

AN ACT TO ALLOCATE UNION TOWNSHIP, ROBESON COUNTY, TO THE PROPER RECORDER'S COURT AND COMMISSIONER'S DISTRICTS.

The General Assembly of North Carolina do enact:

Section 1. That Union Township, which was created by resolution of the Board of Commissioners of Robeson County on May 1st, 1933, is hereby allocated to Commissioner's District No. 2, formerly composed of Rowland, Thompasons, Gaddys, Fair-
mont and White House townships, and to the Rowland Recorder's Court District, formerly composed of Rowland, Gaddys and Thompsons townships.

Sec. 2. That Rowland, Thompsons and Alfordsville townships, from which Union township was created, shall each be known by the names by which they were formerly known, and shall retain their position in the same Commissioner's and Recorder's Court Districts which they formerly held.

Sec. 3. That all laws and clauses of laws in conflict with this act, to the extent of such conflict, are hereby repealed.

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

Ratified this the 9th day of May, A.D. 1933.

S. B. 665  
CHAPTER 490

AN ACT TO PROHIBIT THE EXHIBITION OF ANY FREE MEDICINE SHOW OR LIKE PERFORMANCE IN CATAWBA COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That it shall be unlawful for any person, firm or corporation to exhibit, or cause to be exhibited, in the bounds of Catawba County, without first obtaining written permission from the Board of County Commissioners of Catawba County, any Free Medicine Show or other show or exhibition of like character.

Sec. 2. That such person, firm or corporation desiring to make such exhibitions shall make written application to the Board of County Commissioners of Catawba County, and, before such application is passed on by said Board of Commissioners, publication of such written application shall be made in some newspaper published in Catawba County at least seven days before the meeting of the Board of Commissioners to hear said application. Said applicant shall bear all expenses incident thereto.

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 May, A.D. 1933.
H. B. 1593  CHAPTER 491
AN ACT TO AUTHORIZE THE AUDITOR OR ACCOUNTANT OF BRUNSWICK COUNTY TO EMPLOY ASSISTANCE WHEN DEEMED NECESSARY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Auditor or Accountant of Brunswick County shall have the power and authority, when he shall deem it necessary, to employ assistance in said office.

Sec. 2. That such assistance shall be paid by the County of Brunswick and shall be in a sum of not less than five hundred dollars nor more than seven hundred and fifty dollars per annum, to be paid in equal monthly installments.

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 9th day of May, A.D. 1933.

S. B. 667  CHAPTER 492
AN ACT RELATING TO THE PUBLIC OFFICERS OF NORTHAMPTON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Clerk of the Superior Court of Northampton County shall receive a salary of not less than twenty-four hundred ($2,400.00) dollars nor more than thirty-four hundred ($3,400.00) dollars per annum in lieu of all other compensation whatsoever, the same from time to time within the limits herein imposed to be determined and fixed by the Board of Commissioners of Northampton County in their discretion.

Sec. 2. The Register of Deeds of Northampton County shall receive a salary of not less than twenty-four hundred ($2,400.00) dollars nor more than thirty-four hundred ($3,400.00) dollars per annum in lieu of all other compensation whatsoever, the same from time to time within the limits herein imposed to be determined and fixed by the Board of Commissioners of Northampton County in their discretion.

Sec. 3. That the Sheriff of Northampton County shall receive a salary of not less than twenty-four hundred ($2,400.00) dollars nor more than thirty-four hundred ($3,400.00) dollars per annum in lieu of all other compensation whatsoever, the same from time to time within the limits herein imposed to be determined and fixed by the Board of Commissioners of Northampton County in their discretion, and he shall collect the taxes of all kinds paid in said county by corporations, and shall not receive any additional compensation therefor.
No other compensation allowed.

SEC. 4. 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 allowances whatsoever for any extra additional services rendered to the county, 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. 5. The offices 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 Northampton 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. 6. The salaries herein provided for shall be paid by the Treasurer or Financial Agent of Northampton County upon warrant or order from the Board of County Commissioners of Northampton County to the said officers in monthly installments.

SEC. 7. The officers hereinbefore required to turn over to the Treasurer or Financial Agent of Northampton County moneys coming into their hands shall make settlement with said Treasurer or Financial Agent of said county on the first Monday in each 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. 8. That the County Auditor of Northampton County shall receive a salary of not less than two thousand dollars ($2,000.00) per annum nor more than thirty-two hundred ($3,200.00) dollars per annum, the same from time to time within the limits herein imposed to be determined and fixed by the Board of Commissioners of Northampton County in their discretion, and the said County Auditor shall be required in addition to the duties imposed upon him by law to prepare all tax books and tax receipts of said county, and shall also act as County Tax Supervisor and shall receive no additional salary therefor.

SEC. 9. That the Board of County Commissioners of Northampton County shall furnish the officers provided for in this act all necessary stationery and stamps and books necessary and required in the discharge of their respective duties.

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 the first day of June, 1933.

Ratified this the 9th day of May, A.D. 1933.
S. B. 663

CHAPTER 493

AN ACT TO EMPOWER THE BOARD OF COMMISSIONERS OF YANCEY COUNTY TO INCLUDE THE EXPENSES OF BUILDING GYMNASIUM IN THE GENERAL EMERGENCY FUND.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners of Yancey County be, and it is hereby, authorized, empowered and directed to include in its nineteen hundred and thirty-three budget the sum of four hundred and fifty dollars to be applied as payment on the building of the gymnasium at Burnsville, North Carolina, said amount to be included in the general emergency fund, covering contribution of Yancey County toward the building of said gymnasium.

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

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

H. B. 1590

CHAPTER 494

AN ACT TO APPOINT A TAX COLLECTOR FOR COLUMBUS COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That D. Lenox Gore be, and he is hereby, appointed Tax Collector for Columbus County until the first Monday in December, nineteen hundred and thirty-four, and shall receive for said services a salary of eighteen hundred dollars per annum and three hundred dollars per annum for traveling expenses, the same to be paid in monthly installments by the Board of County Commissioners of Columbus County out of the general county fund.

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 June first, nineteen hundred and thirty-three.

Ratified this the 10th day of May, A.D. 1933.
S. B. 638

CHAPTER 495

AN ACT VALIDATING CERTAIN TAX SALES IN MITCHELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That all sales of land for failure to pay taxes held or conducted by any sheriff or any tax collector of Mitchell County or any municipality therein during the year one thousand nine hundred and thirty-one on any date except that fixed by law in said year, be and the same are hereby, approved, confirmed, validated and declared to be proper, valid and legal sales of such land and legally binding in all respects, and all certificates of sale made and issued upon and in accordance with such sales be and they are hereby approved and validated to all intents and purposes, and with such full force and legal effect as if said sales had been held and conducted on the date provided by law for holding said tax sales.

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

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

S. B. 681

CHAPTER 496

AN ACT TO AMEND HOUSE BILL 1066, RATIFIED APRIL 11, 1933, ENTITLED "AN ACT TO ALLOW FISHING IN THE TENNESSEE RIVER AND CERTAIN TRIBUTARIES IN MACON COUNTY."

The General Assembly of North Carolina do enact:

SECTION 1. That House Bill number one thousand and sixty-six, ratified the eleventh day of April, one thousand nine hundred and thirty-three, entitled "A Bill to be Entitled an Act to Allow Fishing in the Tennessee River and Certain Tributaries Thereof in Macon County" be and the same is hereby amended by striking out the words "and no license shall be charged therefor in said Macon County," in the last two lines of Section one of said Act, and inserting in lieu thereof the following: "In Macon County and also Hiwassee River, Valley River, and Notla River in Cherokee County, and no license shall be charged therefor in said Macon or Cherokee Counties."

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

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

Ratified this the 11th day of May, A.D. 1933.
H. B. 248  CHAPTER 497

AN ACT TO REPEAL SECTION 2, CHAPTER 238, PUBLIC-
LOCAL LAWS 1929, AND TO AUTHORIZE THE COMMISSIONERS OF HAYWOOD COUNTY TO DESIGNATE A DE-
POSITORY FOR PUBLIC FUNDS IN HAYWOOD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section two, chapter two hundred and thirty-
eight, Public-Local Laws, one thousand nine hundred and twenty-nine, be and the same is hereby repealed.

SEC. 2. That the Commissioners of Haywood County be and
they are directed to designate some bank or banks, Trust Com-
pany or Trust Companies as the official depository or depo-
sitories of the County of Haywood, in accordance with the pro-
visions of chapter one hundred and forty-six, Public Laws of
one thousand nine hundred and twenty-seven, and any amend-
ments thereto.

SEC. 3. That all warrants or orders for disbursement from
any funds of the County or subdivisions thereof shall be drawn
on an official depository or official depositories of the County
designated by the Board of Commissioners, and signed by the
Chairman of the Board and County Accountant.

SEC. 4. That the County Accountant is hereby authorized to
receive and deposit, in the designated depository or depositories,
to the credit of said County all funds which may become due to
or belong to said County and which the other collection officers
are not authorized to receive.

SEC. 5. That all officers and employees collecting or receiving
public money shall deposit the same in said depository or de-
positories as required by section nineteen, chapter one hundred
and forty-six, Public Laws of one thousand nine hundred and
twenty-seven, and laws amendatory thereto.

SEC. 6. That the Commissioners of Haywood County be and
they are hereby authorized to fix the salary of the County Ac-
countant at such a sum as they may deem proper, not to exceed
the sum of eighteen hundred dollars per year, the same to be
paid in equal monthly installments and to be prorated among
the different funds.

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

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

Ratified this the 11th day of May, A.D. 1933.
H. B. 1320  CHAPTER 498
AN ACT REGULATING THE COLLECTION OF DELINQUENT TAXES IN SAMPSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. The Board of Commissioners of Sampson County is hereby authorized and empowered to waive the collection of all interest and penalties, or so much thereof as it deems advisable, on the tax and tax certificates due said County: Provided, that this authority shall apply only to taxes due for the year nineteen hundred and thirty-one and prior thereto.

SEC. 2. That the County of Sampson is hereby given until January first, nineteen hundred and thirty-five, to institute foreclosure proceedings on taxes and tax certificates for the years prior to nineteen hundred and thirty-two, with all the rights and privileges and liens which it had at any time heretofore.

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

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

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

H. B. 1353  CHAPTER 499
AN ACT TO ABOLISH THE OFFICE OF THE TREASURER OF MCDOWELL COUNTY, NORTH CAROLINA, AND TO REGULATE THE FEES AND SALARIES OF OFFICERS IN SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That effective the first Monday in December in the year nineteen hundred and thirty-four the office of Treasurer of McDowell County shall be and the same is hereby abolished, and no Treasurer shall be voted upon or elected in said county in the general election in the year nineteen hundred and thirty-four or thereafter.

SEC. 2. That on and after the first Monday in December, one thousand nine hundred and thirty-four, the Register of Deeds of McDowell County shall, without extra compensation therefor, perform all the duties and be charged with all the responsibilities and liabilities now or which may then be exacted of and imposed upon the Treasurer of said county: Provided, however, on and after said date the Board of County Commissioners of said county shall grant the said Register of Deeds clerical assistance in an amount not to exceed six hundred dollars
($600) per year to aid the Register of Deeds in the execution of his official duties, which allowance may be paid in equal monthly installments out of the general county fund; and *Provided further*, that the Board of County Commissioners of said county shall, out of the general county fund, pay the premium on any and all bonds which the said Register of Deeds may be required to make and execute by reason of the transfer of the duties and functions of the Treasurer's office as hereinabove provided.

Sec. 3. 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 in any and all other capacities now or which may hereafter be required of him, including additional duties and functions in this act transferred to and imposed upon him, the sum of two thousand dollars ($2,000) per annum, payable in equal monthly installments out of the General County Fund.

Sec. 4. That the Clerk of Superior Court of McDowell County shall receive as his only compensation for services as Clerk of Superior Court a salary of two thousand dollars ($2,000) per annum, payable in equal monthly installments out of the General County Fund:

*Provided, that the said Clerk of Superior Court may employ a Deputy or Assistant to assist him during the terms of Superior Court at compensation not to exceed five dollars ($5.00) per day for the number of days so actually employed and on which the court is actually in session, the payment for which shall be made by the Board of County Commissioners out of the General County Fund.*

Sec. 5. That all regular jurors in the Superior Court of McDowell County, including special veniremen who may be accepted on the panel in the trial of any cause, shall receive as their only compensation for services the sum of two dollars ($2.00) per day and mileage at the rate of five cents per mile in coming to the county-seat and returning home. And all special veniremen who shall not be accepted on the panel in the trial of any cause and all tales jurors in the Superior Court of McDowell County shall receive the sum of one dollar ($1.00) per day for the number of days in actual attendance upon the court. This section shall be effective from and after the ratification of this act.

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

Sec. 7. That, except as hereinabove otherwise provided, this act shall be effective on and after the first day of July, nineteen hundred and thirty-three.

Ratified this the 11th day of May, A.D. 1933.
H. B. 1410  
CHAPTER 500
AN ACT TO PROHIBIT THE COMMISSIONERS OF THE COUNTY OF MACON FROM LEVying ANY SPECIAL TAX TO PAY TOWNSHIP BONDS, EXCEPT IN THE TOWNSHIPS WHERE SAID BONDS ARE VOTED AND ISSUED.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of the County of Macon be and is hereby prohibited from levying any general tax of the entire County of Macon to pay any special road or bridge bonds voted in any of said townships in the County of Macon other than a special tax in said townships wherein said bonds have been voted.

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

SEC. 3. That this act shall apply to the County of Macon only.

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

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

H. B. 1494  
CHAPTER 501
AN ACT TO REGULATE THE OPERATION OF BATHING BEACHES OR RESORTS IN SECTIONS OF BEAUFORT COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That no person, firm or corporation shall operate or cause to be operated any beach or bathing resort for profit on Pamlico River, in Beaufort County, between that point known as Public Landing and Broad Creek without first having procured license therefor from the Clerk of the Superior Court for Beaufort County.

SEC. 2. That in making application for such license the applicant shall make affidavit that the beach or bathing resort will not be operated for any unlawful purpose, and that he will make diligent effort to prevent trespass upon property of adjoining landowners by his paying guests.

SEC. 3. That the Clerk of the Superior Court, if satisfied that said resort will not be used for any unlawful purpose, and that applicant will make a reasonable effort to protect adjoining landowners from annoyance by said paying guests, shall issue license permitting the operation of such resort. No charge shall be made for this license.
SEC. 4. That if it shall be made to appear to the satisfaction of the Clerk of the Superior Court that said operator or lessee has been guilty of negligent and careless disregard of the rights of adjoining landowners in knowingly permitting his guests to trespass or otherwise annoy said landowners, he shall revoke the license theretofore granted. Such revocation shall be subject to appeal to the Superior Court at term time upon the licensee entering into a bond in the sum of one hundred dollars ($100.00) indemnifying the complaining party for any damage which he may have sustained by reason of such trespass, said bond to be conditioned upon confirmation of the Clerk's judgment by the presiding Judge.

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

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

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

H. B. 1504 CHAPTER 502

AN ACT TO FIX THE OPEN SEASON FOR HUNTING GAME IN CATAWBA COUNTY AND TO PROVIDE A CLOSED SEASON FOR HUNTING PHEASANTS AND QUAIL IN SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the open season during which game of any kind may be killed in Catawba County shall be from the twentieth day of November to the first day of February, inclusive: Provided, however, it shall be unlawful for any person or persons to hunt, kill or capture in any manner whatever any wild pheasant and/or quail until November twentieth, one thousand nine hundred and thirty-five.

SEC. 2. That it shall be unlawful for any person or persons to set any rabbit boxes in Catawba County during the closed season.

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 not more than fifty dollars or imprisoned not more than thirty days.

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

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

Ratified this the 11th day of May, A.D. 1933.
CHAPTER 503

AN ACT TO CREATE THE CASWELL COUNTY HISTORICAL COMMISSION.

The General Assembly of North Carolina do enact:

Section 1. That there is hereby created a body known and styled as the "Caswell County Historical Commission," whose duty shall be to collect information relative to historic events, places and objects in Caswell County, and to preserve such information. It shall be the duty of the said commission created to locate and properly mark the historic spots in and around Caswell County.

Sec. 2. That the said commission shall consist of Miss Mary Wilson Brown, George A. Anderson, Mrs. A. Y. Kerr, Mrs. Bettie T. Rainey and Thomas S. Neal. That the said commission shall elect its chairman and shall also fill any vacancy occurring in said commission.

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

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

CHAPTER 504

AN ACT TO ABOLISH THE OFFICE OF AUDITOR OF STOKES COUNTY AND TO AMEND CHAPTER 483, PUBLIC-LOCAL LAWS 1931, RELATING TO CLERK HIRE FOR THE CLERK OF THE SUPERIOR COURT OF SAID COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the office of auditor for Stokes County be and the same is hereby abolished to become effective June first, one thousand nine hundred and thirty-three, and all duties heretofore performed by said auditor are hereby transferred to the office of register of deeds, and said duties shall be performed by the said register of deeds without additional compensation.

Sec. 2. That chapter four hundred and eighty-three of the Public-Local Laws of one thousand nine hundred and thirty-one be and the same is hereby amended by striking out the words and figures "six hundred ($600.00)" in lines two and three of section one of said act and inserting in lieu thereof the words and figures "three hundred ($300.00)"; Provided, that after the first day of December, one thousand nine hundred and thirty-four, no allowance shall be made the Clerk of the Superior Court of Stokes County for a deputy or assistant clerk.
Sec. 3. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.
Sec. 4. That this act shall be in full force and effect from and after its ratification.
Ratified this the 11th day of May, A.D. 1933.

H. B. 1576  CHAPTER 505

AN ACT TO AUTHORIZE AND EMPOWER THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY TO REFUND CERTAIN TAXES ERRONEOUSLY PAID.

Whereas, it is claimed by the heirs of the late Mrs. Julia C. Morris that in the year 1920, when all of the land in Mecklenburg County was revalued, that a tract of land belonging to the estate of the said Mrs. Julia C. Morris, containing 682½ acres, situated in Providence Township, was properly listed for taxes, and through an error of the tax listers the acreage was raised to 780 acres, and that the acreage of said tract of land has been erroneously carried on the tax list at 780 acres for the years 1921 to 1932, both inclusive, and the taxes have been paid on an acreage of 780 acres; and

Whereas, the Board of County Commissioners are without authority to make any adjustment or rebate of taxes on the land erroneously charged to the heirs of the said estate: Now, therefore,

The General Assembly of North Carolina do enact:

Section 1. That the County Commissioners of Mecklenburg County be and they are hereby authorized and empowered to make an investigation of the claim of the heirs of the said Mrs. Julia C. Morris, and if, after such investigation, they find as a fact that the acreage of said tract of land has been erroneously carried on the tax books at more than is actually owned, to make an adjustment by refunding to the owners thereof the pro rata part of the taxes for the years 1921 to 1932, both inclusive, that have been paid on the excess acreage.

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

Sec. 3. This Act shall be in force from and after its ratification.
Ratified this the 11th day of May, A.D. 1933.
H. B. 1609    CHAPTER 506

AN ACT TO AMEND COMMITTEE SUBSTITUTE FOR SENATE BILL 451, SAME BEING "AN ACT ALLOWING AND DIRECTING THE TAX COLLECTING AUTHORITIES IN THE CITY OF ASHEBORO TO ACCEPT BONDS IN THE PAYMENT OF STREET ASSESSMENTS AND CERTAIN TAXES," AS RATIFIED ON APRIL 24, 1933.

The General Assembly of North Carolina do enact:

SECTION 1. That Committee Substitute for Senate Bill four hundred and fifty-one, as ratified on April twenty-fourth, one thousand nine hundred and thirty-three, be and the same is hereby amended by adding in section one of said act after the word "county," in line one and line two, the words "and Chatham County," and in section two of said act after the word "county," in lines one and two of said section, the words "and Chatham County," and in section three of the said act after the word "County," in line one of said act, the words "and Chatham County."

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

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

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

H. B. 1358    CHAPTER 507


The General Assembly of North Carolina do enact:

SECTION 1. That the Sheriff of Surry County be and he is hereby authorized, empowered and required to advertise and sell any and all real estate necessary and appropriate to be sold for unpaid taxes of the years nineteen hundred thirty and nineteen hundred thirty-one, inclusive, of taxes listed to the Sheriff of Surry County, and also for taxes remaining unpaid wherein checks have been given for such taxes or in part thereof and such checks have not been paid on account of the closing of banks or for other reason.

SEC. 2. That this act shall not affect innocent purchasers or the holders of liens against such property by those who have
taken or received said liens upon the assumption that said taxes have been paid and which purchases or liens have been made or taken in good faith.

Sec. 3. That the power and authority to sell said real estate for delinquent taxes may be exercised by the said Sheriff of Surry County in any month during the year nineteen hundred and thirty-three: Provided, said sale shall be made on a first Monday in the month after due advertisement, and at the courthouse door.

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 11th day of May, A.D. 1933.

S. B. 672

CHAPTER 508

AN ACT TO AUTHORIZE THE ISSUANCE OF SCRIP IN IREDELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of Iredell County is hereby authorized and empowered to from time to time issue and reissue negotiable scrip of said Iredell County, based upon uncollected delinquent taxes and/or collateral bonds or notes executed to and held by such county for delinquent taxes or for the redemption of lands sold for taxes for the years of 1927, 1928, 1929, 1930 and 1931, and which shall be also a direct obligation of the County of Iredell. The said scrip or evidence of indebtedness shall bear the date of its issue, and shall be in such form as may be determined by said Board of Commissioners and be executed in the name of said County by the facsimile signature of its chairman, attested by the facsimile signature of its clerk, and payable at a definite date fixed by said Board, but no longer than twelve months from the date of issuance thereof, and shall bear interest from the date, to be fixed by said Board, of issuance at a rate not exceeding 6 per cent per annum, payable only at maturity or on redemption, which time shall first occur; and interest thereon shall close at the date of maturity whether presented for a redemption on said date or not. Such scrip, or evidence of indebtedness, shall state in its face that it is issued under authority of this act; that the same is a direct obligation of the County of Iredell, and that in addition thereto its payment is secured by a pledge of the collections from the above recited uncollected delinquent taxes and/or collateral bonds and notes held by said County for said

**Scrip issuance authorized in Iredell County.**

Based on unpaid taxes.

**Date and form.**

**Interest.**

**Security for payment.**
taxes or for the redemption of lands sold for said taxes for said years. Such issue or reissue shall never at any time exceed 50 per cent of the then said uncollected delinquent taxes for said years and/or such collateral bonds or notes executed to and held by said County for such delinquent taxes or redemption of lands sold for taxes, and may be issued and reissued upon resolutions passed by the Board of Commissioners from time to time in their discretion in such gross amounts so fixed by such resolutions, not exceeding said maximum herein fixed. The said scrip shall be in denominations to be fixed by the said Board of Commissioners, but in no event greater than twenty dollars ($20.00). The said scrip may be issued and used for value at not less than par in payment, satisfaction and settlement of the obligations of said county for services to or purchases made by it, but its acceptance shall not be obligatory; and the same may be sold for cash by the County at not less than par.

SEC. 2. That all uncollected delinquent taxes for the years 1927, 1928, 1929, 1930, and 1931 and 1932, and/or collateral bonds or notes executed to and held by the County of Iredell for delinquent taxes or for redemption of land sold for taxes for any of said years and the proceeds therefrom shall be a part of the General County Fund of said County, and payable thereto and disbursable as such; but the scrip or evidences of indebtedness issued under the provisions of this act may be used for the payment of any indebtedness for said County for which the same may be received by any creditor; but as a matter of accounting between the funds of said county only, and for the protection and final reimbursement of the General County Fund, and until the same shall have been paid off and retired by the regularly levied and collected taxes for the current or a subsequent fiscal year for the particular fund other than the General County Fund for which said scrip or any part thereof or the proceeds thereof have been advanced or used, an accurate account shall at all times be kept by the County Accountant of such scrip or evidence of indebtedness and the total amount so issued to or for the benefit of any fund other than the General County Fund, and of the funds derived therefrom so received by each of such other fund or funds; and whenever and as fast as practicable the said scrip so received shall be paid off and retired from the taxes levied and collected for the current or a subsequent fiscal year for the said fund other than the General County Fund so receiving the same or the benefit of the same; and the General County Fund shall finally be reimbursed from such source or sources to the extent of such advancement or loan to it:

Provided, that nothing contained in this Section shall be construed so as to abridge in any way the rights of the holders of
said scrip or evidences of indebtedness to have immediate payment thereof when due.

Sec. 3. That such scrip shall be callable for redemption by Iredell County at par and accrued interest at any time not less than 30 days from date of last publication of notice of a resolution to such effect passed by the Board of Commissioners and published once a week for two weeks in some newspaper of general circulation published in Iredell County, at the expiration of which time interest shall cease on all not presented for redemption.

Sec. 4. All moneys collected and received in payment of such delinquent taxes and/or collateral bonds for delinquent taxes or land redemptions upon which the issuance of said scrip is based shall be kept in a separate fund by the Board of Commissioners or the treasurer or other fiscal or financial agent of said County and a separate account thereof kept by the County Accountant, and all such moneys and funds shall be faithfully used and applied in the redemption of said county scrip at the time named therein for its payment and redemption; and if sufficient from such source has not been collected at the time fixed for its payment or redemption, the same, if the same be not reissued, it shall be paid from the other funds on hand; each account for the benefit of which advancements have been made from said scrip to bear its pro rata part thereof.

Sec. 5. That the County Accountant of Iredell County shall file with the Local Government Commission of North Carolina a copy of the proceedings authorizing the issuance of any scrip hereunder or as herein authorized, and shall at the end of each month file with the Local Government Commission of North Carolina a detailed report setting forth the amount of such scrip then outstanding and which has not been actually redeemed and retired.

Sec. 6. The said scrip or evidence of indebtedness under the provisions of this act shall be receivable at the face thereof by Iredell County or any officer thereof authorized to collect or receive money for it, in settlement of all taxes, fines, aments, costs, debts or other public dues or demands and payable to said County, the same to be received minus the interest then accrued according to its tenor if the said scrip shall not then be due according to its tenor, and if the same shall not have been previously called for redemption or payment as herein provided; and the same shall be received plus the accrued interest according to its tenor if said scrip then be due, past due or previously called for redemption. When so received and the same is not then due according to its tenor, and has not been previously called for redemption or payment, the same may be by the County again paid out and used as if not paid to the County;
and such payment on such debt or demand of the County to it, before maturity, shall not be a payment or redemption thereof by the County unless the Board of County Commissioners, in its discretion, shall so provide by resolution as to any such scrip then on hand or to be thereafter received by it, or it may, in its discretion, cause by resolution duly adopted the retirement of all or any portion thereof so received and in its hands, and an issue of a like amount in lieu thereof, to be issued in the way and manner herein provided, not exceeding the maximum herein fixed.

SEC. 7. That any person unlawfully forging, counterfeiting, or uttering such forged or counterfeited scrip as authorized in this act shall be guilty of a felony.

SEC. 8. That this act shall apply to Iredell County only.

SEC. 9. That all laws and clauses of laws in conflict with this act, in so far as they apply to Iredell County, are hereby repealed.

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

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

H. B. 1577

CHAPTER 509

AN ACT TO GIVE THE COUNTY COMMISSIONERS THE RIGHT TO POSTPONE THE SALE OF LAND FOR DELINQUENT 1932 TAXES.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners in any County, or the governing board in any municipality, may order the sale of land for delinquent taxes due for the year one thousand nine hundred thirty-two to be held on the first Monday of any month after the first Monday in June, one thousand nine hundred thirty-three: Provided, said sale is had on or before the first Monday in November, one thousand nine hundred thirty-three, and the order for said sale is made in ample time to allow due and proper advertisement of said sale as provided by law. That the failure of any Board of Commissioners, or the governing board of any municipality, to order the sale of land for delinquent taxes due for the year one thousand nine hundred thirty-two, or the failure to order the sale of said land on which the taxes for the year one thousand nine hundred thirty-two had not been paid shall not prevent or interfere with the right of said Board of Commissioners, or the governing body of any municipality, to order at a later date a sale of said land as provided in this act, and the sale, when ordered and held by the Sheriff or tax collector, after due advertisement, shall be as
valid in all respects as if it had been ordered on the first Monday in May and held on the first Monday in June as now provided by law.

Sec. 2. That the time for the Sheriff's settlement for all one thousand nine hundred thirty-two taxes with the Board of County Commissioners is hereby extended to the date on which the sale of land for delinquent one thousand nine hundred thirty-two taxes is had, or to such other date as the Commissioners may designate: Provided, said settlement must be made on or before the first Monday in December, one thousand and nine hundred thirty-three.

Sec. 3. That the provisions of this act shall apply only to Cleveland and Ashe Counties.

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

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

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

H. B. 1274

CHAPTER 510

AN ACT TO AMEND CHAPTER 86 OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-ONE, BEING AN ACT TO PLACE THE OFFICERS OF MECKLENBURG COUNTY ON SALARIES.

The General Assembly of North Carolina do enact:

Section 1. That Chapter eighty-six of the Public-Local Laws of one thousand nine hundred thirty-one be and the same is hereby amended by striking out all of section one and inserting in lieu thereof the following:

"Section 1. That on and after the first day of May, one thousand nine hundred thirty-three, the Sheriff, Register of Deeds, Clerk of the Superior Court and the Auditor and County Accountant be and they are hereby placed on salaries to be paid from the General County Fund as follows:

The Sheriff shall receive the sum of thirty-six hundred dollars ($3,600.00) per annum.

The Register of Deeds shall receive the sum of thirty-six hundred dollars ($3,600.00) per annum.

The Clerk of the Superior Court shall receive the sum of thirty-six hundred dollars ($3,600.00) per annum, and in addition thereto shall receive all fees and commissions now allowed by law in all cases in which he is appointed receiver of accounts of infants and incompetents.
The Auditor and County Accountant shall receive the sum of not exceeding three thousand dollars per annum.

The Chairman of the Board of County Commissioners shall receive the sum of three thousand dollars ($3,000.00) per annum.

All of said salaries shall be paid in equal monthly installments."

SEC. 1. That the Board of Commissioners of Alamance County, the State of North Carolina, do hereinafter confer with discretion, to create the office of Tax Collector or/and consolidate same with any other office or department of the County, and transfer a deputy from the office of the Sheriff to said office of Tax Collector: Provided, however, that the expenses of the Sheriff's office are reduced, and said salary paid a deputy in the office of the Sheriff is transferred to the office of Tax Collector, and no additional expense to the County is incurred by the creation of the office of Tax Collector.

SEC. 2. That the Tax Collector, as provided for in this act, shall be vested with the same power and authority, and subject to the same penalties and conditions, as are now given by the State to Sheriffs in the collection of taxes, licenses, fees, penalties, and other revenues; that in addition to the foregoing duties the said Board of Commissioners for the County of Alamance is hereby authorized and empowered, in its discretion, to confer upon said Tax Collector the duty of collecting all delinquent taxes, fees, penalties, and other revenues that the Sheriff may now have the power and authority to collect.

SEC. 3. That upon the creation of the aforementioned office of Tax Collector and the transfer of a deputy from the office of the Sheriff to said office of Tax Collector, and upon said Tax Collector's duly qualifying and assuming the duties of said office, the Sheriff of Alamance County shall thereupon be relieved from any and all duties devolving upon him in the collection of taxes, fees, licenses, and other revenues, and in such event the Board of Commissioners for the County of Alamance shall have
the authority, and it shall be their duty, to further reduce the salary of the Sheriff to an amount not exceeding an annual wage of twenty-one hundred dollars, with a travel allowance of six hundred dollars ($600.00) per year.

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

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

Ratified this the 12th day of May, A.D. 1933.

H. B. 1365

CHAPTER 512

AN ACT TO FIX THE SALARY OF THE REGISTER OF DEEDS OF COLUMBUS COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the Register of Deeds of Columbus County shall receive a salary of two thousand two hundred and eighty dollars ($2,280.00) per annum, and his regular clerk or assistant shall receive a salary of nine hundred dollars per annum, and the same shall be paid in monthly installments by the Board of County Commissioners of Columbus County out of the County funds, and the said Register of Deeds of Columbus County in addition to the above shall be allowed for extra help in his office such compensation as may be fixed by the Board of Commissioners of Columbus 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 May, A.D. 1933.

H. B. 1389

CHAPTER 513

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF SWAIN COUNTY TO PURCHASE THE BUILDING KNOWN AS THE CITIZENS BANK BUILDING IN THE TOWN OF BRYSON CITY.

The General Assembly of North Carolina do enact:

Section 1. That the Board of County Commissioners of Swain County is hereby authorized and empowered to purchase the building on the corner of Everett and Church Streets, in the Town of Bryson City, the building known as the Citizens Bank.
Building, and to hold the same for such purposes as they may deem advisable, or to sell the same if they deem said sale advisable.

Sec. 2. The said Board of County Commissioners of Swain County is hereby authorized and empowered to pay for the said building such sum or sums as may be agreed upon between the holder and owner of said building and themselves out of the funds due the said County by reason of and on account of the said funds having been deposited in the said Citizens Bank of Bryson City on and prior to November twentieth, one thousand nine hundred thirty; it is expressly stipulated that the County Commissioners of Swain County when and if they as said County Commissioners shall agree with the now holder and owner of said building, that an acknowledgment made by the said County Commissioners shall act as a credit on the bond of the ex-treasurer of Swain County, in so far as this credit may apply upon the funds that were deposited in the said Citizens Bank of Bryson City, but that nothing herein contained shall in any manner affect the bond of the treasurer of the County of Swain except in so far as this shall apply as a credit on said funds or account.

Sec. 3. That the Board of County Commissioners of Swain County is hereby authorized, empowered and directed to accept such bonds that are now past due held by the ex-treasurer of the County of Swain at their face value, and to credit the said ex-treasurer with the face value: Provided, that such credit shall in no wise affect the bond of the said ex-treasurer in so far as this may apply on the said account: Provided further, that the bonds now held by the said ex-treasurer in an amount not exceeding ten thousand ($10,000.00) dollars only shall be accepted by the said County Commissioners.

Sec. 4. That in the event the County Commissioners of Swain County and the now holder and owner of the said building referred to in section one fail to agree as to the value of the said building, then, and in that event, the said Commissioners shall give to the said holder and owner of said building a period of time not less than two (2) years from the date of the tendering of said building to them in which to sell said property for the benefit of the County Commissioners of Swain County.

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

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

Ratified this the 12th day of May, A.D. 1933.
H. B. 1538  CHAPTER 514
AN ACT TO FIX THE PUNISHMENT FOR UNLAWFUL FISHING AND TRESPASS AT MOORE'S POND IN FRANKLIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person, other than stockholders, to trespass on the property of or fish with hook and line, net, trot lines, seines or rod and reel in the waters of Moore's Pond in Franklin County, North Carolina, without first obtaining the written permission of the stockholders owning said pond.

SEC. 2. That any person or persons convicted of the violation of this act shall be guilty of a misdemeanor and shall be fined not more than $50.00 or imprisoned for not more than 30 days in 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 full force and effect from and after its ratification.

Ratified this the 12th day of May, A.D. 1933.

H. B. 1546  CHAPTER 515
AN ACT TO REPEAL HOUSE BILL 1146, ENTITLED AN ACT TO AMEND CHAPTER 426 OF THE PUBLIC LAWS OF 1919, AS AMENDED, RELATIVE TO THE METER ADJUSTER OF THE COUNTY OF NEW HANOVER, ENROLLED AND RATIFIED APRIL 5TH, 1933.

The General Assembly of North Carolina do enact:

SECTION 1. House Bill No. 1146, entitled an act to amend Chapter 426 of the Public Laws of 1919, as amended, relative to the meter adjuster of the County of New Hanover, enrolled and ratified the 5th day of April, 1933, be and the same is hereby repealed.

SEC. 2. Nothing in this act repealing House Bill No. 1146 shall be construed in any manner to repeal or change the provisions of Section 2 of Chapter 426 of the Public Laws of 1919, pertaining to the election of a meter adjuster for the County of New Hanover.

SEC. 3. All laws or 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 12th day of May, A.D. 1933.
H. B. 1566  CHAPTER 516

AN ACT TO RE-ENACT CHAPTER 430 OF THE PUBLIC-LOCAL LAWS OF 1925 AND TO REQUIRE THE CLERK OF THE SUPERIOR COURT AND THE REGISTER OF DEEDS TO KEEP THEIR OFFICES OPEN DURING OFFICE HOURS, RELATING TO CASWELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter 430 of the Public-Local Laws of 1925, "being an act to provide schedule of fees to be collected by the Clerk of the Superior Court in Caswell County," is hereby, in all respects, re-enacted and shall be the fee bill used by said Clerk from and after the ratification of this act.

SEC. 2. That the Register of Deeds shall be allowed the sum of forty dollars ($40) per month for his services as Clerk of the Board of County Commissioners in lieu of any fees now received by him as said Clerk.

SEC. 3. That it shall be the duty of the Clerk of the Superior Court and Register of Deeds to keep their offices open for the transaction of business on each day of the week between the hours of 8:30 A. M. and 5:00 P. M., all Sundays and legal holidays excepted.

SEC. 4. That the provisions of this act shall in no way change or modify the fees allowed the Clerk of Superior Court in the Tax Foreclosure Act of 1933.

SEC. 5. That this act shall apply to Caswell County.

SEC. 6. That all laws and clauses of laws in conflict with this act shall be repealed.

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

Ratified this the 12th day of May, A.D. 1933.

H. B. 1570  CHAPTER 517

AN ACT TO AMEND CHAPTER 296 OF THE PUBLIC-LOCAL LAWS OF 1927, RELATING TO THE COLLECTION OF TAXES IN AVERY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter two hundred and ninety-six of the Public-Local Laws of one thousand nine hundred and twenty-seven be and the same is hereby amended by adding at the end thereof the following:

"Provided, that when the sheriff has made settlement for taxes collected in any year, he shall retain the books for the collection
of delinquent taxes for that year and shall receive the same fees as now allowed special tax collectors.”

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

Sec. 3½. This act shall be applicable only to Avery County.

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

Ratified this the 12th day of May, A.D. 1933.

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H. B. 1594  CHAPTER 518

AN ACT PERMITTING AND AUTHORIZING THE USE OF GLASSES AT SODA FOUNTAINS AND AT PUBLIC DRINKING PLACES IN ROBESON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be lawful for all persons, firms and corporations to provide for use at soda fountains in drug stores and elsewhere, glasses instead of other devices known as sanitary drinking cups, and at all public drinking places it shall be lawful to furnish glasses for drinking purposes instead of said sanitary cups.

Sec. 2. That all local, private or public laws relating to the use of sanitary drinking cups shall not apply to Robeson County.

Sec. 3. That all laws and clauses of laws in conflict herewith, to the extent of such conflict, are hereby repealed.

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

Ratified this the 12th day of May, A.D. 1933.

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H. B. 1596  CHAPTER 519

AN ACT SUPPLEMENTAL TO AND AMENDING HOUSE BILL NUMBER 924, A BILL TO BE ENTITLED AN ACT TO EMPOWER THE COUNTY COMMISSIONERS OF NASH COUNTY TO FIX THE SALARIES OF OFFICERS OF NASH COUNTY, RATIFIED MARCH 15, 1933.

The General Assembly of North Carolina do enact:

SECTION 1. That House Bill Number 924, same being An Act to empower the County Commissioners of Nash County to fix the salaries of officers of Nash County, ratified March 15, 1933, be and the same is hereby amended by striking out the word “biennially” in line six of Section 1, and substituting in lieu thereof the word “annually.”
Conflicting laws repealed.

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

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

Ratified this the 12th day of May, A.D. 1933.

H. B. 1606  CHAPTER 520
AN ACT TO ABOLISH THE RECORDER’S COURT OF ELKIN, SURRY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Recorder’s Court of Elkin, Surry County, be and the same is hereby abolished effective May fifteen, one thousand nine hundred and thirty-three.

SEC. 2. That all causes and processes in said courts which shall not be heard or disposed of on or before the fifteenth day of May, one thousand nine hundred and thirty-three, shall be transferred, returnable to and tried by the court of proper jurisdiction, and full power and authority is hereby given said court to remand such causes and processes to the court of proper jurisdiction.

SEC. 3. That all costs and fines due and to be paid into the Recorder’s Court which are due and unpaid on said date shall be collected by the present recorder of said court and paid over to the treasurer of Surry County, less a commission of five per cent for collection.

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

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

Ratified this the 12th day of May, A.D. 1933.

H. B. 1607  CHAPTER 521
AN ACT TO PROHIBIT THE SETTING OF STEEL TRAPS IN ROBESON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the setting of steel traps in fields and forests in Robeson County is hereby prohibited for a period of two years. The Sheriff of Robeson County is authorized and empowered to publish due notice of the provisions of this act for at least thirty days and this act shall not be in full effect until thirty days after the first notice is published.
SEC. 2. That any person convicted of setting steel traps in field and forest in Robeson County shall be deemed guilty of a misdemeanor and shall be fined not more than twenty-five ($25.00) dollars and costs or imprisoned for 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 full force and effect from and after its ratification.

Ratified this the 12th day of May, A.D. 1933.

H. B. 1611

CHAPTER 522

AN ACT TO AMEND HOUSE BILL 1405 ENTITLED “AN ACT TO FIX THE SALARIES AND COMPENSATION OF CERTAIN OFFICERS OF BLADEN COUNTY,” RATIFIED APRIL 28TH, 1933.

The General Assembly of North Carolina do enact:

SECTION 1. That House Bill fourteen hundred five of the present session of the General Assembly, ratified April twenty-eighth, one thousand nine hundred thirty-three, the same being: “An act to fix the salaries and compensation of certain officers of Bladen County,” be and the same is, hereby amended by striking out and rewriting section one thereof so that said section shall read as follows:

“Section 1. That the sheriff of Bladen County shall receive the salary of twenty-one hundred dollars per annum, payable monthly, and, in addition thereto, shall also receive fees and commissions as sheriff and tax collector of said county as follows: The sheriff of Bladen County shall receive for his services in collecting all taxes, commissions at the rate of one per centum on the first fifty thousand dollars of taxes collected, commissions at the rate of two per centum of all taxes collected by him in excess of fifty thousand dollars up to and including but not in excess of, one hundred thousand dollars, and commissions at the rate of four per centum of all taxes collected by him in excess of one hundred thousand dollars: Provided, however, that the said sheriff shall keep an accurate account of all commissions so received by him upon such tax collections, and make accurate report thereof to the Board of Commissioners of Bladen County at each regular meeting of such Board, covering such collections for the preceding calendar month, the said report to be audited and passed upon by the County Auditor or County Accountant, and all sums received by said sheriff from such commissions on taxes collected as hereinbefore set out, in excess of the sum of
four thousand dollars per year, shall by said sheriff be paid over and into the treasury of Bladen County as a part of the general fund thereof, such ascertainment and settlement to be made as of the first Monday of December in each calendar year.

The sheriff of Bladen County shall also receive, in addition to the compensation as above provided for, all fees and emoluments of his office which are, or may hereafter be, allowed by law for the service of process, including a fee of fifty cents for each levy made on personal property in the collection of taxes, and also all such fees allowed for his services in connection with sale or foreclosure of land for delinquent taxes, as allowed to the sheriff by chapter one hundred forty-eight, Public Laws nineteen hundred thirty-three."

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

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

Ratified this the 12th day of May, A.D. 1933.

S. B. 696  
CHAPTER 523

AN ACT TO AUTHORIZE, EMPOWER AND DIRECT THE SHERIFF AND OTHER TAX COLLECTORS IN RANDOLPH COUNTY AND MUNICIPALITIES IN SAID COUNTY TO ESTABLISH A PARTIAL PAYMENT PLAN FOR THE COLLECTION OF TAXES, LEVIED FOR THE YEAR 1933, AND THEREAFTER.

The General Assembly of North Carolina do enact:

SECTION 1. That the sheriff and other tax collecting officers of Randolph County and the tax collectors of the municipalities in said county, be, and they are hereby authorized, empowered and directed to accept partial payments on taxes, when requested by a taxpayer, of not less than ten per cent of the total amount of the taxes due said county or municipalities by any taxpayer thereof; that for the 1933 taxes levied, and taxes levied for the years subsequent, the first installment payment shall be on or before the 10th day of February in the year following; that subsequent installment payments shall be due and payable on or before the 10th of each month thereafter, until the full amount of such taxes of such taxpayer has been paid; provided, however, that upon failure to make payment of any installment payment in any month when due, advertisement and sale of the property may be made as now provided by law; provided, further, that no installment payment or payments shall operate as a discharge of the tax lien provided by law until the amount of taxes of the
taxpayer making such installment payment or payments shall have been paid in full.

Sec. 2. That this act shall apply to Randolph County.

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

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

Ratified this the 12th day of May, A.D. 1933.

H. B. 699  CHAPTER 524

AN ACT TO AMEND CHAPTER FOUR HUNDRED THIRTY-ONE OF PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED TWENTY-SEVEN REDUCING THE SHOOTING LICENSE FOR RESIDENTS OF NORTH CAROLINA IN CURRITUCK COUNTY AS TO MIGRATORY FOWL, FROM FIVE DOLLARS TO ONE DOLLAR.

The General Assembly of North Carolina do enact:

Section 1. That section two, sub-section (V) of Chapter four hundred thirty-one of Public-Local Laws, one thousand nine hundred twenty-seven, be amended by striking out the word “five” in line seven and inserting in lieu thereof the word “one.”

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

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

Ratified this the 12th day of May, A.D. 1933.

H. B. 1619  CHAPTER 525

AN ACT SUPPLEMENTAL TO AND AMENDATORY OF SENATE BILL NO. 135, IT BEING, “AN ACT RELATING TO FORECLOSURES OF MORTGAGES OR DEEDS OF TRUST IN MACON COUNTY,” RATIFIED, FEBRUARY 27, 1933.

The General Assembly of North Carolina do enact:

Section 1. That Senate Bill No. 135, it being, “An Act Relating to Foreclosures of Mortgages or Deeds of Trust in Macon County,” ratified, February 27, 1933, be and the same is amended by adding the word “Swain” after the word “and” and before the word “Jackson” in the second section of said act.

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

Ratified this the 12th day of May, A.D. 1933.
H. B. 1621  CHAPTER 526
AN ACT TO PROHIBIT THE SETTING OF STEEL TRAPS IN SCOTLAND COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the setting of steel traps in Scotland County is hereby prohibited for a period of two years. The Sheriff of Scotland County is authorized and empowered to publish due notice of the provisions of this act for at least thirty days and this act shall not be in full effect until thirty days after the first notice is published.

Sec. 2. That any person convicted of setting steel traps in Scotland County shall be deemed guilty of a misdemeanor and shall be fined not less than twenty-five ($25.00) dollars and costs or imprisoned for 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 full force and effect from and after its ratification.

Ratified this the 12th day of May, A.D. 1933.

H. B. 1626  CHAPTER 527
AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF CRAVEN COUNTY TO TRANSFER TO THE GENERAL FUND CERTAIN ASSETS.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of Craven County be and they are hereby authorized to transfer to the general fund account of the County all or such a part of the assets of said County as are represented by deposits in the closed banks of the County not specifically pledged to the sinking fund of the County and that the proceeds collected or to be collected from such assets shall be used by said board for general county purposes, special purposes or capital outlay fund, in such proportions as said board may determine.

Sec. 2. That all laws and clauses of laws, to the extent of any conflict with this act, are hereby repealed.

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

Ratified this the 12th day of May, A.D. 1933.
H. B. 1629  
CHAPTER 528
AN ACT REGULATING THE SALARY OF THE DEPUTY SHERIFF OF COLUMBUS COUNTY.

Whereas, Columbus County does not employ the services of rural policemen, and also Chester A. Farley has proven to be a very efficient officer in the apprehension and capturing of many criminals; and
Whereas, the salary paid for the operation of the Sheriff's office in Columbus County is far below the average in North Carolina; Now, therefore,
The General Assembly of North Carolina do enact:

Section 1. That the salary of the Chief Deputy of the Sheriff of Columbus County is hereby fixed at nine hundred dollars per annum, and three hundred dollars per annum for travelling expenses, same to be paid in equal monthly installments by the Board of County Commissioners of Columbus County out of the general funds of Columbus 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 12th day of May, A.D. 1933.

S. B. 690  
CHAPTER 529
AN ACT TO AMEND AN ACT OF THE GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 1933, ENTITLED “AN ACT TO AUTHORIZE THE GOVERNING AGENCIES IN WAYNE COUNTY TO ACQUIRE THEIR OWN OBLIGATIONS” AND KNOWN AS SENATE BILL No. 475.

The General Assembly of North Carolina do enact:

Section 1. That an act of the General Assembly of North Carolina, Session of 1933, entitled “An Act to Authorize the Governing Agencies in Wayne County to Acquire their Own Obligations” and being Senate Bill No. 475, be, and the same is hereby amended by adding a new section immediately after Section Two, to be numbered Section 2½, to read as follows:
“Section 2½. Each such governing agency is also authorized in its discretion to accept any of its bonds in payment of taxes for the year 1932, and subsequent years, at a price equal to but not in excess of the true and bona fide cost of such bonds to the taxpayer.”
Conflicting laws repealed.

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

SEC. 3. That this act shall be in full force and effect from and after June 1, 1933.

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

S. B. 704

CHAPTER 530

AN ACT TO AMEND SENATE BILL NUMBER 631, RELATING TO TAX PENALTIES IN CUMBERLAND COUNTY, RATIFIED MAY 9, 1933.

The General Assembly of North Carolina do enact:

SECTION 1. Amend Section 1 of Senate Bill number 631, Relating to Tax Penalties in Cumberland County, ratified May 9, 1933, by adding at the end thereof another sentence to read as follows: That all penalties paid on taxes since February 1, 1933, shall be rebated, the same to apply on the following year's taxes and not payable in any other way.

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

S. B. 711

CHAPTER 531

AN ACT TO DISTRICT WASHINGTON COUNTY FOR THE PURPOSE OF THE NOMINATION AND ELECTION OF MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS.

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of the nomination and election of the members of the Board of County Commissioners of Washington County the said County is hereby divided into three districts. Said districts shall be as follows: District No. 1 shall comprise Plymouth Township; District No. 2 shall comprise Lee's Mills Township; District No. 3 shall comprise Skinnersville and Scuppernong Townships.

SEC. 2. In all primaries and general elections held hereafter there shall be nominated, or elected as the case may be, a member of the Board of County Commissioners of said County from each of the said districts. In all primaries candidates for member of the Board of County Commissioners shall become candi-
dates of the district of their residence, and the nomination in such primary shall be determined as among the candidates from each district. In all primaries all candidates from all districts shall be voted upon by the electorate of the entire County, and the result shall be determined on the basis of the number of votes received by each candidate in the County at large. In all general elections candidates for member of the Board of County Commissioners shall be candidates from the district of their residence in the same manner as provided in primary elections, and shall be voted upon by the electorate of the County at large. In all general elections the candidate in each district who shall receive the highest number of votes shall be declared elected.

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

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

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

S. B. 727 CHAPTER 532

AN ACT TO AMEND SENATE BILL 665, BEING ENTITLED "AN ACT TO PROHIBIT THE EXHIBITION OF ANY FREE MEDICINE SHOWS OR LIKE PERFORMANCES IN CATAWBA COUNTY."

The General Assembly of North Carolina do enact:

SECTION 1. That Senate Bill 665, being entitled, "An Act to Prohibit the Exhibition of Any Free Medicine Shows or Like Performances in Catawba County," passed at this session of the General Assembly, and ratified on the ninth day of May, 1933, be, and the same is hereby amended as follows: By adding a new section to be known as Section 2½, reading as follows:

"This act shall also apply to the counties of Lincoln, Burke, and Caldwell."

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

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

Ratified this the 13th day of May, A.D. 1933.
S. B. 698  

CHAPTER 533  

AN ACT TO AMEND SENATE BILL NO. 334 RATIFIED THE 27th DAY OF MARCH, 1933, THE SAME BEING ENTITLED "AN ACT TO AMEND CHAPTER 647 OF THE PUBLIC-LOCAL LAWS OF 1911, RELATING TO THE RECORDER'S COURT OF THOMASVILLE."

The General Assembly of North Carolina do enact:

SECTION 1. That Paragraph C of Section Four (4) of said Senate Bill No. 334, be amended by striking out the said entire paragraph and inserting in lieu thereof the following: "That in all criminal actions outside of the corporate limits of the City of Thomasville, and within the limits of the township of Thomasville, in misdemeanors above the final jurisdiction of Justices of the Peace and below the grade of felony, the Clerk of the Recorder's Court of Thomasville and Justices of the Peace of Davidson County are hereby authorized to issue warrants and other criminal processes to be returnable before the Judge of the Recorder's Court of Thomasville, said Justices of the Peace to receive for issuing warrant the sum of One ($1.00) Dollar to be taxed in the costs by the Clerk of the Recorder's Court of Thomasville."

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

H. B. 807  

CHAPTER 534  

AN ACT REGULATING HUNTING LICENSE IN HYDE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the non-resident license fee for hunting migratory waterfowl in Hyde County shall be fifteen dollars and twenty-five cents, and the license fee for a resident of the State shall be one dollar and twenty-five cents. The revenue derived from said hunting licenses shall be used for the schools or for such other purposes as the county commissioners may see fit: Provided, twenty-five cents of the non-resident license fee shall be paid to the Clerk of the Court of Hyde County for issuing said license.

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

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

Ratified this the 13th day of May, A.D. 1933.
H. B. 867  
CHAPTER 535
AN ACT TO VALIDATE THE OFFICIAL ACTS OF W. A. Brame, A JUSTICE OF THE PEACE FOR MARKS CREEK TOWNSHIP, WAKE COUNTY, NORTH CAROLINA, FROM APRIL 1, 1931, UNTIL APRIL 21, 1932.

Whereas, by chapter one hundred seventy-nine, Public Laws of North Carolina, enacted by the nineteen hundred and twenty-nine Session of the General Assembly, W. A. Brame was appointed a Justice of the Peace for Marks Creek Township, Wake County, for a term of two years; and

Whereas, his said term expired April first, nineteen hundred and thirty-one, but he continued to act as a Justice of the Peace until April twenty-first, nineteen hundred and thirty-two: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That all official acts of W. A. Brame, Justice of the Peace of Marks Creek Township, Wake County from April first, nineteen hundred and thirty-one, until April twenty-first, nineteen hundred and thirty-two, be and the same are hereby validated.

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

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

H. B. 1531  
CHAPTER 536
AN ACT TO PROVIDE THE REGULATION AND TAXATION OF PEDDLERS IN THE COUNTIES OF CABARRUS AND DAVIDSON.

The General Assembly of North Carolina do enact:

SECTION 1. That any person, firm or corporation who, or which offers for sale from a cart, wagon, truck, automobile or other vehicle operated over and upon the streets and/or highways within the Counties of Cabarrus and Davidson, any ice, shall apply for in advance and procure from the Sheriff of said County a license for each vehicle, from which said ice is sold or offered for sale, and pay for such license a tax of one hundred ($100.00) dollars: Provided, however, that nothing in this section shall be construed to apply to regular established ice manufacturers, or their agents, located and doing business in the Counties of Cabarrus and Davidson.

SEC. 2. 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 the sum of fifty ($50.00) dollars, and each offense shall constitute a separate action.

Sec. 3. That these license taxes are not to be prorated and are not transferable.

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

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

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

H. B. 1428

CHAPTER 537

AN ACT TO AUTHORIZE THE COMMISSIONERS OF JOHNSTON COUNTY TO RETIRE SINKING FUND LOANS WITH COUNTY BONDS.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners and the Board of Education of Johnston County are authorized and empowered, in their discretion, to accept in payment of loans made from the sinking funds under the respective jurisdiction of the said Boards, the term bonds of said County, and the bonds of the several school districts of said county, at par, regardless of the maturity dates of such bonds.

Sec. 2. That only the borrower or the owner of the equity of redemption shall have the right to discharge said loan by payment with bonds as herein authorized.

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

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

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

H. B. 1624

CHAPTER 538

AN ACT TO AMEND CHAPTER 427, PUBLIC-LOCAL LAWS 1927, RELATING TO THE SALARY OF THE SHERIFF OF GUILFORD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section two of chapter four hundred and twenty-seven of the Public-Local Laws of one thousand nine hundred and twenty-seven be and the same is hereby amended to read as follows:
“Sec. 2. That the salary of the Sheriff of Guilford County shall be not less than three thousand six hundred ($3,600.00) dollars nor more than four thousand eight hundred ($4,800.00) dollars per annum, payable monthly, to be determined by the board of commissioners, in addition to such expenses and allowances as the Board of Commissioners may allow.”

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

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

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

H. B. 1638
CHAPTER 539
AN ACT TO PROTECT HUNTING AND FISHING, AND TIMBER RESERVATIONS IN YANCEY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person to enter upon any hunting and fishing or timber reservations in Yancey County, without a written permission from the owner, and any person violating the provisions of this act shall be guilty of a misdemeanor and shall be fined not less than twenty-five dollars, nor more than one hundred dollars, or imprisoned in the discretion of the court.

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

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

H. B. 1641
CHAPTER 540
AN ACT TO PROVIDE FOR SIX MONTHS SERVICE OF GRAND JURIES IN COLUMBUS COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That at the first fall and spring terms of the criminal court held for the county of Columbus, grand juries shall be drawn, the presiding judge shall charge them as provided by law, and they shall serve during the remaining fall and spring terms, respectively: Provided, that at any time the judge of the Superior Court presiding over the criminal court of Columbus County may call said grand jury to assemble and may deliver unto said grand jury an additional charge: Provided, further, that the judge of the Superior Court presiding over the

Salary of Guilford County Sheriff.

Expenses allowed.

Conflicting laws repealed.

Hunting and fishing without permission of landowner prohibited in Yancey County.

Made misdemeanor.

Six months grand jury provided for Columbus County

Additional charges.
criminal court of Columbus County may at any time discharge said grand jury from further service, and may cause a new grand jury to be drawn, which shall serve during the remainder of the said fall and spring term.

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

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

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

H. B. 1648

CHAPTER 541

AN ACT AUTHORIZING THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY TO PLACE THE SHERIFF ON A SALARY.

The General Assembly of North Carolina do enact:

Section 1. The Board of County Commissioners of Washington County is hereby authorized and empowered, in the discretion of the said Board, to place the Sheriff of Washington County on a salary, or to fix the compensation of said Sheriff partly on the basis of a salary on the basis of fees collected, as is hereafter set out. The said Board is authorized, in its discretion, to allow the Sheriff to retain such fees as he may collect for the service of process, and to supplement same with a salary, which salary shall be not less than twelve hundred ($1200) dollars per year nor more than twenty-four hundred ($2400) dollars per year; should the said Board determine to place the Sheriff on a salary not to be supplemented by fees of any kind, then in that event said salary shall be not less than eighteen hundred ($1800) dollars per year nor more than three thousand ($3000) dollars per year. In the event the Sheriff shall be placed on a salary without allowance of fees then all fees collected by the Sheriff shall be paid over by him to the County Treasurer. Should said Board place the Sheriff on a salary either with or without an allowance of fees the Sheriff shall receive no compensation for the collection of taxes, but shall pay over to the County Treasurer the gross amount of taxes of all kinds collected, making no deduction for commissions or otherwise.

Sec. 2. The Board of County Commissioners of Washington County is hereby authorized, in the discretion of said Board, to appoint a tax collector for said County, and to impose and confer upon him all rights and duties relative thereto as is now provided for the Sheriff of said County in respect to the collection of taxes, and to fix the amount of bond to be given by such tax collector for the forthcoming of all money collected in the same
manner as is now provided for the Sheriff. The said Board may impose the duties of tax collector upon any other officer of the County. Said Board is further authorized to fix and determine the compensation, which said tax collector shall receive, and to determine the additional compensation which any other officer of the County shall receive in the event the said duties be imposed upon any such other officer.

SEC. 3. The Board of County Commissioners of Washington County is hereby authorized to determine the number of Deputy Sheriffs, whom the Sheriff may appoint, and to fix the compensation, which may, in the discretion of said Board, be either a salary or fees collected by such officers, or maybe a combination of both.

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

S. B. 720

CHAPTER 542
AN ACT TO POSTPONE AND DEFER THE SALE OF LAND FOR DELINQUENT TAXES FOR THE YEAR ONE THOUSAND NINE HUNDRED AND THIRTY-TWO, IN CUMBERLAND COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Commissioners of the County of Cumberland and the Aldermen or Councilmen of the various municipalities therein are hereby authorized and empowered, in their discretion, to postpone and defer the sale of land for delinquent taxes for the year one thousand nine hundred and thirty-two from the time now provided by law to such a time as may be just and proper, not later than the first Monday in October, nineteen hundred and thirty-three: Provided, however, this extension shall not affect the time of imposition of penalties for non-payment of taxes.

SEC. 2. That the County Commissioners or Aldermen, where there is a postponement of sale, may, in their discretion, extend the time of the Sheriff's or Tax Collector's settlement to a date not later than the first Monday in November, nineteen hundred and thirty-three.

SEC. 3. That this act shall apply only to Cumberland 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 full force and effect from and after its ratification.

Ratified this the 13th day of May, A.D. 1933.
S. B. 721  

CHAPTER 543

AN ACT TO VALIDATE CERTAIN TAX SALES IN CUMBERLAND COUNTY AND THE CITY OF FAYETTEVILLE.

The General Assembly of North Carolina do enact:

SECTION 1. That all sales of real estate for taxes by the County of Cumberland and City of Fayetteville for the years 1927, 1928, 1929, 1930, and 1931 be and the same are hereby validated.

SEC. 2. That this act shall apply only to the County of Cumberland and the City of Fayetteville.

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

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

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

S. B. 726  

CHAPTER 544

AN ACT TO AUTHORIZE THE COMMISSIONERS OF JOHNSTON COUNTY, IN THEIR DISCRETION, TO ESTABLISH, ERECT AND MAINTAIN AN INSTITUTION FOR THE CARE OF FEMALE PRISONERS.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Johnston County are hereby authorized and empowered, in their discretion, to expend not exceeding five thousand dollars for the establishment, erection and maintenance of an institution at the County Home in said County for the care of female prisoners.

SEC. 2. That in the event the county commissioners of Johnston County elect to establish such institution, all female prisoners which have been convicted and sentenced to jail or the roads, may, in the discretion of the judge of the court convicting such person, be sentenced to said institution.

SEC. 3. That any female prisoner convicted in the courts of any other county, may, in the discretion of the board of commissioners of Johnston County, be received and detained in said institution, subject in all cases to the consent and approval of the board of commissioners of said county and upon such terms as may be agreed upon between the proper authorities of the counties from which said prisoners come and the commissioners of Johnston County.

SEC. 4. The supervision of said institution, when and if established, shall be under the direction of the Welfare Department of Johnston County.
Sec. 5. That this act shall become effective when and after
the board of commissioners of Johnston County shall have in
open meeting passed and adopted a resolution making the pro-
visions of this act effective, and subject to this limitation, this
act shall be in full force and effect from and after its ratification.
Ratified this the 13th day of May, A.D. 1933.

S. B. 729

CHAPTER 545

AN ACT TO POSTPONE AND DEFER THE SALE OF LAND
FOR DELINQUENT TAXES FOR THE YEAR ONE THOU-
SAND NINE HUNDRED AND THIRTY-TWO, IN HOKE
COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Commissioners of the County of Hoke,
and the Aldermen or Councilmen of the various municipalities
therein, are hereby authorized and empowered, in their discre-
tion, to postpone and defer the sale of land for delinquent taxes
for the year one thousand nine hundred and thirty-two from
the time now provided by law to such a time as may be just and
proper, not later than the first Monday in October, nineteen
hundred and thirty-three: Provided, however, this extension shall
not affect the time of imposition of penalties for non-payment of
taxes.

Sec. 2. That the County Commissioners or Aldermen, where
there is a postponement of sale, may in their discretion extend
the time of the Sheriff’s or Tax Collector’s settlement to a date
not later than the first Monday in November, nineteen hundred
and thirty-three.

Sec. 3. That this act shall apply only to Hoke 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 full force and effect from
and after its ratification.
Ratified this the 13th day of May, A.D. 1933.

H. B. 397

CHAPTER 546

AN ACT REGULATING THE OPEN SEASON FOR GAME AND
PROVIDING FOR CERTAIN LICENSE FEES IN THE
COUNTY OF ASHE.

The General Assembly of North Carolina do enact:

SECTION 1. That foxes may be hunted with dogs every month
in the year except April, May and June, and may be killed at
any time to protect fowls; that all trapping for fur bearing
animals is hereby prohibited in the County of Ashe except for muskrat.

**Sec. 2.** That Edwin Foster, Harve Goodman and Basil Barr be and are hereby appointed a Game Commission for the County of Ashe to serve without compensation and whose duty it shall be to make such rules and regulations as they deem proper for the enforcement of the provisions of this act for the protection of game in the County of Ashe, including the fixing of the open season for fishing, not exceeding in length and bag limits, those set out in the State-wide laws.

**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, and shall apply to the County of Ashe only.

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

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**H. B. 1458**

**CHAPTER 547**

AN ACT RELATING TO A MORATORIUM ON FORECLOSURES OF MORTGAGES AND DEEDS OF TRUST.

_The General Assembly of North Carolina do enact:_

**Section 1.** That at any time within two years from the date of the ratification of this act, in all cases of foreclosure of mortgages or deeds of trust executed prior to January first, one thousand nine hundred and thirty-three, whether such foreclosure is under power of sale or by action to foreclose, or upon report of a trustee or commissioners appointed by the Court, the Court may continue such action or proceeding for a period of one year from the date of filing of such action, report or other proceeding. _Provided_ that this act shall only apply to Harnett and Lenoir Counties.

**Sec. 2.** That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

**Sec. 3.** That this act shall be in full force and effect from and after its ratification.

Ratified this the 13th day of May, A.D. 1933.
CHAPTER 548
AN ACT TO PROVIDE FOR THE APPOINTMENT OF JUSTICES OF THE PEACE FOR HIGH POINT TOWNSHIP IN GUILFORD COUNTY, AND TO LIMIT THE NUMBER THEREOF, AND TO FIX THE TERMS OF THE INCUMBENTS OF SAID OFFICES IN HIGH POINT TOWNSHIP.

The General Assembly of North Carolina do enact:

SECTION 1. At the next general election in one thousand nine hundred thirty-four, there shall be elected for High Point Township Six Justices of the Peace, and Six only, who shall hold their terms of office until the next general election, and until their successors are elected and qualified. Successors to these Justices of the Peace shall be biennially elected as provided by law, but in no case more than Six.

SEC. 2. The number of Justices of the Peace for High Point Township is hereby limited to Six, and there shall be no power, either of election or of appointment, whereby the number of said officers shall be increased. The present terms of all persons now holding office as Justice of the Peace in High Point Township, Guilford County, shall terminate and expire upon the election and qualification of the Six Justices of the Peace herein provided for.

SEC. 3. Vacancies occurring in the offices of Justices of the Peace shall be filled as at present provided.

SEC. 4. All laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 5. This act shall be in full force and effect from and after its ratification.

Ratified this the 13th day of May, A.D. 1933.

CHAPTER 549
AN ACT RELATING TO TAX COLLECTOR AND AUDITOR OF COLUMBUS COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That D. L. Gore, present tax collector for Columbus County to collect one thousand nine hundred and thirty-one and one thousand nine hundred and thirty-two taxes, shall continue to hold said office under the same contract and surety bond now in effect.

SEC. 2. That the auditor of Columbus County shall turn over all tax sale certificates which are at present not foreclosable to the tax collector for collection, and future similar tax sale certifi-
Conflicting laws repealed.

Sec. 3. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

Sec. 4. That this act shall be in full force and effect from and after its ratification.

Ratified this the 13th day of May, A.D. 1933.

S. B. 637  CHAPrer 550

AN ACT TO AMEND CHAPTER 210, PUBLIC-LOCAL LAWS OF 1931, RELATIVE TO THE BLADEN COUNTY GAME LAWS.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred ten, Public-Local Laws of one thousand nine hundred thirty-one, be and it is hereby amended by striking out all of section one and substituting therefor the following:

"Section 1. It shall be lawful for any person to set a steel trap for the purpose of taking fur bearing and wild animals between the dates of November first and February first, said trappers to be subject to the laws as set forth in the North Carolina Game Laws."

Sec. 2. That chapter two hundred ten, Public-Local Laws of one thousand nine hundred thirty-one, be and it is hereby amended by striking out all of section two and substituting therefor the following:

"Sec. 2. The open season on game for Bladen County shall be as follows:

Quail...........................................November 20 to January 31
Turkey...........................................October 15 to January 1
Squirrel...........................................October 15 to January 1
Rabbit, fox and bear...............................No closed season
Deer...........................................October 15 to November 30

All species of game birds and game animals not named in this section are controlled by the North Carolina Game Laws."

Sec. 3. All laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

Sec. 4. This act shall be in full force and effect from and after its ratification.

Ratified this the 13th day of May, A.D. 1933.
S. B. 699

CHAPTER 551

AN ACT TO AMEND HOUSE BILL 1405, BEING "AN ACT TO FIX THE SALARIES AND COMPENSATION OF CERTAIN OFFICERS OF BLADEN COUNTY," RATIFIED APRIL 28, 1933.

The General Assembly of North Carolina do enact:

Section 1. That House Bill fourteen hundred and five, ratified April twenty-eighth, nineteen hundred and thirty-three, being "An act to fix the salaries and compensation of certain officers of Bladen County," be and the same is hereby amended by striking out the words "seven hundred and twenty dollars" in section six of said bill and inserting in lieu thereof the words "nine hundred dollars."

Sec. 2. This act shall be in full force and effect from and after its ratification.

Ratified this the 13th day of May, A.D. 1933.

S. B. 705

CHAPTER 552

AN ACT AMENDING THE ACT CREATING THE OFFICE OF TAX COLLECTOR IN CUMBERLAND COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That Senate Bill No. 262, Public-Local Laws of 1933, as ratified on March the fifteenth, 1933, be, and the same is hereby amended by striking out all of sections one and two and substituting therefor the following:

"Section 1. That the County Commissioners of Cumberland County shall appoint a Tax Collector for Cumberland County who shall qualify and be responsible for the collection of all current taxes, both general, special or privilege.

"Sec. 2. That the County Commissioners may, in their discretion, require the Tax Collector to also collect all back or prior year taxes to the end that all taxes may be collected by one department."

Sec. 2. That section five of said bill be, and the same is hereby amended by striking out in lines one and two the words "if the office be placed upon a salary basis" and by striking out all of said section after the word "county" in line six thereof, and by adding thereto the following: "and the County Commissioners shall fix the salary of the Tax Collector at a sum not in excess of twenty-five hundred dollars ($2,500.00) per annum and allow him an assistant at a salary not in excess of fifteen hundred
dollars ($1,500.00) per annum, and shall pay said salaries out of the General Fund of the County.

SEC. 3. That this act shall apply only to Cumberland County.

SEC. 4. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

SEC. 5. That this act shall be in full force and effect from and after its ratification.

Ratified this the 13th day of May, A.D. 1933.

S. B. 706  CHAPTER 553
AN ACT AUTHORIZING THE SHERIFF OF WILSON COUNTY TO ACCEPT COUNTY VOUCHERS IN PAYMENT OF TAXES.

The General Assembly of North Carolina do enact:

SECTION 1. That the Sheriff of Wilson County shall in all cases accept at face value any and all county vouchers or orders drawn on the Treasury of said County for the payment of money, when such orders or vouchers are drawn and signed by the proper officials who are authorized by law to do so, in payment of taxes and when so accepted by the said sheriff shall constitute legal tender when presented to the sheriff by the County Treasurer in payment of taxes collected by him.

SEC. 2. All county vouchers or orders which have, prior to the ratification hereof, been accepted by the Sheriff of Wilson County in the manner as set out in the preceding section, shall occupy the same status as those hereafter accepted as provided in this act, and may be used by the Sheriff as a part settlement with the County for taxes collected in the same manner as is provided in Section 1 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 force and effect from and after its ratification.

Ratified this the 13th day of May, A.D. 1933.

S. B. 714  CHAPTER 554
AN ACT TO REDUCE AND REMIT PART OF THE TAX PENALTIES HERETOFORE IMPOSED BY THE COUNTIES OF CATAWBA AND IREDELL AND ALL MUNICIPALITIES IN SAID COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That all tax penalties heretofore imposed by the Counties of Catawba and Iredell and all municipalities situate in said counties for the year 1932 be, and the same are, hereby
reduced to one-half of one per cent per month from February 1, 1933, until said taxes are paid, excepting the month of June, 1933, for which no penalty shall be charged; and no other penalties shall be imposed by said counties or by any municipality situate in said counties on account of failure to pay taxes for the year 1932.

SEC. 2. That the provisions of this Act shall apply only to Catawba and Iredell counties and the municipalities situate therein: Provided, that this Act shall apply to Catawba County and/or the municipalities therein only after resolution to that effect shall have been duly adopted by the governing bodies of said county and/or municipalities.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 4. This act shall be in full force and effect from and after its ratification.

Ratified this the 13th day of May, A.D. 1933.

H. B. 868

CHAPTER 555

AN ACT TO PROVIDE FOR A CLOSE SEASON FOR FOUR YEARS FOR HUNTING QUAIL OR PARTRIDGE IN YADKIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful at any time within two years from the ratification of this act for any person or persons to kill any quail, commonly known as partridge, in Yadkin County at any time except from December 1st to December 31st, inclusively, in each year.

SEC. 2. That any one 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 more than thirty days.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

SEC. 4. That this act shall be in full force and effect from and after its ratification.

Ratified this the 13th day of May, A.D. 1933.
Chapter 556

An Act to provide Additional Safeguards in the Creation, Establishment and Reorganization of Drainage Districts in Hyde County.

The General Assembly of North Carolina do enact:

Section 1. That when any drainage district is created, established or reorganized in Hyde County, each tract of land in such district shall be liable only for its pro rata part of any bonds issued by such drainage district, such pro rata part and the schedule of taxes and/or assessments necessary to retire such bonds shall be ascertained, computed and allocated with respect to each such tract of land at or before the time the bonds are issued and sold. In no event shall any tract of land in such drainage district be liable for any greater sum or amount of such taxes or assessments on account, or by reason, of default in the payment of taxes or assessments so computed, allocated and levied against any other tract or tracts of land in such drainage district.

Section 2. That the cost of maintenance in any drainage district shall be likewise ascertained, computed and allocated against each tract of land in said district at a fixed amount per annum at the time of the creation, establishment or reorganization of such district, and said tract of land and the owner or owners thereof shall not be liable for any such maintenance, taxes or assessments in excess of the amount so ascertained, computed and allocated, and any default or failure to pay such assessment so ascertained, computed and allocated upon any tract or tracts of land in such district, or by the owner or owners thereof, shall, in no event, operate to increase the rate of maintenance tax on any tract or tracts of land, or against the owner or owners thereof, paying such maintenance assessment as so ascertained, computed and allocated against them, but maintenance costs, which may vary from year to year, shall be subject to readjustment and revision by the Court and assessed against each tract of land in the district according to benefit secured or the necessity of maintenance.

Section 3. No lands shall be taken into any such drainage district, which are adequately drained otherwise, at less expense than would be occasioned by taking such land into a drainage district.

Section 4. That where lands taken in any drainage district adjoin other lands subject to overflow, a levee bank shall be constructed and put up, so as to keep the waters from such adjoining land from overflowing upon, or inundating, the land taken into such drainage district.
Sec. 5. That the classification of "lands," as contained in Section fifty-three hundred twenty-nine of the Consolidated Statutes shall apply, and the classification and scale in such section set up and established shall govern in the ascertainment, computation and assessment of maintenance taxes and assessments for the payment of bonds issued by such drainage district.

Sec. 6. That the general laws of this State, with respect to the creation, establishment and reorganization of drainage districts, except as modified by this Act, shall apply to the creation, establishment and reorganization of drainage districts in Hyde County.

Sec. 7. This Act shall apply to Hyde County only.

Sec. 8. This Act shall be in full force and effect from and after its ratification.

Ratified this the 13th day of May, A.D. 1933.

H. B. 1665

CHAPTER 557

AN ACT AUTHORIZING THE BOARD OF COMMISSIONERS OF COLUMBUS COUNTY TO ACCEPT SETTLEMENT FOR PAST DUE INDEBTEDNESS.

Whereas, the purchasing power of the dollar has increased approximately fifty per cent; and

Whereas, certain mortgages owing Columbus County are long past due and the payment or partial payment of such maturities would be to the best interest of the taxpayers of Columbus County: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of Columbus County is hereby authorized and empowered, and may, in their discretion, accept such settlements for mortgages or indebtedness that may be due Columbus County, and may waive certain interest payments or make other adjustments as they may deem for the best interests 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 full force and effect from and after its ratification.

Ratified this the 13th day of May, A.D. 1933.
H. B. 1666  

CHAPTER 558

AN ACT TO AMEND HOUSE BILL 1274, IT BEING "AN ACT TO AMEND CHAPTER 86, PUBLIC-LOCAL LAWS OF 1931, BEING AN ACT TO PLACE OFFICERS OF MECKLENBURG COUNTY ON SALARIES."

The General Assembly of North Carolina do enact:

SECTION 1. That House Bill number one thousand two hundred seventy-four, being "An act to amend Chapter eighty-six of Public-Local Laws of nineteen thirty-one, being an act to place the officers of Mecklenburg County on salaries," ordered enrolled May eleventh, nineteen thirty-three, be amended as follows: By striking from paragraph seven of section one the words or figures "Three Thousand Dollars" and inserting in lieu thereof the words "Thirty-six Hundred Dollars."

Sec. 2. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

Sec. 3. That this act shall be in full force and effect from and after its ratification.

Ratified this the 13th day of May, A.D. 1933.

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H. B. 1670  

CHAPTER 559

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF LEE COUNTY AND THE MUNICIPALITIES THEREIN TO ACCEPT CERTAIN BONDS IN THE PAYMENT OF TAXES.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of the County of Lee, and the governing authorities of the several municipalities therein, are hereby authorized and empowered, in their discretion, to accept at par value the bonds and coupons of the County of Lee, and of the several municipalities therein, either past due or mature during the fiscal year, in payment of the past due taxes or current taxes, or past due street and pavement assessments, or current street and pavement assessments: Provided, that the bonds so tendered in payment of taxes shall be bonds of the respective units for which taxes are to be paid.

Sec. 2. That the sheriff of said county or the tax collectors of the several municipalities therein are hereby authorized, empowered and directed, upon authority from the Board of Commissioners of the county of Lee or the governing authorities of the municipalities therein, to accept any bonds or coupons at par value of the respective units for the payment of county
taxes, town taxes, street or pavement assessments as herein defined, and the sheriff or tax collector shall be allowed full credit for the settlement of such taxes and assessments.

Sec. 3. That all laws and clauses of laws in conflict with this act are hereby repealed.

Sec. 4. That this act shall be in force and effect from and after its ratification.

Ratified this the 13th day of May, A.D. 1933.

H. B. 1672

CHAPTER 560

AN ACT TO REPEAL CHAPTER 160 OF THE PUBLIC-LOCAL LAWS OF 1931, SAME BEING "AN ACT TO REDUCE THE FEE ALLOWED FOR SEIZURE OF ILlicit STILLS IN YADKIN COUNTY FROM TWENTY DOLLARS TO TEN DOLLARS."

The General Assembly of North Carolina do enact:

Section 1. That chapter one hundred and sixty of the Public-Local Laws of one thousand nine hundred and thirty-one be and the same is hereby repealed.

Sec. 2. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

Sec. 3. That this act shall be in full force and effect from and after its ratification.

Ratified this the 13th day of May, A.D. 1933.

H. B. 1684

CHAPTER 561

AN ACT REGULATING THE SALARIES OF CERTAIN OFFICERS OF WAKE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the Clerk of the Superior Court and the Sheriff of the County of Wake shall each receive a salary at the rate of three thousand ($3,000) dollars per annum, payable in equal monthly installments, in full for his services as such County officer: Provided, this shall not affect the salary received by the Clerk of the Superior Court from other sources.

Sec. 2. That the Auditor, Treasurer, the Register of Deeds of the County of Wake shall each receive a salary of twenty-seven hundred and fifty ($2,750.00) dollars per annum, payable in equal monthly installments, in full for his services for such County officer: Provided, that the County Commissioners of Salaries of Wake County Clerk
Salaries of other County officers.
Salaries herein may be raised.

Superior Court and Sheriff.

Ch. 160, Public-Local Laws 1931, as to reduction in still rewards in Yadkin County, repealed.

Conflicting laws repealed.
Wake County may in their discretion raise the salary of the Treasurer, Register of Deeds and Auditor to not more than three thousand ($3,000) dollars per annum, in the event of a substantial advance in commodity prices.

Sec. 3. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

Sec. 4. That this act shall be in full force from and after July 1, 1933.

Ratified this the 13th day of May, A.D. 1933.

S. B. 740
CHAPTER 562
AN ACT TO AMEND SENATE BILL 681, RATIFIED MAY 11, 1933, AMENDING HOUSE BILL 1066, RATIFIED APRIL 11, 1933, RELATING TO LICENSE FOR FISHING IN CERTAIN WATERS IN MACON AND CHEROKEE COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That Senate Bill six hundred and eighty-one, ratified May 11, 1933, amending House Bill 1066, ratified April 11, 1933, be and the same is hereby amended by inserting in the last sentence of section one, between the word “no” and the word “license,” the word “county.”

Sec. 2. That this act shall be in full force and effect from and after its ratification.

Ratified this the 15th day of May, A.D. 1933.

S. B. 743
CHAPTER 563
AN ACT GIVING THE COUNTY COMMISSIONERS OF CUMBERLAND COUNTY THE AUTHORITY TO FIX THE SALARIES OF THE OFFICERS AND EMPLOYEES OF SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Commissioners of Cumberland County be and they are hereby authorized, empowered and directed to fix the salaries, wages, per diem, fees and commissions of all elective and appointive officers, agents, employees, jurors and witnesses of said county: Provided, however, that the minimum annual salaries of the officers named below shall be as follows:

<table>
<thead>
<tr>
<th>Office</th>
<th>Salary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sheriff</td>
<td>$2,400.00</td>
</tr>
<tr>
<td>Clerk of the Court</td>
<td>2,400.00</td>
</tr>
<tr>
<td>Treasurer</td>
<td>2,400.00</td>
</tr>
<tr>
<td>Register of Deeds</td>
<td>2,100.00</td>
</tr>
<tr>
<td>Judge of Recorder's Court</td>
<td>1,200.00</td>
</tr>
<tr>
<td>Solicitor of Recorder's Court</td>
<td>900.00</td>
</tr>
<tr>
<td>Clerk of Recorder's Court</td>
<td>900.00</td>
</tr>
</tbody>
</table>
SEC. 2. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

SEC. 3. That this act shall be in full force and effect from and after its ratification.

Ratified this the 15th day of May, A.D. 1933.

H. B. 697  
CHAPTER 564

AN ACT TO AUTHORIZE THE TAX COLLECTOR OF MACON COUNTY AND HIS SUCCESSORS TO COLLECT BACK TAXES IN MACON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That all Sheriffs or Tax Collectors who, by virtue of their office, have had the tax list for the purpose of collections of taxes for Macon County in their hands for the years one thousand nine hundred and twenty-eight, one thousand nine hundred and twenty-nine, one thousand nine hundred and thirty, one thousand nine hundred thirty-one, and, in case of death, their personal representative or any agent they may designate, are hereby authorized and empowered to collect arrears of taxes for each of the years aforesaid, under such rules and regulations as are now or may hereafter be provided by law for the collection of taxes.

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 15th day of May, A.D. 1933.

H. B. 1491  
CHAPTER 565

AN ACT TO PROHIBIT THE SETTING OF STEEL TRAPS IN PERQUIMANS COUNTY FOR A PERIOD OF TWO YEARS.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person or persons to set any steel trap or log trap on any land belonging to another in Perquimans County for a period of two years from the date of the ratification of this act.

SEC. 2. That it shall be unlawful for any person owning or having control of any land in Perquimans County to grant any person permission to set any steel trap or log trap on said land

Steel traps prohibited in Perquimans County for two years.

Gratning of permission by landowners to set traps prohibited.
Violation made misdemeanor.

Conflicting laws repealed.

H. B. 1575

CHAPTER 566

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF JACKSON COUNTY TO RETIRE THEIR BONDED INDEBTEDNESS.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of the County of Jackson, and also the governing body of the town and townships, subject to the approval of the Local Government Commission, be and are hereby authorized and empowered to borrow money upon such terms and conditions as they may be able to borrow same, for the purpose of retiring any bonded indebtedness of said County, municipality or township in said County: Provided, said bonds can be retired for an amount less than the par value thereof.

SECTION 2. That said bonds shall bear the rate of interest of not more than 6 per cent, and shall be issued upon such terms and payable at such time as the governing body of said units may determine, and shall be signed by the Chairman of the governing body of said Boards with the seal of said governing body shall be attached thereto, and shall be issued in accordance with resolutions duly passed by said governing bodies.

SECTION 3. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SECTION 4. That this Act shall apply to the County of Jackson only.

SECTION 5. That this Act shall be in force from and after its ratification.

Ratified this the 15th day of May, A.D. 1933.
H. B. 1627  CHAPTER 567
AN ACT TO AUTHORIZE THE TOWN OF MAXTON TO ACCEPT ITS OBLIGATIONS IN PAYMENT OF TAXES AND ASSESSMENTS.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of the Town of Maxton is hereby authorized and empowered, in the discretion of the said Board, to accept the legal obligations of the said Town, past due or to become due during the fiscal year in which accepted, in payment of taxes and/or paving assessments, and to accept such obligations in payment for property owned by the said town.

SEC. 2. That the said Board of Commissioners are hereby authorized and empowered, in its discretion, to accept in payment of loans from sinking funds bonds of the Town of Maxton of that particular issue for which said sinking fund had been created and from which the loan had been made.

SEC. 3. That all acts of said Board of Commissioners heretofore done in accepting bonds in payment of taxes or loans due the Town of Maxton are hereby confirmed and validated.

SEC. 4. That all provisions of this act shall apply not only to the Town of Maxton but to the County of Robeson and all towns and municipalities therein; and the Board of Commissioners of Robeson County and the Boards of Commissioners of the several towns and municipalities therein are hereby vested with the same authority granted to the Board of Commissioners of the Town of Maxton in Sections one and two hereof.

SEC. 5. That all laws in conflict with this act are hereby repealed.

SEC. 6. That this act shall be in force from its ratification.

Ratified this the 15th day of May, A.D. 1933.

H. B. 1678  CHAPTER 568
AN ACT RELATING TO CERTAIN FEES OF CLERK SUPERIOR COURT, GATES COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the County Board of Commissioners of Gates County be and they are hereby authorized to pay from the General County Fund to the Clerk of the Superior Court of said County:

For preparing criminal and civil issue dockets, for Judge, Solicitor, Bar, Clerk and Deputy Clerk, the sum of twelve and a half cents for each case so docketed upon said docket.
Conflicting laws repealed.

SEC. 2. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 3. That this act shall be in force and effect from and after its ratification.

Ratified this the 15th day of May, A.D. 1933.

H. B. 1680  CHAPTER 569

AN ACT TO APPOINT E. H. BALLENTINE A JUSTICE OF THE PEACE FOR MIDDLE CREEK TOWNSHIP, WAKE COUNTY, AND TO VALIDATE THE OFFICIAL ACTS HERETOFORE PERFORMED BY HIM.

Whereas, the commission of E. H. Ballentine, Justice of the Peace, expired on the fifth day of September, one thousand nine hundred and thirty-two, and the said Justice of the Peace was inadvertent thereto and did continue to act as Justice of the Peace, assuming that his commission had not expired: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That each and all of the official acts of the said E. H. Ballentine, a Justice of the Peace, done and had by him after September five, one thousand nine hundred and thirty-two, be and the same are hereby validated and declared legal and binding in all respects as if performed by him within the life of his said commission.

SEC. 2. (a) That this act shall not apply to pending litigation.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

SEC. 4. That this act shall be in full force and effect from and after its ratification.

Ratified this the 15th day of May, A.D. 1933.

H. B. 1681  CHAPTER 570

AN ACT RELATING TO THE ADVERTISEMENT OF DELINQUENT TAXES IN MONTGOMERY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the County Commissioners of Montgomery County be and the same are hereby empowered to postpone the advertisement of land for the delinquent taxes for the year one
thousand nine hundred and thirty-two until the first Monday in June, one thousand nine hundred and thirty-three.

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 be in full force and effect from and after its ratification.

Ratified this the 15th day of May, A.D. 1933.

H. B. 1688

CHAPTER 571

AN ACT TO PROVIDE FOR THE COLLECTION OF COURT COSTS IN SUITS NOW PENDING IN THE EDGECOMBE COUNTY SUPERIOR COURT.

The General Assembly of North Carolina do enact:

Section 1. That in all pending tax suits in which Edgecombe County, or any municipality therein or partly therein, is the party plaintiff, the defendants, or any other person, firm or corporation, before being allowed to make any settlement of any one of said suits as now provided by law, shall pay in cash to the Clerk of the Superior Court of Edgecombe County all costs taxed in such suit.

Sec. 2. That all laws or clauses of laws in conflict herewith are hereby repealed.

Sec. 3. That this act shall be in full force and effect from and after its ratification.

Ratified this the 15th day of May, A.D. 1933.

H. B. 1698

CHAPTER 572

AN ACT CONFERRING ADDITIONAL POWERS UPON THE COUNTY BOARD OF HEALTH OF COLUMBUS COUNTY, WITH RESPECT TO SANITATION AND PREVENTION OF DISEASE.

The General Assembly of North Carolina do enact:

Section 1. That the County Board of Health of Columbus County is hereby authorized, empowered and directed to make all needful rules and regulations with respect to sanitation and public health in said county, including such rules and regulations with respect to the installation, construction and supervision of sanitary privies or toilets and the distribution of sewage in all places, and with respect to all kinds of buildings on farms and in towns and villages in said county, and also such needful rules and regulations as will promote sanitation, cleanliness and public health in the gathering, handling and distribution of raw food products and vegetables in said county.
Violation of rules of Board made misdemeanor.

Conflicting laws repealed.

Sec. 2. That any person violating the rules and regulations so made, established and promulgated by the County Board of Health of Columbus County shall be guilty of a misdemeanor and fined or imprisoned, in the discretion of the court.

Sec. 3. This Act shall apply to Columbus County only.

Sec. 4. All laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 5. This Act shall be in full force and effect from and after its ratification.

Ratified this the 15th day of May, A.D. 1933.

S. B. 756

CHAPTER 573

AN ACT TO ALLOW THE BOARD OF COUNTY COMMISSIONERS OF EDGECOMBE COUNTY TO APPOINT A BANK OR TRUST COMPANY, NOT LOCATED IN EDGECOMBE COUNTY, AS ITS FINANCIAL AGENT.

The General Assembly of North Carolina do enact:

Section 1. That the Board of County Commissioners of Edgecombe County is hereby authorized and empowered to appoint as the Financial Agent of Edgecombe County any bank or trust company in the State of North Carolina, notwithstanding said bank or trust company may be located in a County other than Edgecombe County.

Sec. 2. That all laws or clauses of laws in conflict herewith are hereby repealed.

Sec. 3. That this Act shall be in full force and effect from and after its ratification.

Ratified this the 15th day of May, A.D. 1933.

S. B. 750

CHAPTER 574

AN ACT TO REPEAL HOUSE BILL NO. 1320, THE SAME BEING "AN ACT REGULATING THE COLLECTION OF DELINQUENT TAXES IN SAMPSON COUNTY." RATIFIED THE 11TH DAY OF MAY, 1933.

The General Assembly of North Carolina do enact:

Section 1. That House Bill No. 1320, the same being "An Act Regulating the Collection of Delinquent Taxes in Sampson County," said bill having been ratified on the 11th day of May, 1933, be and the same is hereby repealed.

Sec. 2. That this Act shall be in full force and effect from and after its ratification.

Ratified this the 15th day of May, A.D. 1933.
H. B. 1398

CHAPTER 575

AN ACT TO PROHIBIT FISHING WITH STAKE NETS BETWEEN THE HOURS OF SUNSET AND SUNRISE.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person to fish in any waters of North Carolina with any dutch net, pound net, shad net and other stake net between the hours of sunset and sunrise during that period beginning February fifteenth and ending April thirtieth.

Sec. 2. That possession of fish caught in any of the nets enumerated in section one hereof shall be considered prima facie evidence of a violation hereof.

Sec. 3. That any violation of this act shall constitute a misdemeanor, and upon conviction thereof the violator shall be fined not exceeding one hundred dollars or imprisoned not exceeding sixty days, or both, in the discretion of the court.

Sec. 4. This act shall apply to Beaufort and Dare Counties only.

Sec. 5. That all laws and clauses of laws in conflict herewith are hereby repealed.

Sec. 6. That this act shall be in full force and effect from and after its ratification.

Ratified this the 15th day of May, A.D. 1933.

S. B. 314

CHAPTER 576

AN ACT EXEMPTING THE WESLEY ELLIS POST, AMERICAN LEGION, FROM PAYING SPECIAL OR PRIVILEGE TAX TO TOWN CORPORATION OR MITCHELL COUNTY FOR SPONSORING PICTURE SHOWS OR OTHER FORMS OF ENTERTAINMENT.

Whereas, the Wesley Ellis Post of the American Legion, Bakersville, North Carolina, is a civic, charitable and patriotic organization; and

Whereas, at intervals said organization promotes and sponsors various forms of entertainment and amusement where a nominal admission is charged: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That said organization be and the same is hereby exempt from paying any special or privilege tax in promoting and sponsoring said entertainments to either the Corporation of Bakersville or Mitchell County.
Conflicting laws repealed.

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 and effect from and after its ratification.

Ratified this the 15th day of May, A.D. 1933.

S. B. 755 CHAPTER 577
AN ACT TO AMEND HOUSE BILL 1034, THE SAME BEING "A BILL TO BE ENTITLED AN ACT RELATING TO THE QUADRENNIAL ASSESSMENT OF PROPERTY FOR TAXATION IN MACON COUNTY," RATIFIED MARCH 23RD, 1933.

The General Assembly of North Carolina do enact:

Section 1. That section one of House Bill one thousand and thirty-four, "A bill to be entitled an Act relating to the quadrennial assessment of property for taxation in Macon County," ratified March twenty-third, nineteen hundred and thirty-three, be and the same is hereby amended by striking out under the heading "Franklin" the name "George Wallace" and inserting in lieu thereof the name "C. A. Cabe."

Sec. 2. That this act shall be in full force and effect from and after its ratification.

Ratified this the 15th day of May, A.D. 1933.

H. B. 1246 CHAPTER 578
AN ACT TO VALIDATE SALES OF LANDS FOR TAXES BY THE COUNTY OF SURRY AND THE SEVERAL INCORPORATED TOWNS THEREIN.

The General Assembly of North Carolina do enact:

Section 1. That all sales of real estate made by the Sheriff and Tax Collector of Surry County, and by the Tax Collector of the Town of Mount Airy and the Tax Collector of the Town of Elkin and of Pilot Mountain, and any other incorporated town in Surry County in any month in the year one thousand nine hundred and thirty-one and one thousand nine hundred and thirty-two than the month prescribed by statute, are hereby validated and declared to be in as full force and effect as if made on the month and day theretofore required by the laws of the State of North Carolina.
SEC. 2. That this act shall not be construed as affecting the rights of any mortgagee or lienor or innocent purchaser of any property within said Surry County or any municipal corporation.

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 15th day of May, A.D. 1933.

H. B. 1704

CHAPTER 579

AN ACT REGULATING HUNTING IN CUMBERLAND COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the open season during which game may be killed in Cumberland County, Transylvania County, Harnett County and Nash County shall be from the twentieth day of November to the twentieth day of February, inclusive: Provided, however, there shall be no closed season on hunting of foxes with dogs in Cumberland County, Transylvania County, Harnett County and Nash County.

SEC. 2. That any person violating any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine not exceeding fifty dollars or 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 force and effect from and after its ratification.

Ratified this the 15th day of May, A.D. 1933.

H. B. 1707

CHAPTER 580

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF CASWELL COUNTY IN THEIR DISCRETION TO CONFER ADDITIONAL DUTIES ON THE COUNTY ACCOUNTANT.

The General Assembly of North Carolina do enact:

SECTION 1. That in the event House Bill one hundred and fifty-eight is repealed that the Board of County Commissioners of Caswell County be and they are hereby authorized and em-
power in their discretion to allow the County Accountant the sum of twenty-five dollars per month as additional compensation to help the Sheriff in the collection of taxes and other work in his office.

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 October first, one thousand nine hundred and thirty-three.

Ratified this the 15th day of May, A.D. 1933.

H. B. 1703

CHAPTER 581

AN ACT TO ALLOW THE COMMISSIONERS OF UNION COUNTY TO SUSPEND TAX PENALTIES FOR THE YEAR 1932.

The General Assembly of North Carolina do enact:

SECTION 1. The Commissioners of Union County and the tax levying municipalities therein are hereby given authority and discretion to suspend the tax penalties now in force for the year one thousand nine hundred thirty-two. In case such penalties are suspended such penalties already collected for the year one thousand nine hundred thirty-two shall be returned to the payers thereof.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

SEC. 3. That this act shall be in full force and effect from and after its ratification.

Ratified this the 15th day of May, A.D. 1933.

H. B. 1710

CHAPTER 582

AN ACT TO AMEND HOUSE BILL 1594, SAME BEING "A BILL TO BE ENTITLED AN ACT PERMITTING AND AUTHORIZING THE USE OF GLASSES AT SODA FOUNTAINS AND AT PUBLIC DRINKING PLACES IN ROBESON COUNTY," RATIFIED MAY 12, 1933.

The General Assembly of North Carolina do enact:

SECTION 1. That House Bill fifteen hundred and ninety-four, ratified May twelfth, nineteen hundred and thirty-three, be and the same is hereby amended by striking out all of section one and inserting in lieu thereof the following:

"Section 1. The Board of Commissioners of Robeson County, upon recommendation of the County Board of Health of said
county, is hereby authorized in its discretion to permit the use of glasses at soda fountains and public drinking places in said county."

Sec. 2. That House Bill fifteen hundred and ninety-four, ratified May twelfth, nineteen hundred and thirty-three, be and the same is hereby further amended by striking out all of section two and inserting in lieu thereof the following:

"Section 2. The Board of County Commissioners shall not permit glasses to be used at any such soda fountain or public drinking place where rules and regulations of the County Board of Health as to cleansing and sterilizing of glasses are not complied with, and no permission shall be granted to the proprietor of any soda fountain or public drinking place except upon recommendation of the County Board of Health."

Sec. 3. That this act shall apply to Robeson County only.

Sec. 4. That all laws and clauses of laws in conflict herewith, to the extent of such conflict, are hereby repealed.

Sec. 5. This act shall be in force from and after its ratification.

Ratified this the 15th day of May, A.D. 1933.

H. B. 1318

CHAPTER 583

AN ACT AUTHORIZING A SPECIAL TAX LEVY FOR THE EXPENSE OF REVALUING PROPERTY IN SAMPSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the County Commissioners of Sampson County are hereby authorized and empowered to levy a special tax for payment of the expense of revaluing property in Sampson County for the year one thousand nine hundred thirty-three.

Sec. 2. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

Sec. 3. That this act shall be in full force and effect from and after its ratification.

Ratified this the 15th day of May, A.D. 1933.
AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF COLUMBUS COUNTY TO CONVEY TO A TRUSTEE ALL REAL PROPERTY BOUGHT BY SAID COUNTY UNDER TAX FORECLOSURE PROCEEDINGS.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners of Columbus County are hereby authorized and directed to convey to the trustee, hereinafter named, all real property purchased by the County under tax foreclosure proceedings, when such real property is in a single tract of 2,000 acres or more as sold under such foreclosure proceedings.

SEC. 2. That the said trustee shall have exclusive right to manage or control said land so conveyed to him, with the right to receive the rents from said land, and pay the same over to the County Trustees or to the officer designated by the Board of County Commissioners to receive the same. That a good and sufficient bond shall be required and the Board of County Commissioners shall furnish same out of the general funds of Columbus County.

SEC. 3. That the said trustee shall have the right, with the approval of the Board of County Commissioners, to sell any and all of the real estate conveyed to him as trustee under the provisions of this act.

SEC. 4. That the said trustee shall receive as compensation for his services, under the provisions of this act, five per cent of the gross receipts.

SEC. 5. That Jackson Greer, Sr., is hereby appointed Trustee to carry out the provisions of this act. If for any reason a vacancy should occur the Board of Commissioners of Columbus County are hereby authorized and empowered to appoint a successor, but it shall be unlawful for any member of the Board of County Commissioners to serve as trustee under this act.

SEC. 6. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 7. That this act shall be in force and effect from and after its ratification.

Ratified this the 15th day of May, A.D. 1933.
AN ACT TO EMPOWER THE BOARD OF COMMISSIONERS OF SURRY COUNTY, IN THEIR DISCRETION, TO POSTPONE THE SALE OF REAL ESTATE FOR 1932 TAXES TO DECEMBER 1, 1933.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of Surry County be and said Commissioners are hereby authorized and empowered to order that the sale of real estate within Surry County for the non-payment of nineteen hundred and thirty-two taxes be postponed to the first Monday in December, nineteen hundred and thirty-three, and that sales made on said date, in consequence of this act, shall be in all respects valid, lawful and binding in all respects in the same manner and to the same authority as if sold on the date required by the general law respecting sale of lands for taxes.

SEC. 2. That said Commissioners of said County shall, on or before the first Monday in May, nineteen hundred and thirty-three, make such order or orders, if in their discretion deemed advisable, fixing the first Monday in December as the time for the sale of lands for taxes as in section one hereinbefore set out, and that a copy of said order shall be delivered to the Sheriff of Surry County by the Register of Deeds of said County immediately upon the entering of such order.

SEC. 3. That the provisions of this act shall not prevent the said Board of Commissioners from ordering a sale of lands for taxes for the year nineteen hundred and thirty-two on the first Monday in any month prior to the first Monday in December in cases wherein it may become, in the opinion of said Board, necessary or advisable to protect the County of Surry against loss, notwithstanding any order made or entered on the first Monday in May, nineteen hundred and thirty-three.

SEC. 4. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 5. That this act shall be in force from and after ratification.

Ratified this the 15th day of May, A.D. 1933.
CHAPTER 586

AN ACT TO EMPower THE BOARD OF COMMISSIONERS OF SURRY COUNTY, IN THEIR DISCRETION, TO POSTPone THE SALE OF REAL ESTATE FOR 1932 TAXES TO DECEMBER 1, 1933.

Postponement of 1932 tax sale in Surry County.

Later sale validated.

Fixing date for sale.

Earlier sales authorized to save County from loss.

Conflicting laws repealed.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of Surry County be and said Commissioners are hereby authorized and empowered to order that the sale of real estate within Surry County for the non-payment of nineteen hundred and thirty-two taxes be postponed to the first Monday in December, nineteen hundred and thirty-three, and that sales made on said date, in consequence of this act, shall be in all respects valid, lawful and binding in all respects in the same manner and to the same authority as if sold on the date required by the general law respecting sale of lands for taxes.

SEC. 2. That said Commissioners of said County shall, on or before the first Monday in June, nineteen hundred and thirty-three, make such order or orders, if in their discretion deemed advisable, fixing the first Monday in December as the time for the sale of lands for taxes as in section one hereinbefore set out, and that a copy of said order shall be delivered to the Sheriff of Surry County by the Register of Deeds of said County immediately upon the entering of such order.

SEC. 3. That the provisions of this act shall not prevent the said Board of Commissioners from ordering a sale of lands for taxes for the year nineteen hundred and thirty-two on the first Monday in any month prior to the first Monday in December in cases wherein it may become, in the opinion of said Board, necessary or advisable to protect the County of Surry against loss, notwithstanding any order made or entered on the first Monday in May, nineteen hundred and thirty-three.

SEC. 4. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 5. That this act shall be in force from and after its ratification.

Ratified this the 15th day of May, A.D. 1933.
S. B. 757

CHAPTER 587

AN ACT SUPPLEMENTAL TO AND AMENDATORY OF SENATE BILL 696, SAME BEING AN ACT TO AUTHORIZE, EMPOWER AND DIRECT THE SHERIFF AND OTHER TAX COLLECTORS IN RANDOLPH COUNTY AND MUNICIPALITIES IN SAID COUNTY TO ESTABLISH A PARTIAL PAYMENT PLAN FOR THE COLLECTION OF TAXES LEVIED FOR THE YEAR 1933 AND THEREAFTER, RATIFIED MAY 12, 1933.

The General Assembly of North Carolina do enact:

Section 1. That Senate Bill 696, same being an act to authorize, empower and direct the sheriff and other tax collectors in Randolph County and municipalities in said county to establish a partial payment plan for the collection of taxes levied for the year 1933 and thereafter is hereby amended as follows: In line 11, section 1, following the word “be” and before the word “on,” insert the following: “twenty per cent of total tax due, and payment shall be made.” Amend further in line 11, said section, by striking out the following, “10th day of February in the year following” and insert the following: “last day of October in the year in which the taxes are levied for.” Amend further by inserting after the word “payments” in line 12 and before the word “shall” in line 13 the following: “of ten per cent of the total tax.” Amend further section 1, lines 13 and 14, by striking out the following “10th of each” and insert in lieu thereof the following, “last day of each.”

Sec. 2. Amend further by inserting a new section to be known as section 1½ at the end of section 1 to read as follows: “Provided further, that any taxpayer who shall avail himself of this partial payment plan, and who shall make all payment of taxes as herein provided in this act, shall be allowed the discounts allowed as provided by law on the payments made, and shall not be penalized for any payments made after penalties begin to accrue.”

Sec. 3. That this act shall apply to Randolph County.

Sec. 4. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed as to such conflict.

Sec. 5. This act shall be in full force and effect from and after its ratification.

Ratified this the 15th day of May, A.D. 1933.
CHAPTER 588

AN ACT TO ALLOW THE COMMISSIONERS OF MOORE COUNTY TO SUSPEND TAX PENALTIES FOR THE YEAR 1932.

The General Assembly of North Carolina do enact:

SECTION 1. The Commissioners of Moore County and the tax levying municipalities therein are hereby given authority and discretion to suspend the tax penalties now in force for the year one thousand nine hundred thirty-two. In case such penalties are suspended such penalties already collected for the year one thousand nine hundred thirty-two shall be returned to the payers thereof.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

SEC. 3. That this act shall be in full force and effect from and after its ratification.

Ratified this the 15th day of May, A.D. 1933.

H. B. 1696  CHAPTER 589

AN ACT SUPPLEMENTAL TO AND AMENDATORY OF HOUSE BILL 1575, BEING "AN ACT AUTHORIZING THE COUNTY OF JACKSON TO RETIRE ITS BONDED INDEBTEDNESS," RATIFIED MAY 13, 1933.

The General Assembly of North Carolina do enact:

SECTION 1. That House Bill fifteen hundred and seventy-five, being "An act authorizing the County of Jackson to retire its bonded indebtedness," ratified May thirteenth, nineteen hundred and thirty-three, be amended as follows: "Provided, that the provisions contained in House Bill fifteen hundred and seventy-five, being 'An act authorizing the County of Jackson to retire its bonded indebtedness,' shall also apply to the County of Graham."

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 15th day of May, A.D. 1933.
S. B. 752  CHAPTER 590

AN ACT RELATING TO DRAINAGE DISTRICTS IN HYDE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That in the event the Mattamuskeet Drainage District or the Board of Drainage Commissioners of Mattamuskeet District should be reorganized so as to include the lands originally included in said drainage district, as contemplated at the time of its establishment, or if a new district should be formed including a part but not all the lands formerly included in the said drainage district, as originally contemplated, and any lands adjacent thereto but not included in said drainage district, as aforesaid, or if a drainage district should be formed exclusively of lands included within the boundaries of said drainage district, as originally contemplated and established, and as provided for under the provisions of Chapter 599, Public-Local Laws of 1925, with any amendments thereto or under the general drainage laws of North Carolina, the members of the Board of Drainage Commissioners of said district or districts so formed, organized and established shall be appointed or elected as follows:

(a) The owner or owners of the lands formerly known as Mattamuskeet Lake and now owned by the New Holland Corporation, its successors or assigns, or any other person or persons, shall be entitled to and shall appoint one member of the Board of Drainage Commissioners in said district.

(b) That the owners of lands in said reorganized or new district, as herein provided for, which are adjacent to and not included in what was formerly Mattamuskeet Lake and now owned by the New Holland Corporation or any other person or persons, their successors or assigns, shall have the right to and shall elect one drainage commissioner in the way and manner herein provided for.

(c) That His Excellency, the Governor of North Carolina, shall appoint a third member of the Board of Drainage Commissioners of said district; the said commissioner so appointed by the Governor shall be Chairman of the Board of Drainage Commissioners of said district and shall not be interested in any lands in the drainage district as reorganized or established, but shall be a disinterested person. He shall have no right to vote in any matters except in the case of a tie when the drainage commissioner appointed and elected by the owners of lands adjacent to the lands of the New Holland Corporation, its successors or assigns, and the commissioner appointed by the New Holland Corporation, its successors, assigns or any other person...
or persons, shall disagree, then the said commissioner appointed by the Governor shall have the right to and he shall cast the deciding vote.

Sec. 2. That after the aforesaid drainage district has been reorganized or a new district established, as provided for in this Act, and within fifteen days after the signing of the final decree establishing said district, as herein contemplated, it shall be the duty of and the Clerk of the Superior Court of Hyde County shall call a meeting of all the owners of lands adjacent to and not included in what was formerly Mattamuskeet Lake and owned by the New Holland Corporation or any other person or persons, their successors or assigns, to be held at the courthouse in Swan Quarter, North Carolina, after having caused notices of such meeting to be posted in six conspicuous public places in Swan Quarter, Fairfield, Lake Landing and Mattamuskeet townships for at least ten days prior to the date of said meeting, and at said meeting the Clerk of the Superior Court shall act as temporary Chairman and call the meeting to order at 10:00 o'clock a.m. on the date fixed for said meeting; that such landowners shall, immediately after the meeting is called to order by the Clerk of the Superior Court, as aforesaid, proceed to nominate and elect a Chairman and a Secretary of said meeting who shall hold their offices for two years, or until their successors are duly elected. That after a Chairman and Secretary of said meeting has been duly elected said landowners shall immediately proceed to nominate and elect a member of the Board of Drainage Commissioners of said district, as provided for in Section 1 of this Act, and the Clerk of the Superior Court shall duly confirm and ratify the action of the landowners and make an order appointing such person as a member of the Board of Drainage Commissioners of said district and record said order in the Drainage Record in his office, and shall qualify said commissioner so appointed and elected. The Clerk of the Superior Court shall qualify and induct into office the member of the Board of Drainage Commissioners of said district appointed and elected by the New Holland Corporation, its successors, assigns, or any person or persons, upon said member of said board presenting a certificate to the Clerk of the Superior Court certifying to the appointment of said person as a member of the Board of Drainage Commissioners of said district. The Clerk of the Superior Court shall duly qualify and induct into office the person appointed and commissioned by His Excellency, the Governor of North Carolina, upon the presentation of a commission to such person appointing him as a member of said Board of Drainage Commissioners of said district. A record of all matters pertaining to the qualification and induction into office of the members of the Board of Drainage Commissioners
of said district shall be duly entered by the Clerk in the Drainage Record in his office.

Sec. 3. The term of the respective members of the Board of Drainage Commissioners shall be as follows:

(a) The commissioner nominated and elected by the New Holland Corporation, its successors or assigns, shall hold his office for a term of one year for the first term after the establishment of the said district and thereafter for a period of three years from and after the date of his qualification, or until his successor is duly nominated, elected and qualified.

(b) The member of the Board of Drainage Commissioners nominated and elected by the owners of lands adjacent to what was formerly Mattamuskeet Lake and now owned by the New Holland Corporation, its successors, assigns, or any other person, shall hold his office for a term of two years for the first term after the establishment of the said district and thereafter for a period of three years from and after the date of his qualification, or until his successor has been duly nominated, elected and qualified.

(c) The commissioner appointed and commissioned by His Excellency, the Governor of North Carolina, shall hold his office for a term of three years from and after the date of his qualification. All members of the Board of Drainage Commissioners of said district shall qualify within thirty days from and after the date of their election or appointment.

Sec. 4. That in the event a vacancy is occasioned by death, resignation, failure to qualify or otherwise, the same shall be filled in the same way and manner in which said member was elected or appointed as a member of said Board of Drainage Commissioners: Provided, that the Chairman elected by the owners of lands adjacent to what was formerly Mattamuskeet Lake shall call a meeting of the landowners in the same way and manner as provided for the Clerk of the Superior Court to call the first meeting of said landowners for the purpose of electing a drainage commissioner; and when any member of said board has been so appointed or elected he shall serve for the unexpired term of his predecessor, and under the same conditions and regulations and vested with the same powers and authorities which were vested in his predecessor in office. An election shall be held or an appointment made, as provided in this Act, at least thirty days before the expiration of the term of any one of the members of the said Board of Drainage Commissioners for the purpose of appointing or electing a successor to the member of said Board whose term is about to expire. A member so appointed or elected shall qualify and be inducted into office at the expiration of the incumbent's term. Members of said Board may be appointed or elected to succeed themselves.
That in the event a vacancy is occasioned by any causes set out in this Act it shall be the duty of and the Clerk of the Superior Court of Hyde County shall within five days after such vacancy exists notify:

(a) The Chairman elected by owners of lands adjacent to the lands formerly known as Mattamuskeet Lake of such vacancy and, if there be no Chairman or if the Chairman should fail to act, the Clerk of the Superior Court of Hyde County shall call a meeting of the landowners, as herein provided, for the election of a successor. That is, if a vacancy has to be filled on the part of the said adjacent landowners; or

(b) If the New Holland Corporation, its successors or assigns, are authorized to fill a vacancy, then the New Holland Corporation, its successors or assigns, shall be notified thereof; or

(c) If the vacancy is to be filled by His Excellency, the Governor of North Carolina, then such notice of vacancy shall be sent to him by registered mail. All vacancies must be filled within thirty days after they occur, and the failure on the part of the adjacent landowners, the New Holland Corporation, its successors or assigns, or the Governor of North Carolina to fill any such vacancies within such period shall ipso facto authorize the Clerk of the Superior Court of Hyde County to fill such vacancy, and said vacancy shall be filled by said Clerk immediately after the expiration of thirty days, as herein provided. The Clerk of the Superior Court of Hyde County shall, at least sixty days before the expiration of the term of any member of the Board of Drainage Commissioners of said district, notify the proper authority who is authorized to elect a successor to the member of said Board whose term is about to expire, notifying said authority when said term will expire and requesting that an election be held or an appointment made of a successor to fill said office.

SEC. 5. The Board of Drainage Commissioners of said district shall hold a regular meeting at New Holland on the first Monday in each and every month for the dispatch of business and shall remain in session until all such business has been disposed of. Meetings may be held at other times for a more convenient dispatch of business at the call of the Chairman on the written request of one member of the Board, but public notice of the time of such called meetings shall be posted at the courthouse door in Hyde County and at three conspicuous public places in Swan Quarter, Fairfield, Lake Landing and Mattamuskeet townships for at least five days before the date of said meeting. The Board shall receive no compensation for attending such called meetings, except such called meetings as may be held during the first two months after the said district is organized and established. Each member of the Board shall receive as full and
complete compensation for his services the sum of $15.00 for each regular meeting held, and shall be allowed mileage at the rate of 5 cents per mile for every mile necessarily traveled from their respective homes going to and returning from New Holland by the ordinary route, ferriage and toll paid in going and returning: Provided, that each member of the Board shall receive the same compensation for attending called meetings during the first two months after the said district is established as is herein provided for attending regular meetings of said Board. All meetings shall be open to the landowners, or to the representatives of the landowners in said district.

Sec. 6. That the full membership of the Board of Drainage Commissioners of said district shall constitute a quorum. Any member of said Board who absents himself from any regular or called meeting for two consecutive meetings without having furnished in writing to the Clerk of the Superior Court of Hyde County satisfactory reasons for his non-attendance shall forfeit his office, and the Clerk shall declare said office vacant and within five days notify the proper authority of such vacancy as herein provided for vacancies or otherwise, to the end that the vacancy may be filled as hereinafter provided in Section 4 of this Act for the filling of vacancies in other cases. The Clerk of the Superior Court of Hyde County shall record any and all written excuses for the non-attendance of any regular or called meeting of any member of the Board of Drainage Commissioners and also his order either excusing said member for non-attendance or his order declaring his office vacant for non-attendance.

Sec. 7. That this Act shall apply to Hyde County only.

Sec. 8. That all laws, both Public, Private and Public-Local, in conflict herewith are hereby repealed.

Sec. 9. That this Act shall be in force from and after its ratification.

Ratified this the 15th day of May, A.D. 1933.

STATE OF NORTH CAROLINA.
OFFICE OF SECRETARY OF STATE.
RALEIGH, MAY 17, 1933.
I, STACEY W. WADE, Secretary of State of the State of North Carolina, hereby certify that the foregoing (manuscript) are true copies of the original acts on file in this office.

[Signature]

STACEY W. WADE
Secretary of State.
INDEX TO PUBLIC-LOCAL LAWS

A

Acknowledgment—See Probate.
Alamance County—See Counties.
Alexander County—See Counties.
Alleghany County—See Counties.
American Legion—See under Counties.
Amusement, Places of—See under Counties.
Anson County—See Counties.
Appropriations, Bladen County, for farm and home demonstration work. 131
Ashe County—See Counties.
Asheboro—See Cities and Towns.
Asheville—See Cities and Towns.
Automobiles, Authorized for Graham County. ................................. 111
Passenger motor vehicles regulated in Buncombe County. .................. 254
Avery County—See Counties.

B

Bakersville—See Cities and Towns.
Ballentine, E. H., Justice of the Peace, acts validated ......................... 494

Banks and Banking:
   Brunswick County, Bank collateral for deposits ........................ 114
   Buncombe County, Purchase and sale of deposits in closed banks; off-sets ................................. 333
   (Amended in Public Laws 1933.)
   Clay County Bank, Public funds subject to reduction of 25% .................. 15
   Craven County, Assets in closed banks transferred to general fund ......... 468
   Graham County, Purchase by County of Graham county bank building and other assets .................. 138
   Haywood County, Agreement with Citizens Bank and Trust Company validated ................................. 294
   Lenoir County, Acceptance of evidences of indebtedness for bank deposits ........................................ 271
   Robeson County, Bonds as collateral to bank deposits ..................... 131
   Rutherford County, Liquidating dividends credited to general fund ......... 60
   Swain County, Purchase by county of Citizens Bank Building ............... 459
   Transylvania County, County bonds acceptable against deposits in closed bank ................................. 435
   Purchase of Brevard Banking Company building authorized ................. 272
   (Amended, page 420.)
Barker, Mrs. Irene Dimmette, Notary Public, acts validated .................. 111
Bathing Beaches—See under Counties.
Beard, Mrs. Roy, Swain County, Back salary paid.......................... 433
Beaufort—See Cities and Towns.
Beaufort County—See Counties.
Bertie County—See Counties.
Billiard Rooms—See Pool Rooms.
Bladen County—See Counties.
Blue Laws:
   Nash County, Sunday closing near churches............................. 312
   Pitt County, Sunday closing near certain churches...................... 323
   Wilkes County, Sunday closing of filling stations, law repealed..... 54
Boards of Commissioners—See under Counties.
Boards of Education—See under Counties.
Boards of Health—See under Counties.
Bonds and Notes:
   Alleghany County, Issuance of court house bonds........................ 274
   Ashe County, County and municipalities prohibited from issuing bonds .......................................................... 60
   Chatham County, Municipalities may accept bonds for street assessments and taxes............................................ 452
   Graham County, Provision for retiring bonded indebtedness........... 506
   Guilford County, Revenue anticipation notes authorized.............. 334
   Halifax County, Bonds acceptable in payment of taxes and assessments ................................................................. 413
   Haywood County, Government bonds acceptable in lieu of corporate surety bonds .................................................... 431
   Henderson County, Bonds acceptable for taxes........................... 356
   Bonds retired from funds due from Highway Commission................. 286
   Jackson County, Assumption by county of Dillsboro Township road bonds ................................................................. 189
   Provision for retiring bonded indebtedness.............................. 492
   (Amended, page 506.)
   Johnston County, Bonds acceptable in payment of sinking fund loans ................................................................. 474
   Lee County, Bonds acceptable for taxes and assessments............... 488
   McDowell County, Assumption by county of township road bonds........ 121
   (Repealed and re-enacted, page 243.)
   Macon County, Special tax for township road bonds limited............. 448
   Madison County, Road bonds made county-wide obligations............... 289
   Maxton, Bonds acceptable for taxes and assessments..................... 493
   Randolph County, Bonds acceptable for taxes and assessments......... 348
   (Amended, pages 413, 452.)
   Robeson County, Bonds acceptable for taxes and assessments........... 493
   Government bonds acceptable in lieu of surety bonds for bank deposits ................................................................. 131
<table>
<thead>
<tr>
<th>Bonds and Notes—Continued—</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rutherford County, Bonds authorized to retire debts of special charter school districts</td>
<td>383</td>
</tr>
<tr>
<td>Township road bonds made county-wide obligations</td>
<td>334</td>
</tr>
<tr>
<td>Sampson County, Bonds of county acceptable for payment of real estate loans</td>
<td>158</td>
</tr>
<tr>
<td>Notes issued for county vouchers</td>
<td>414</td>
</tr>
<tr>
<td>Swain County, Assumption by county of township road bonds</td>
<td>121</td>
</tr>
<tr>
<td>Transylvania County, County bonds acceptable against deposits in closed bank</td>
<td>435</td>
</tr>
<tr>
<td>County bonds acceptable for paying certain taxes</td>
<td>304</td>
</tr>
<tr>
<td>Wayne County Assumption by county of district school bonds</td>
<td>187</td>
</tr>
<tr>
<td>Governing agencies may accept bonds for taxes</td>
<td>317</td>
</tr>
<tr>
<td>Refunding and school refunding authorized</td>
<td>34</td>
</tr>
</tbody>
</table>

Boundary Lines Between Counties—See under Counties.
Boxing Exhibitions, Allowed in Cabarrus County; boxing commission | 403 |
Brame, W. A., Justice of the Peace, Acts validated | 473 |
Brunswick County—See Counties.
Bryson City—See Cities and Towns.
Building and Loan Associations, Limit of license tax on, in Mecklenburg County | 387 |
| Refund of license taxes erroneously collected in Buncombe County | 351 |
Buncombe County—See Counties.
Burke County—See Counties.
Burning Over Lands, Rewards for convictions in Graham County | 303 |

C

Cabarrus County—See Counties.
Caldwell County—See Counties.
Calves for Veal, Sale of, prohibited in Macon County | 313 |
Camden County—See Counties.
Carolina Beach—See Cities and Towns.
Carpenter, Miss Margaret, Notary Public, Official acts validated | 18 |
Carteret County—See Counties.
Caswell County—See Counties.
Caswell County Historical Commission Created | 450 |
Catawba County—See Counties.
Cemeteries, Alamance County, Care of rural cemeteries | 46 |
Charlotte—See Cities and Towns.
Chatham County—See Counties.
Cherokee County—See Counties.
Chowan County—See Counties.
Churches:

Alamance County, Care of rural church cemeteries ........................................... 46
Lower Country Line Primitive Baptist Association, Sale of commodities prohibited during meetings ........................................ 51
Nash County, Sunday closing and games of chance regulated near certain churches .................................................................. 312
Pitt County, Sunday closing near certain churches .................................................................. 323
Upper Country Line Primitive Baptist Association, Conduct of business prohibited during meetings ........................................ 43
Circuses, Licensing of, in Caldwell County .................................................................. 259

Cities and Towns:

Sale of land for taxes and assessments authorized in certain counties ........................................ 74
Tax sales, redemption of lands sold by municipalities in certain counties ........................................ 237
Ashe County, Municipalities prohibited from issuing bonds ........................................ 60
Tax sales for 1932 postponed .................................................................. 456
Asheboro, Bonds acceptable for assessments and taxes ........................................ 348
(Amended, page 413, 452.)
Asheville, Board of Financial Control Act amended ........................................ 179
Water service, regulation of .................................................................. 376
Bakersville, American Legion exempt from license taxes on amusements ........................................ 497
Beaufort, Tax discounts .................................................................. 268
Bryson City, Surety Bond of Treasurer .................................................................. 38
Buncombe County, Regulation of passenger motor vehicles ........................................ 254
Carolina Beach, Consolidation of tax collections with Wilmington and New Hanover County ........................................ 182
Catawba County, Tax penalties remitted .................................................................. 484
Charlotte, Collector of Revenue, office created; judgment against delinquent taxpayers ........................................ 277
(Amended, page 299, 317, 319.)
(See also under Mecklenburg County, Public Laws, 1933.)
Chatham County, Municipalities may accept bonds for street assessments and taxes ........................................ 452
Cherokee County, Protection of public funds of municipalities ........................................ 78
Cleveland County, Tax sales for 1932 postponed .................................................................. 456
Cumberland County, Tax sale for 1932 postponed .................................................................. 477
Denton, Recorder's Court, jurisdiction of .................................................................. 298
Durham, Consolidated Commission for City and County ........................................ 191
Edgecombe County, Payment of court costs in tax suits before settlement ........................................ 497
Elizabeth City, Arrest fees of police department, disposition of ........................................ 251
Firemen exempt from jury duty .................................................................. 65
Tax sales validated .................................................................. 252
Elkin, Recorder's Court abolished .................................................................. 464
Recorder's Court, Wilkes County removed from jurisdiction of ........................................ 50
Cities and Towns—Continued—

<table>
<thead>
<tr>
<th>City/County</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fayetteville</td>
<td>Aldermen, election by wards</td>
<td>267</td>
</tr>
<tr>
<td>Gaston County</td>
<td>Surety bonds of municipal officers</td>
<td>64</td>
</tr>
<tr>
<td>Graham County</td>
<td>Provision for retiring bonded indebtedness</td>
<td>506</td>
</tr>
<tr>
<td>Greensboro</td>
<td>Municipal Court, transfer of cases from Superior Court</td>
<td>409</td>
</tr>
<tr>
<td>Guilford County</td>
<td>Consolidation of County with municipal offices</td>
<td>253</td>
</tr>
<tr>
<td>Halifax County</td>
<td>Bonds acceptable in payment of taxes and assessments</td>
<td>413</td>
</tr>
<tr>
<td>Haywood County</td>
<td>Official bonds of officers, government bonds in lieu of corporate surety</td>
<td>431</td>
</tr>
<tr>
<td>Hoke County</td>
<td>Tax sale for 1932 postponed</td>
<td>479</td>
</tr>
<tr>
<td>Iredell County</td>
<td>Tax penalties remitted</td>
<td>484</td>
</tr>
<tr>
<td>Jackson County</td>
<td>Provision for retiring bonded indebtedness</td>
<td>492</td>
</tr>
<tr>
<td>Kings Mountain</td>
<td>Jury trials in Recorder's Court of Cleveland County</td>
<td>104</td>
</tr>
<tr>
<td>Kinston</td>
<td>Municipal-County Court, Recorder named; vacancy appointments</td>
<td>129</td>
</tr>
<tr>
<td>Lee County</td>
<td>Bonds acceptable for taxes and assessments</td>
<td>488</td>
</tr>
<tr>
<td>Lenoir County</td>
<td>Acceptance of evidence of indebtedness for bank deposits</td>
<td>271</td>
</tr>
<tr>
<td>Lexington</td>
<td>Recorder's Court changed to Davidson County Court; salaries and fees; jurisdiction</td>
<td>66</td>
</tr>
<tr>
<td>Macon County</td>
<td>Extension of time for paying delinquent municipal taxes</td>
<td>155</td>
</tr>
<tr>
<td>Madison County</td>
<td>Redemption of property sold for taxes</td>
<td>399</td>
</tr>
<tr>
<td>Marvin</td>
<td>Payment of 1932 taxes extended because of destruction of crops</td>
<td>121</td>
</tr>
<tr>
<td>Maxton</td>
<td>Bonds acceptable for taxes and assessments</td>
<td>493</td>
</tr>
<tr>
<td>Mecklenburg County</td>
<td>License taxes on building and loan associations limited</td>
<td>387</td>
</tr>
<tr>
<td>Mitchell County</td>
<td>Redemption of property sold for taxes</td>
<td>399</td>
</tr>
<tr>
<td>Monroe</td>
<td>Recorder's Court, fees in</td>
<td>47</td>
</tr>
<tr>
<td>Moore County</td>
<td>Tax penalties for 1932 suspended</td>
<td>506</td>
</tr>
<tr>
<td>Morehead City</td>
<td>Discounts on payment of delinquent taxes</td>
<td>162</td>
</tr>
<tr>
<td>Pitt County</td>
<td>Tax penalties for 1932 remitted; notice to delinquents</td>
<td>382</td>
</tr>
<tr>
<td>Raleigh</td>
<td>Sale of fresh meats regulated</td>
<td>330</td>
</tr>
<tr>
<td>Randolph County</td>
<td>Bonds acceptable for taxes and assessments</td>
<td>348</td>
</tr>
<tr>
<td>Taxes payable in installments</td>
<td>145, 466</td>
<td></td>
</tr>
</tbody>
</table>

(Amended, page 335, 505.)
Cities and Towns—Continued—

Reidsville, Salaries of officers of Recorder's Court ........................................... 315
Robeson County, Bonds acceptable for taxes and assessments ........................................ 493
Municipalities may accept government bonds in lieu of deposit- ....... 131
tory surety bonds ..................................................................................
Rutherford County, Powers of police officers ............................................. 297
Salisbury, Charitable hospital relieved of taxes and street assess- ments .................. 233
Sampson County, Taxes payable in installments ...................................... 236
Statesville, Jurisdiction of Mayor's Court conferred on Iredell County Recorder's Court .......... 328
Surry County, Tax sales validated ................................................................. 498
Thomasville, Recorder's Court, various amendments; jurisdiction; salaries and fees ........... 246
(Amended, pages 369, 472.)
Union County, Tax penalties for 1932 remitted ............................................. 500
Wake County, Taxes payable in installments .............................................. 300
Wayne County, Taxes payable by municipal bonds ............................................ 317
(Amended, page 469.)
Waynesville, Agreement with Citizens Bank and Trust Company validated ................. 294
Wilmington, Consolidation of tax collections with Carolina Beach and New Hanover County ................................................. 182
Consolidated Commission for City and New Hanover County .......... 81
Salaries of officers; records to be kept ......................................................... 222
(Amended, page 437.)
Wilson, Jurisdiction of Mayor's Court conferred on General County Court .............................................. 371
Winston-Salem, Courthouse property, easement in portion of; improvement ................. 399
Yancey County, Redemption of property sold for taxes ........................................ 382
Civil Procedure (See also Evidence):
Claim and delivery actions in Pasquotank County, pleadings and priority .................................................. 117
Process fees in Louisburg Township, Franklin County ........................................ 369
Process fees of Brunswick County Sheriff in tax suits ........................................ 353
Soliciting of process by constables regulated in Mecklenburg County ....................... 6
Civil Service, Mecklenburg County, Rural police under ........................................ 20
Claim and Delivery—See Civil Procedure.
Clay County—See Counties.
Clerks of Superior Court—See under Counties.
Cleveland County—See Counties.
Columbus County—See Counties.
Commissioners, County Boards of—See under Counties.
Compensation—See Salaries and Fees.
<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Constables, Deputy Township Constable named for Waynesville Township, Haywood County</td>
<td>141</td>
</tr>
<tr>
<td>Fees of, in Union County and Monroe</td>
<td>287</td>
</tr>
<tr>
<td>Soliciting process from justices of the peace prohibited in Mecklenburg County</td>
<td>6</td>
</tr>
<tr>
<td>Special Constables, law creating in Wilson County, repealed</td>
<td>73</td>
</tr>
<tr>
<td>Convicts, Hertford County, Superintendent of Convict Farm</td>
<td>24</td>
</tr>
<tr>
<td>Johnston County, Care of female prisoners provided for</td>
<td>478</td>
</tr>
<tr>
<td>Coroners—See under Counties.</td>
<td></td>
</tr>
<tr>
<td>Cotton, Sale of seed cotton regulated in Beaufort County</td>
<td>436</td>
</tr>
<tr>
<td>Sale of seed cotton regulated in Wilson County</td>
<td>398</td>
</tr>
<tr>
<td>Cotton Weighers, Edgecombe County, For Township No. One</td>
<td>57</td>
</tr>
<tr>
<td>Wake County, For Raleigh Township</td>
<td>287</td>
</tr>
<tr>
<td>Counties:</td>
<td></td>
</tr>
<tr>
<td>Alamance County, Clerk Superior Court, salaries in office of</td>
<td>51</td>
</tr>
<tr>
<td>General County Court, removal of actions to Superior Court on demand for jury trial</td>
<td>58</td>
</tr>
<tr>
<td>Prohibition enforcement, law repealed; certain acts of Clerk Superior Court validated</td>
<td>186</td>
</tr>
<tr>
<td>Rural church cemeteries, care of</td>
<td>46</td>
</tr>
<tr>
<td>Special taxes authorized</td>
<td>380</td>
</tr>
<tr>
<td>Tax Collector authorized; salary of Sheriff</td>
<td>458</td>
</tr>
<tr>
<td>Alexander County, Drainage assessments, collection of those in arrears</td>
<td>354</td>
</tr>
<tr>
<td>Fishing laws</td>
<td>386</td>
</tr>
<tr>
<td>Recorder's Court abolished</td>
<td>151</td>
</tr>
<tr>
<td>Salaries and fees of officers</td>
<td>151</td>
</tr>
<tr>
<td>Special taxes levied</td>
<td>407</td>
</tr>
<tr>
<td>Tax Collector, office abolished</td>
<td>150</td>
</tr>
<tr>
<td>Alleghany County, County line established with Wilkes County</td>
<td>331</td>
</tr>
<tr>
<td>Court House, issuance of bonds for construction of</td>
<td>274</td>
</tr>
<tr>
<td>Roup, F. N., Justice of the Peace, acts validated</td>
<td>169</td>
</tr>
<tr>
<td>Salaries of County officers</td>
<td>127</td>
</tr>
<tr>
<td>Sheep and domestic animals protected from dogs</td>
<td>218</td>
</tr>
<tr>
<td>Special taxes authorized</td>
<td>380</td>
</tr>
<tr>
<td>Anson County, Back taxes, collection by ex-sheriff</td>
<td>287</td>
</tr>
<tr>
<td>Martin, J. F., former Sheriff, act for relief of</td>
<td>347</td>
</tr>
<tr>
<td>Sheriff, fees for tax collections; other fees</td>
<td>332</td>
</tr>
<tr>
<td>Ashe County, Bonds, County prohibited from issuing; also municipalities in County</td>
<td>60</td>
</tr>
<tr>
<td>Boundary line with Wilkes County, law repealed</td>
<td>125</td>
</tr>
<tr>
<td>Game laws amended; game commission</td>
<td>479</td>
</tr>
<tr>
<td>Tax levies in accordance with ability to pay</td>
<td>373</td>
</tr>
<tr>
<td>Tax sales for 1932 postponed</td>
<td>456</td>
</tr>
<tr>
<td>Avery County, Delinquent taxes, collection of</td>
<td>462</td>
</tr>
<tr>
<td>Fireworks and toy pistols, law against, repealed</td>
<td>53</td>
</tr>
<tr>
<td>Intoxicating liquors, sale of, law repealed</td>
<td>143</td>
</tr>
<tr>
<td>Counties—Continued—</td>
<td>Page</td>
</tr>
<tr>
<td>-------------------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>Beaufort County, Bathing beaches regulated</td>
<td>448</td>
</tr>
<tr>
<td>Extended school term, provision for</td>
<td>153</td>
</tr>
<tr>
<td>Firelighting prohibited</td>
<td>216</td>
</tr>
<tr>
<td>Fishing with nets regulated</td>
<td>497</td>
</tr>
<tr>
<td>Fur bearing animals, hunting regulated; open seasons</td>
<td>250</td>
</tr>
<tr>
<td>Nets for fishing regulated</td>
<td>242</td>
</tr>
<tr>
<td>Seed cotton, sale regulated</td>
<td>436</td>
</tr>
<tr>
<td>Seine beaches, sanitary conditions regulated</td>
<td>361</td>
</tr>
<tr>
<td>Thompson, L. S., Justice of the Peace, acts validated</td>
<td>136</td>
</tr>
<tr>
<td>Bertie County, County Commissioners, election by districts</td>
<td>421</td>
</tr>
<tr>
<td>Firelighting prohibited</td>
<td>216</td>
</tr>
<tr>
<td>General County Court, jury trials and appeals</td>
<td>310</td>
</tr>
<tr>
<td>Peanut pickers, law amended</td>
<td>289</td>
</tr>
<tr>
<td>Salaries of County officers</td>
<td>143</td>
</tr>
<tr>
<td>Tax sales, redemption of land</td>
<td>235</td>
</tr>
<tr>
<td>Bladen County, County Commissioners, election of</td>
<td>45</td>
</tr>
<tr>
<td>Court stenographer, pay of</td>
<td>438</td>
</tr>
<tr>
<td>Farm and home demonstration work, continuance of</td>
<td>132</td>
</tr>
<tr>
<td>Game laws amended</td>
<td>482</td>
</tr>
<tr>
<td>Hydrophobia, prevention of</td>
<td>350</td>
</tr>
<tr>
<td>Salaries and fees of officers</td>
<td>64, 131, 374</td>
</tr>
<tr>
<td>(Amended, pages 465, 483.)</td>
<td></td>
</tr>
<tr>
<td>Sheriff, salary and fees of</td>
<td>131, 465</td>
</tr>
<tr>
<td>Slot machines, law on, repealed</td>
<td>316</td>
</tr>
<tr>
<td>Special school district taxes, disposition of</td>
<td>388</td>
</tr>
<tr>
<td>Vouchers acceptable for taxes</td>
<td>76</td>
</tr>
<tr>
<td>(Amended, page 351.)</td>
<td></td>
</tr>
<tr>
<td>White Lake, speed of boats regulated</td>
<td>157</td>
</tr>
<tr>
<td>Brunswick County, Bank collateral in lieu of surety bond; relief of</td>
<td></td>
</tr>
<tr>
<td>Tax Collector as to deposits</td>
<td>114</td>
</tr>
<tr>
<td>County Auditor, employment of assistance</td>
<td>441</td>
</tr>
<tr>
<td>County Commissioners, membership reduced</td>
<td>302</td>
</tr>
<tr>
<td>County Commissioners, settlement with Board of Education validated</td>
<td>396</td>
</tr>
<tr>
<td>Delinquent taxes, collection of</td>
<td>42</td>
</tr>
<tr>
<td>Livestock killed by dogs, County not liable</td>
<td>236</td>
</tr>
<tr>
<td>Meter adjusters</td>
<td>295</td>
</tr>
<tr>
<td>(Repealed, page 461.)</td>
<td></td>
</tr>
<tr>
<td>Recorder's Court, removal to Superior Court on demand for jury trial</td>
<td>117</td>
</tr>
<tr>
<td>Salaries of Clerk Superior Court and assistants</td>
<td>137</td>
</tr>
<tr>
<td>Sheriff, compensation in tax suits; time for serving summons</td>
<td>353</td>
</tr>
<tr>
<td>Surety bonds of officials, premiums on</td>
<td>40</td>
</tr>
<tr>
<td>Tax Collector, compensation of</td>
<td>39</td>
</tr>
<tr>
<td>Buncombe County, Blue Ridge Building and Loan Association, refund of license taxes erroneously collected</td>
<td>351</td>
</tr>
<tr>
<td>Counties—Continued—</td>
<td>Page</td>
</tr>
<tr>
<td>---------------------------------------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>Board of Financial Control Act amended</td>
<td>179</td>
</tr>
<tr>
<td>Court reporter, appointment; salary and fees</td>
<td>300</td>
</tr>
<tr>
<td>Dance and recreation halls, regulation of</td>
<td>364</td>
</tr>
<tr>
<td>Fishing in French Broad River permitted</td>
<td>308</td>
</tr>
<tr>
<td>(Amended, page 392.)</td>
<td></td>
</tr>
<tr>
<td>Game law violation, rewards for evidence repealed</td>
<td>357</td>
</tr>
<tr>
<td>Gasoline and lubricating oils, sale regulated</td>
<td>378</td>
</tr>
<tr>
<td>Hospitals, adjustment of taxes on</td>
<td>170</td>
</tr>
<tr>
<td>Jurors, pay of; act repealed</td>
<td>1</td>
</tr>
<tr>
<td>Justices of the Peace, act regulating, amended</td>
<td>302</td>
</tr>
<tr>
<td>Justices of the Peace, costs in courts of</td>
<td>149</td>
</tr>
<tr>
<td>Passenger motor vehicles, regulation of</td>
<td>254</td>
</tr>
<tr>
<td>Purchase and sale of deposits in closed banks; off-sets</td>
<td>333</td>
</tr>
<tr>
<td>(Amended in Public Laws 1933)</td>
<td></td>
</tr>
<tr>
<td>Store-room keepers, report on disbursements</td>
<td>146</td>
</tr>
<tr>
<td>Water districts, regulation of service and rents</td>
<td>376</td>
</tr>
<tr>
<td>Whittemore, Helen C., pay for school teaching</td>
<td>360</td>
</tr>
<tr>
<td>Burke County, Free medicine shows regulated</td>
<td>471</td>
</tr>
<tr>
<td>Game Commission created; fishing laws</td>
<td>389</td>
</tr>
<tr>
<td>Salaries of officials, reduction of</td>
<td>3</td>
</tr>
<tr>
<td>Cabarrus County, Boxing Commission created; exhibitions allowed</td>
<td>403</td>
</tr>
<tr>
<td>Ice peddlers regulated</td>
<td>473</td>
</tr>
<tr>
<td>Caldwell County, Circuses, licensing of</td>
<td>250</td>
</tr>
<tr>
<td>Free medicine shows regulated</td>
<td>471</td>
</tr>
<tr>
<td>Pool rooms and billiard rooms, law repealed</td>
<td>390</td>
</tr>
<tr>
<td>Tax sales validated</td>
<td>321</td>
</tr>
<tr>
<td>Camden County, Board of Education, nomination of members</td>
<td>171</td>
</tr>
<tr>
<td>Recorder’s Court, salary of Recorder</td>
<td>126</td>
</tr>
<tr>
<td>Carteret County, Dams, construction permitted</td>
<td>377</td>
</tr>
<tr>
<td>Delinquent taxes, discounts on</td>
<td>162</td>
</tr>
<tr>
<td>Removal of cases from Recorder’s to Superior Court on demand</td>
<td>2</td>
</tr>
<tr>
<td>for jury trial</td>
<td></td>
</tr>
<tr>
<td>Vouchers acceptable for taxes</td>
<td>161</td>
</tr>
<tr>
<td>Caswell County, Caswell County Historical Commission created</td>
<td>450</td>
</tr>
<tr>
<td>County Accountant, extra pay for aiding in tax collections</td>
<td>490</td>
</tr>
<tr>
<td>County Accountant to assist Sheriff</td>
<td>396</td>
</tr>
<tr>
<td>Fees of County officers; office hours</td>
<td>462</td>
</tr>
<tr>
<td>Fox hunting regulated</td>
<td>404</td>
</tr>
<tr>
<td>Justices of the Peace, fees of</td>
<td>148</td>
</tr>
<tr>
<td>Schools not to be used as polling places</td>
<td>24</td>
</tr>
<tr>
<td>Seining permitted</td>
<td>309</td>
</tr>
<tr>
<td>Special taxes permitted for certain purposes</td>
<td>204</td>
</tr>
<tr>
<td>Tax penalties for 1932 remitted; notice to delinquents</td>
<td>382</td>
</tr>
<tr>
<td>Vouchers acceptable for payment of taxes</td>
<td>41</td>
</tr>
<tr>
<td>Catawba County, County Accountant named tax collector</td>
<td>142</td>
</tr>
<tr>
<td>Court Stenographer, pay of</td>
<td>237</td>
</tr>
</tbody>
</table>
County—Continued—

Fishing with trot lines and baskets allowed ........................................ 206
Free medicine shows regulated .......................................................... 440
(Amended, page 471.)
Game laws amended .............................................................................. 449
Jurors and witnesses, fees of ............................................................... 363
Notary Public, Miss Margaret Carpenter, official acts validated ....... 18
Salaries of County officers .................................................................... 292
Tax penalties remitted ........................................................................... 484
Chatham County, Municipalities may accept bonds for street assess-
ments and taxes ..................................................................................... 452
Tax sale validated .................................................................................. 362
Cherokee County, Deficiency judgments delayed for two years ........ 337
(Amended, page 391.)
Explosives, setting off, regulated ......................................................... 156
Fireworks, law on, repealed ................................................................ 146
Fishing in Tennessee River .................................................................... 444
(Amended, page 490)
Fishing laws amended ........................................................................... 305
(Amended, page 385.)
Jury Commission, law amended ............................................................ 205
Mortgage foreclosers extended for one year .......................................... 361
Preference to local school teachers ......................................................... 347
Prohibition enforcement, law repealed ................................................ 188
Revenues and public funds, protection of ............................................. 77
Sale of land for taxes authorized for municipalities ......................... 74
Special school district taxes suspended ............................................... 152, 273
Tax Commission created ...................................................................... 239
Usurious contracts, reduction of indebtedness in ................................ 413
Chowan County, Salaries of officers reduced ......................................... 220
Store-room keepers, report on disbursements ..................................... 146
Tax sales, redemption of land ............................................................... 255
Clay County, Clay County Bank, public funds subject to reduction of
25% ......................................................................................................... 15
Deficiency judgments delayed for two years ....................................... 337
(Amended, page 391.)
Jurors, fees of ........................................................................................ 379
Preference to local school teachers ......................................................... 347
Prohibition enforcement, rewards abolished ........................................ 181
Usurious contracts, reduction of indebtedness in ................................ 413
Cleveland County, Commissioners may abolish and consolidate
offices and fix salaries ............................................................................ 3
County Auditor, selection and salary of ............................................... 29
Court costs, limited liability of County for .......................................... 27
Real Estate Commission Law, County exempted from ...................... 129
Recorder's Court, advertisement and disposition of costs payable .... 430
Counties—Continued—

Recorder's Court, jury trials at Kings Mountain ........................................... 104
Superintendent of Public Welfare, office abolished; Public Welfare Officer ......................................................... 166
Tax sales for 1932 postponed ........................................................................... 456
Columbus County, Auditing of books and accounts ........................................ 388
Back taxes, collection of .................................................................................. 481
Board of Health, certain powers as to sanitation ............................................ 495
Clerk Superior Court and Assistant, salaries of ................................................ 419
County Auditor named; salary ......................................................................... 485
County Commissioners, election of .................................................................. 337
County Commissioners' pay, law repealed ......................................................... 137
Criminal calendar prepared by Solicitor ............................................................ 311
Fishing laws ..................................................................................................... 314
Grand jury for six months provided ................................................................ 475
Meter adjusters ................................................................................................ 295
(Mortgages, adjustment of those due County ..................................................... 487
Mortgages and notes due County, renewal of ..................................................... 262
(Repealed, page 461.)
Register of Deeds, salary of .............................................................................. 459
Rural policemen abolished ................................................................................ 48
Salary of Chief Deputy Sheriff ........................................................................ 469
Tax Collector appointed; salary ........................................................................ 443, 481
Trustee named for certain property purchased by County under tax foreclosures ... 502
Vocational education and home economics, teachers of ................................... 419
Craven County, Assets in closed banks transferred to general fund .................. 468
Delinquent taxes, law amended ......................................................................... 118
Vouchers acceptable for taxes .......................................................................... 161
Cumberland County, Fayetteville Aldermen, election by wards ....................... 207
Game laws; open seasons ................................................................................. 499
Recorder's Court, appellate jurisdiction ............................................................. 206
Salaries of County officers ................................................................................ 483, 490
Tax collecting department; Tax Collector .......................................................... 153
(Tax penalties remitted ..................................................................................... 439
(Ammended, page 470.)
Tax sales for 1932 postponed .............................................................................. 477
Tax sales validated ............................................................................................. 478
Vouchers of county acceptable for taxes ............................................................ 13, 17
Currituck County, Board of Education, law as to meeting place, repealed ........... 124
Bond of County Treasurer ................................................................................ 41
Certain public funds, law repealed .................................................................... 357
Dog and poll taxes, provision for collecting ....................................................... 26
Counties—Continued—

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Game Commission; game law violations</td>
<td>214</td>
</tr>
<tr>
<td>(Amended, page 323.)</td>
<td></td>
</tr>
<tr>
<td>Hunting license fees reduced</td>
<td>467</td>
</tr>
<tr>
<td>Recorder's Court, prosecuting attorney; fees</td>
<td>165</td>
</tr>
<tr>
<td>Rural police abolished; process fees for deputy sheriffs</td>
<td>33</td>
</tr>
<tr>
<td>Special taxes authorized</td>
<td>380</td>
</tr>
<tr>
<td>Stills, no fees for capture of</td>
<td>33</td>
</tr>
<tr>
<td>Dare County, Fishing with nets regulated</td>
<td>497</td>
</tr>
<tr>
<td>Townships consolidated; representation on boards</td>
<td>422</td>
</tr>
<tr>
<td>Davidson County, County Court created from Lexington Recorder's Court; salaries and fees; jurisdiction</td>
<td>66</td>
</tr>
<tr>
<td>(Amended, page 73)</td>
<td></td>
</tr>
<tr>
<td>Denton Recorder's Court, jurisdiction</td>
<td>298</td>
</tr>
<tr>
<td>Ice peddlers regulated</td>
<td>473</td>
</tr>
<tr>
<td>Thomasville Recorder's Court, salaries and jurisdiction</td>
<td>246</td>
</tr>
<tr>
<td>(Amended, pages 369, 472.)</td>
<td></td>
</tr>
<tr>
<td>Davie County, Fishing laws</td>
<td>386</td>
</tr>
<tr>
<td>Duplin County, Fox hunting, law repealed</td>
<td>314</td>
</tr>
<tr>
<td>Durham County, Consolidated Commission for City and County</td>
<td>191</td>
</tr>
<tr>
<td>Fishing with hook and line</td>
<td>352</td>
</tr>
<tr>
<td>Jurors, compensation of</td>
<td>190</td>
</tr>
<tr>
<td>Edgecombe County, Cotton weigher, for Township No. One</td>
<td>57</td>
</tr>
<tr>
<td>Financial Agent provided for</td>
<td>496</td>
</tr>
<tr>
<td>Tax Collector authorized; salary of Sheriff and deputies</td>
<td>260</td>
</tr>
<tr>
<td>(Amended, page 428.)</td>
<td></td>
</tr>
<tr>
<td>Tax suits, payment of court costs before settlement allowed</td>
<td>495</td>
</tr>
<tr>
<td>Forsyth County, Central Board of Assessors created</td>
<td>293</td>
</tr>
<tr>
<td>County Court, terms of</td>
<td>166</td>
</tr>
<tr>
<td>(Amended, page 390.)</td>
<td></td>
</tr>
<tr>
<td>Courthouse property, easement conveyed to City; improvement</td>
<td>399</td>
</tr>
<tr>
<td>Ogburn, H. K., Notary Public, official acts validated</td>
<td>217</td>
</tr>
<tr>
<td>Superior Court and County Court, fees charged by clerks</td>
<td>172</td>
</tr>
<tr>
<td>Franklin County, County Commissioners, election of</td>
<td>395</td>
</tr>
<tr>
<td>Fishing in Moore's Pond prohibited</td>
<td>461</td>
</tr>
<tr>
<td>Louisburg Township, process fees</td>
<td>369</td>
</tr>
<tr>
<td>Rewards for prohibition enforcement</td>
<td>188, 421</td>
</tr>
<tr>
<td>Salaries of Clerk of Court and Register of Deeds</td>
<td>215</td>
</tr>
<tr>
<td>(Amended, page 418.)</td>
<td></td>
</tr>
<tr>
<td>Sheriff, salary of</td>
<td>216</td>
</tr>
<tr>
<td>Special taxes levied</td>
<td>395</td>
</tr>
<tr>
<td>Tax Collector, bond, salary and duties</td>
<td>211</td>
</tr>
<tr>
<td>Vouchers acceptable for obligations due County</td>
<td>76</td>
</tr>
<tr>
<td>Gaston County, Foreclosure of sinking fund mortgages deferred; sale of lands purchased</td>
<td>303</td>
</tr>
<tr>
<td>Salaries of officials, Commissioners may fix</td>
<td>40</td>
</tr>
<tr>
<td>Surety bonds of officers</td>
<td>64</td>
</tr>
<tr>
<td>Counties—Continued—</td>
<td>Page</td>
</tr>
<tr>
<td>-----------------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>Tax relief act for County</td>
<td>342</td>
</tr>
<tr>
<td>(Amended, See under Gaston County, Public Laws 1933, page 469.)</td>
<td></td>
</tr>
<tr>
<td>Gates County, Clerk Superior Court, certain fees of</td>
<td>493</td>
</tr>
<tr>
<td>Peanut pickers, law amended</td>
<td>289</td>
</tr>
<tr>
<td>Salaries and fees of County officers</td>
<td>238</td>
</tr>
<tr>
<td>Tax collectors for townships</td>
<td>387</td>
</tr>
<tr>
<td>Tax foreclosures, notice of sales</td>
<td>204</td>
</tr>
<tr>
<td>Tax sales, redemption of land</td>
<td>235</td>
</tr>
<tr>
<td>Graham County, Automobile authorized for County</td>
<td>111</td>
</tr>
<tr>
<td>Bonded indebtedness, provision for retiring</td>
<td>506</td>
</tr>
<tr>
<td>Burning over lands, rewards for conviction of, laws regulating.</td>
<td>303</td>
</tr>
<tr>
<td>Clerk Superior Court, pay of</td>
<td>46</td>
</tr>
<tr>
<td>Fishing, tax on vendors of permits</td>
<td>378</td>
</tr>
<tr>
<td>Graham County Bank, purchase of building and other assets by County</td>
<td>138</td>
</tr>
<tr>
<td>Hunting of wild hogs, raccoon and o'possum regulated</td>
<td>211</td>
</tr>
<tr>
<td>Lawful fences, election to determine</td>
<td>234</td>
</tr>
<tr>
<td>Mortgage foreclosures extended for one year</td>
<td>361</td>
</tr>
<tr>
<td>Preference to local school teachers</td>
<td>347</td>
</tr>
<tr>
<td>Prohibition enforcement, rewards abolished</td>
<td>181</td>
</tr>
<tr>
<td>Sale of land for taxes authorized for municipalities</td>
<td>74</td>
</tr>
<tr>
<td>Special taxes authorized</td>
<td>380</td>
</tr>
<tr>
<td>Granville County, Fees of certain County officers</td>
<td>264</td>
</tr>
<tr>
<td>Fox hunting regulated</td>
<td>358</td>
</tr>
<tr>
<td>Gooch, E. D., Justice of the Peace, acts validated</td>
<td>342</td>
</tr>
<tr>
<td>Salaries of County officers and clerks; rewards for capture of stills and operators</td>
<td>265</td>
</tr>
<tr>
<td>Greene County, Hog cholera, treatment of</td>
<td>125</td>
</tr>
<tr>
<td>Steel and log traps, setting prohibited</td>
<td>210</td>
</tr>
<tr>
<td>Tax Collector, office created; tax foreclosures extended</td>
<td>55</td>
</tr>
<tr>
<td>Guilford County, Clerk Superior Court, fees of</td>
<td>406</td>
</tr>
<tr>
<td>Consolidation of County with municipal offices</td>
<td>253</td>
</tr>
<tr>
<td>Greensboro Municipal Court, transfer of cases from Superior Court</td>
<td>409</td>
</tr>
<tr>
<td>Justices of the Peace, number limited in High Point Township</td>
<td>481</td>
</tr>
<tr>
<td>Revenue anticipation notes authorized</td>
<td>334</td>
</tr>
<tr>
<td>Salary of Sheriff</td>
<td>474</td>
</tr>
<tr>
<td>Tales jurors, act for relief of, repealed</td>
<td>52</td>
</tr>
<tr>
<td>Halifax County, Bonds accepted in payment of taxes and assessments</td>
<td>413</td>
</tr>
<tr>
<td>Grand jurors, drawing of</td>
<td>291</td>
</tr>
<tr>
<td>Peanut pickers, law amended</td>
<td>289</td>
</tr>
<tr>
<td>Harnett County, County Attorney, salary of</td>
<td>306</td>
</tr>
<tr>
<td>Game laws; open seasons</td>
<td>499</td>
</tr>
<tr>
<td>Mortgage foreclosures postponed for year</td>
<td>480</td>
</tr>
</tbody>
</table>
Counties—Continued—

<table>
<thead>
<tr>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Photostatic copies of maps admissible in evidence</td>
<td>422</td>
</tr>
<tr>
<td>Salaries of Commissioners; publication of expenditures</td>
<td>339</td>
</tr>
<tr>
<td>Salaries of County officers</td>
<td>340</td>
</tr>
<tr>
<td>Haywood County, Citizens Bank and Trust Company, agreement with, validated</td>
<td>294</td>
</tr>
<tr>
<td>Deficiency judgments delayed for two years</td>
<td>391</td>
</tr>
<tr>
<td>Depository, designation of; salary of County Accountant</td>
<td>445</td>
</tr>
<tr>
<td>Deputy township constable for Waynesville Township</td>
<td>141</td>
</tr>
<tr>
<td>Law library established</td>
<td>13</td>
</tr>
<tr>
<td>Mortgage foreclosures, extension for two years</td>
<td>61</td>
</tr>
<tr>
<td>Official bonds of officers, government bonds in lieu of corporate sureties</td>
<td>431</td>
</tr>
<tr>
<td>Preference given to local school teachers</td>
<td>347</td>
</tr>
<tr>
<td>Public drunkenness, punishment for</td>
<td>53</td>
</tr>
<tr>
<td>Sale of land for taxes authorized for municipalities</td>
<td>74</td>
</tr>
<tr>
<td>School district trustees abolished; title to property in Clerk Superior Court</td>
<td>423</td>
</tr>
<tr>
<td>Tax Collector, act creating, repealed</td>
<td>1</td>
</tr>
<tr>
<td>(Amended, page 116.)</td>
<td></td>
</tr>
<tr>
<td>Tax Collector, bond of</td>
<td>27</td>
</tr>
<tr>
<td>Tax Collector, salary of</td>
<td>2, 7</td>
</tr>
<tr>
<td>Tax Supervisor authorized</td>
<td>232</td>
</tr>
<tr>
<td>Henderson County, Bonds retired from funds due County from Highway Commission</td>
<td>286</td>
</tr>
<tr>
<td>Hunting and fishing around Lake Summit suspended for two years</td>
<td>74</td>
</tr>
<tr>
<td>(Repealed, page 379.)</td>
<td></td>
</tr>
<tr>
<td>Taxes, payment by bonds</td>
<td>356</td>
</tr>
<tr>
<td>Hertford County, Convict farm, superintendent of</td>
<td>24</td>
</tr>
<tr>
<td>County Commissioners, election of</td>
<td>45</td>
</tr>
<tr>
<td>Hog cholera, treatment of</td>
<td>125</td>
</tr>
<tr>
<td>Peanut pickers, law amended</td>
<td>289</td>
</tr>
<tr>
<td>Salaries of County officers</td>
<td>43, 261</td>
</tr>
<tr>
<td>Tax collections, township agents for</td>
<td>37</td>
</tr>
<tr>
<td>Tax Collectors authorized</td>
<td>261</td>
</tr>
<tr>
<td>Tax sales, redemption of land</td>
<td>235</td>
</tr>
<tr>
<td>Hoke County, Court stenographer, pay of</td>
<td>438</td>
</tr>
<tr>
<td>Tax sales for 1932 postponed</td>
<td>479</td>
</tr>
<tr>
<td>Hyde County, Drainage districts, assessments and tax levies</td>
<td>486</td>
</tr>
<tr>
<td>Hunting license fees</td>
<td>472</td>
</tr>
<tr>
<td>Judgments against County, provision for paying</td>
<td>56</td>
</tr>
<tr>
<td>Mattamuskeet Drainage District, relief of property owners</td>
<td>328</td>
</tr>
<tr>
<td>Mattamuskeet Drainage District, reorganization; appointment of commissioners</td>
<td>507</td>
</tr>
<tr>
<td>Nets for fishing regulated</td>
<td>242</td>
</tr>
<tr>
<td>Tax foreclosures, notice of sales</td>
<td>204</td>
</tr>
</tbody>
</table>
### Counties—Continued—

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tax sales, redemption of land</td>
<td>235</td>
</tr>
<tr>
<td>Taxes, interest on; redemption of land sold for</td>
<td>208</td>
</tr>
<tr>
<td>Iredell County, Pheasants, closed season on</td>
<td>407</td>
</tr>
<tr>
<td>Recorder's Court, fees taxable as costs</td>
<td>318</td>
</tr>
<tr>
<td>Scrip, issuance of</td>
<td>453</td>
</tr>
<tr>
<td>Statesville Mayor's Court, jurisdiction conferred on County Recorder's Court</td>
<td>328</td>
</tr>
<tr>
<td>Tax penalties remitted</td>
<td>484</td>
</tr>
<tr>
<td>Jackson County, Bonded indebtedness, provision for retiring</td>
<td>492</td>
</tr>
<tr>
<td>(Amended, page 506.)</td>
<td></td>
</tr>
<tr>
<td>Clerk Superior Court, fees of</td>
<td>106</td>
</tr>
<tr>
<td>Deficiency judgments delayed for two years</td>
<td>391</td>
</tr>
<tr>
<td>Fireworks, law prohibiting, repealed</td>
<td>358</td>
</tr>
<tr>
<td>Jurors, drawing of, law amended</td>
<td>106</td>
</tr>
<tr>
<td>Mortgage foreclosures, extension for one year</td>
<td>61</td>
</tr>
<tr>
<td>(Amended, page 361.)</td>
<td></td>
</tr>
<tr>
<td>Preference given to local school teachers</td>
<td>347</td>
</tr>
<tr>
<td>Prohibition enforcement, rewards abolished</td>
<td>181</td>
</tr>
<tr>
<td>Register of Deeds to make tax list; compensation</td>
<td>165</td>
</tr>
<tr>
<td>Road bonds of Dillsboro Township, assumption by County</td>
<td>189</td>
</tr>
<tr>
<td>Sale of land for taxes authorized for municipalities</td>
<td>74</td>
</tr>
<tr>
<td>Special taxes authorized</td>
<td>380</td>
</tr>
<tr>
<td>Johnston County, Bonds acceptable in payment of sinking fund loans</td>
<td>474</td>
</tr>
<tr>
<td>Coroner, salary of</td>
<td>353</td>
</tr>
<tr>
<td>County Commissioners, election by classes</td>
<td>267,</td>
</tr>
<tr>
<td>Female prisoners provided for</td>
<td>478</td>
</tr>
<tr>
<td>Jurors, pay of</td>
<td>257</td>
</tr>
<tr>
<td>Jones County, Board of Education, appointment to vacancy</td>
<td>320</td>
</tr>
<tr>
<td>Sale of land for taxes authorized for municipalities</td>
<td>75</td>
</tr>
<tr>
<td>Special taxes authorized</td>
<td>380</td>
</tr>
<tr>
<td>Tax Collector authorized</td>
<td>253</td>
</tr>
<tr>
<td>Vouchers acceptable in payment of taxes</td>
<td>42</td>
</tr>
<tr>
<td>Lee County, Bonds acceptable for taxes and assessments</td>
<td>488</td>
</tr>
<tr>
<td>Scrip, issuance by County</td>
<td>325</td>
</tr>
<tr>
<td>Lenoir County, Bank deposits, acceptance of evidences of indebtedness for</td>
<td>271</td>
</tr>
<tr>
<td>Mortgage foreclosures postponed for year</td>
<td>480</td>
</tr>
<tr>
<td>Municipal-County Court, Recorder named; vacancy appointments</td>
<td>129</td>
</tr>
<tr>
<td>Salaries of officers to be reduced</td>
<td>352</td>
</tr>
<tr>
<td>Tax receipts, making out</td>
<td>237</td>
</tr>
<tr>
<td>Lincoln County, Court stenogapher, employment and pay of</td>
<td>219</td>
</tr>
<tr>
<td>Free medicine shows regulated</td>
<td>471</td>
</tr>
<tr>
<td>Recorder's Court, Solicitor made elective</td>
<td>63</td>
</tr>
<tr>
<td>Treasurer's office abolished; bank as depository</td>
<td>130</td>
</tr>
</tbody>
</table>
### Counties—Continued—

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>McDowell County, Road and bridge bonds of townships, assumption by County</td>
<td>121</td>
</tr>
<tr>
<td>(Repealed and re-enacted, page 243.)</td>
<td></td>
</tr>
<tr>
<td>Schools, building indebtedness made county-wide obligation</td>
<td>159</td>
</tr>
<tr>
<td>Special taxes authorized</td>
<td>380</td>
</tr>
<tr>
<td>Tax sales, postponement validated</td>
<td>433</td>
</tr>
<tr>
<td>Treasurer's office abolished; salaries and fees of officers and jurors</td>
<td>446</td>
</tr>
<tr>
<td>Macon County, Back taxes, collection of</td>
<td>491</td>
</tr>
<tr>
<td>Calves for veal, sale prohibited</td>
<td>313</td>
</tr>
<tr>
<td>Chairman of Board of Commissioners, election of</td>
<td>54</td>
</tr>
<tr>
<td>County Commissioners, compensation of</td>
<td>104</td>
</tr>
<tr>
<td>Coyotes, wild cats and crows, reward for scalps of</td>
<td>133</td>
</tr>
<tr>
<td>Deficiency judgments delayed for two years</td>
<td>337</td>
</tr>
<tr>
<td>(Amended, page 391.)</td>
<td></td>
</tr>
<tr>
<td>Fireworks and toy pistols, law against, repealed</td>
<td>53</td>
</tr>
<tr>
<td>Fishing in Tennessee River</td>
<td>313</td>
</tr>
<tr>
<td>(Amended, pages 444, 490.)</td>
<td></td>
</tr>
<tr>
<td>Fox hunting, open season at all times</td>
<td>358</td>
</tr>
<tr>
<td>Iotla School District, suspension of school taxes</td>
<td>354</td>
</tr>
<tr>
<td>Jurors, fees of</td>
<td>379</td>
</tr>
<tr>
<td>Mortgage foreclosures, extension for two years</td>
<td>61</td>
</tr>
<tr>
<td>Moses, Onley, Justice of the Peace, acts validated</td>
<td>359</td>
</tr>
<tr>
<td>Preference to local school teachers</td>
<td>347</td>
</tr>
<tr>
<td>Quadrennial assessment, appraisers appointed</td>
<td>241</td>
</tr>
<tr>
<td>(Amended, page 498.)</td>
<td></td>
</tr>
<tr>
<td>Ramey, I. V., Justice of the Peace, acts validated</td>
<td>359</td>
</tr>
<tr>
<td>Register of Deeds as Public Accountant</td>
<td>105</td>
</tr>
<tr>
<td>Tax penalties abolished</td>
<td>355</td>
</tr>
<tr>
<td>Tax sale, postponement validated</td>
<td>324</td>
</tr>
<tr>
<td>Taxes, extension of time for payment</td>
<td>155</td>
</tr>
<tr>
<td>Township road bonds, special tax for, limited</td>
<td>448</td>
</tr>
<tr>
<td>Madison County, County records; publication of legal advertising....</td>
<td>338</td>
</tr>
<tr>
<td>Fireworks and toy pistols, law against, repealed</td>
<td>53</td>
</tr>
<tr>
<td>Game law violation, rewards for evidence abolished</td>
<td>357</td>
</tr>
<tr>
<td>Road bonds of townships made county-wide obligations</td>
<td>280</td>
</tr>
<tr>
<td>Sheriff, salary and fees of</td>
<td>234</td>
</tr>
<tr>
<td>Sinking Fund Commission, bond of chairman; vouchers</td>
<td>103</td>
</tr>
<tr>
<td>Special tax to pay debt to Yancey County</td>
<td>368</td>
</tr>
<tr>
<td>Taxes, redemption of property sold for</td>
<td>309</td>
</tr>
<tr>
<td>Martin County, Firelighting prohibited</td>
<td>216</td>
</tr>
<tr>
<td>Justices of the Peace, appeals from, regulated</td>
<td>434</td>
</tr>
<tr>
<td>Mortgages held in sinking fund, moratorium on</td>
<td>48</td>
</tr>
<tr>
<td>Salaries of County officers, commissioners may fix</td>
<td>141</td>
</tr>
<tr>
<td>Taxes, postponement of tax sales validated</td>
<td>36</td>
</tr>
<tr>
<td>Counties—Continued—</td>
<td>Page</td>
</tr>
<tr>
<td>-------------------</td>
<td>------</td>
</tr>
<tr>
<td>Mecklenburg County, Building and loan associations, limit of license taxes on</td>
<td>387</td>
</tr>
<tr>
<td>Civil Service for rural police; salaries</td>
<td>20</td>
</tr>
<tr>
<td>County Commissioners, meetings of, act repealed</td>
<td>7</td>
</tr>
<tr>
<td>Grand jury, relay terms</td>
<td>384</td>
</tr>
<tr>
<td>Justices of the Peace, fees of</td>
<td>212</td>
</tr>
<tr>
<td>Milk, sale of, regulated</td>
<td>288, 307</td>
</tr>
<tr>
<td>(Repealed, page 373.)</td>
<td></td>
</tr>
<tr>
<td>Recorder's Court, costs; removal to Superior Court on demand for jury; judicial notice of ordinances</td>
<td>209</td>
</tr>
<tr>
<td>Salaries of County officers</td>
<td>457</td>
</tr>
<tr>
<td>(Amended, page 488.)</td>
<td></td>
</tr>
<tr>
<td>Soliciting process from justices of the peace by constables regulated</td>
<td>6</td>
</tr>
<tr>
<td>Taxes erroneously paid, refund of</td>
<td>451</td>
</tr>
<tr>
<td>Treasurer-Tax Collector, office created; judgment against delinquent taxpayers</td>
<td>277</td>
</tr>
<tr>
<td>(Amended, pages 299, 317, 319. See also under Mecklenburg County, Public Laws 1933.)</td>
<td></td>
</tr>
<tr>
<td>Tubercular hospital, special tax for</td>
<td>370</td>
</tr>
<tr>
<td>Mitchell County, American Legion exempt from license taxes on benefit amusements</td>
<td>497</td>
</tr>
<tr>
<td>Board of Education, terms of members</td>
<td>439</td>
</tr>
<tr>
<td>Disorderly conduct and public drunkenness, laws relating to, repealed</td>
<td>134</td>
</tr>
<tr>
<td>Distilleries, laws granting fees for capture of, repealed</td>
<td>136</td>
</tr>
<tr>
<td>Fireworks and toy pistols, law against, repealed</td>
<td>73</td>
</tr>
<tr>
<td>Intoxicating liquors, sale of, law repealed</td>
<td>143</td>
</tr>
<tr>
<td>Primary law amended</td>
<td>383</td>
</tr>
<tr>
<td>Special taxes levied</td>
<td>397</td>
</tr>
<tr>
<td>Tax sales validated</td>
<td>444</td>
</tr>
<tr>
<td>Taxes, redemption of property sold for</td>
<td>399</td>
</tr>
<tr>
<td>Montgomery County, Tax Collector, office created; salary of Sheriff</td>
<td>394</td>
</tr>
<tr>
<td>Tax sale for 1932 postponed</td>
<td>494</td>
</tr>
<tr>
<td>Moore County, Salaries of officers</td>
<td>221</td>
</tr>
<tr>
<td>Tax penalties for 1932 suspended</td>
<td>506</td>
</tr>
<tr>
<td>Nash County, Churches, Sunday closing and games of chance regulated</td>
<td>312</td>
</tr>
<tr>
<td>Game laws; open seasons</td>
<td>499</td>
</tr>
<tr>
<td>Recorder's Court, election and salary of judge</td>
<td>305</td>
</tr>
<tr>
<td>Salaries fixed by commissioners</td>
<td>164</td>
</tr>
<tr>
<td>(Amended, page 463.)</td>
<td></td>
</tr>
<tr>
<td>New Hanover County, Consolidated City-County Tax Collector; duties</td>
<td>92, 182</td>
</tr>
<tr>
<td>Consolidated Commission for County and Wilmington</td>
<td>81</td>
</tr>
<tr>
<td>Farm Demonstration Agent, office abolished</td>
<td>79</td>
</tr>
<tr>
<td>Counties—Continued</td>
<td>Page</td>
</tr>
<tr>
<td>------------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>Meter adjusters, law amended</td>
<td>295, 461</td>
</tr>
<tr>
<td>Salaries of officers; records to be kept</td>
<td>222</td>
</tr>
<tr>
<td>(Amended, page 437.)</td>
<td></td>
</tr>
<tr>
<td>Northampton County, County Commissioners, election by districts; number increased</td>
<td>144</td>
</tr>
<tr>
<td>Hog cholera, treatment of</td>
<td>147</td>
</tr>
<tr>
<td>Salaries of County officers</td>
<td>49, 441</td>
</tr>
<tr>
<td>Steel and log traps, setting prohibited</td>
<td>218</td>
</tr>
<tr>
<td>Store-room keepers, report on disbursements</td>
<td>146</td>
</tr>
<tr>
<td>Onslow County, Nets for fishing regulated</td>
<td>242</td>
</tr>
<tr>
<td>Peanut pickers, law amended</td>
<td>289</td>
</tr>
<tr>
<td>Orange County, Drunkenness and disorderly conduct, punishment</td>
<td>360</td>
</tr>
<tr>
<td>Pamlico County, Election of County Commissioners</td>
<td>321</td>
</tr>
<tr>
<td>Salaries of officers</td>
<td>149</td>
</tr>
<tr>
<td>Pasquotank County, Amusement places, unlawful entrance into</td>
<td>391</td>
</tr>
<tr>
<td>Claim and delivery actions, pleadings and priority</td>
<td>117</td>
</tr>
<tr>
<td>Dog taxes, collection of</td>
<td>77</td>
</tr>
<tr>
<td>Elizabeth City, disposition of arrest fees of police department</td>
<td>251</td>
</tr>
<tr>
<td>Firemen in Elizabeth City exempt from jury duty</td>
<td>65</td>
</tr>
<tr>
<td>Game Commission funds diverted to general fund</td>
<td>290</td>
</tr>
<tr>
<td>Jurors, pay of</td>
<td>128</td>
</tr>
<tr>
<td>Nomination of County Commissioners</td>
<td>420</td>
</tr>
<tr>
<td>Slot machines prohibited</td>
<td>408</td>
</tr>
<tr>
<td>Store-room keepers, report on disbursements</td>
<td>146</td>
</tr>
<tr>
<td>Tax sales, redemption of land</td>
<td>235</td>
</tr>
<tr>
<td>Tax sales validated</td>
<td>252</td>
</tr>
<tr>
<td>Pender County, Meter adjusters</td>
<td>295</td>
</tr>
<tr>
<td>(Repealed, page 461.)</td>
<td></td>
</tr>
<tr>
<td>Perquimans County, Steel traps prohibited for two years</td>
<td>401</td>
</tr>
<tr>
<td>Person County, Fox hunting, close season abolished</td>
<td>296</td>
</tr>
<tr>
<td>Pitt County, Court stenographer appointed</td>
<td>426</td>
</tr>
<tr>
<td>Justices of the Peace, fees of</td>
<td>229</td>
</tr>
<tr>
<td>Milk, sale of, regulated</td>
<td>380</td>
</tr>
<tr>
<td>Sunday closing of stores and filling stations near churches</td>
<td>323</td>
</tr>
<tr>
<td>Tax penalties for 1932 remitted; notice to delinquents</td>
<td>382</td>
</tr>
<tr>
<td>Woolard, A. L., Justice of the Peace, acts validated; reappointment</td>
<td>30</td>
</tr>
<tr>
<td>Polk County, County Commissioners, terms of office</td>
<td>411</td>
</tr>
<tr>
<td>Delinquent taxes, collection of</td>
<td>416</td>
</tr>
<tr>
<td>Deputy tax collector provided</td>
<td>320</td>
</tr>
<tr>
<td>Prohibition enforcement, law repealed</td>
<td>204</td>
</tr>
<tr>
<td>Prohibition enforcement, rewards</td>
<td>158, 181</td>
</tr>
<tr>
<td>Tax Collector, office created; salary of sheriff</td>
<td>157</td>
</tr>
<tr>
<td>(Amended, page 320.)</td>
<td></td>
</tr>
<tr>
<td>Tax foreclosures validated</td>
<td>405</td>
</tr>
<tr>
<td>Randolph County, Board of County Commissioners, vacancy appointments</td>
<td>18</td>
</tr>
</tbody>
</table>
Counties—Continued—

Page

Bonds acceptable for taxes and assessments in municipalities 348
(Amended, page 413, 452.)
Taxes payable in installments ..................................... 145, 466
(Amended, pages 335, 505.)
Richmond County, Justices of the Peace, fees and costs in courts of .......................................................... 331, 425
Justices of the Peace, regulation of process .......................... 424
Receipts and disbursements, permanent record of, to be kept by County officers .............................................. 208
Recorder’s Court, salaries in ........................................... 270
Sheriff, salary and fees of .............................................. 244
Robeson County, Bonds acceptable for taxes and assessments .... 493
Court stenographer, pay of ........................................... 438
Dogs, vaccination for rabies ........................................... 322
Drainage District No. 2, powers of Trustees .......................... 245
Drinking glasses at public drinking places permitted .............. 463
(Amended, page 500.)
Government bonds acceptable in lieu of surety bonds for bank deposits ................................................................. 131
McRae, J. S., Justice of the Peace, acts validated .................... 438
Recorder’s Courts, allocation of new township to .................... 439
Revenue and tax department created .................................. 11
Salaries of county officers and employees ......................... 8
Steel traps, setting of, prohibited ..................................... 464
Rockingham County, Leaksville Township Railroad Trustees, appointments ................................................................. 34
Leaksville Township Recorder’s Court, appointment of election officials validated ..................................................... 270
Leaksville Township Recorder’s Court, appointment of Recorder ................................................................. 30
Reidsville Township Recorder’s Court, salaries of officers .......... 315
Seining and trapping fish in certain rivers prohibited ............ 309
Rowan County, Charitable hospital relieved of taxes and street assessments ............................................................ 233
Special school taxes, elections on revoking ........................... 167
Rutherford County, Bank liquidating dividends credited to general fund ................................................................. 60
County Commissioners, election by districts and compensation 61
Official bonds, County to pay premiums on .......................... 130
Police officers in municipalities, powers of .......................... 297
Recorder’s Court officials; election; salaries; witnesses .......... 30
Salaries of County officers ............................................. 126
Salary of County Auditor ................................................ 17
School construction debts of special districts made county-wide obligations ..................................................... 290
(Amended, page 883.)
Special taxes authorized ................................................. 434
### Counties—Continued—

<table>
<thead>
<tr>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Store-room keepers, report on disbursements</td>
<td>146</td>
</tr>
<tr>
<td>Tax Collector, compensation of</td>
<td>75</td>
</tr>
<tr>
<td>Township road bonds made county-wide obligations</td>
<td>334</td>
</tr>
<tr>
<td>Sampson County, County bonds acceptable for payment of real estate loans</td>
<td>158</td>
</tr>
<tr>
<td>Delinquent taxes, collection of; penalties remitted</td>
<td>446</td>
</tr>
<tr>
<td>(Repealed, page 496.)</td>
<td></td>
</tr>
<tr>
<td>Kennedy, J. C., official acts as Notary while Clinton Mayor validated</td>
<td>255</td>
</tr>
<tr>
<td>Notes issued for County vouchers</td>
<td>414</td>
</tr>
<tr>
<td>Special tax for revaluation expense</td>
<td>501</td>
</tr>
<tr>
<td>Steel or log traps prohibited</td>
<td>168</td>
</tr>
<tr>
<td>Stills, rewards for capturing</td>
<td>221</td>
</tr>
<tr>
<td>Taxes, partial payment permitted</td>
<td>236</td>
</tr>
<tr>
<td>Scotland County, County bonds acceptable for payment of real estate loans</td>
<td>410</td>
</tr>
<tr>
<td>Fees of Clerk Superior Court</td>
<td>147</td>
</tr>
<tr>
<td>Financial agent, no surety bond required if collateral given for deposits</td>
<td>105</td>
</tr>
<tr>
<td>Salaries of officers</td>
<td>79</td>
</tr>
<tr>
<td>Sheriff, fees of</td>
<td>275</td>
</tr>
<tr>
<td>Steel traps, setting of, prohibited</td>
<td>468</td>
</tr>
<tr>
<td>Stanly County, Mortgage and judicial sales validated</td>
<td>263</td>
</tr>
<tr>
<td>Stokes County, County Auditor's office abolished; allowance for deputy of Clerk Superior Court</td>
<td>450</td>
</tr>
<tr>
<td>Fagg, A. J., extension of time for bringing actions against</td>
<td>190</td>
</tr>
<tr>
<td>Seining and trapping fish in certain rivers prohibited</td>
<td>309</td>
</tr>
<tr>
<td>Surry County, Elkin Recorder's Court abolished</td>
<td>464</td>
</tr>
<tr>
<td>Elkin Recorder's Court, Wilkes County, removed from jurisdiction of</td>
<td>59</td>
</tr>
<tr>
<td>Grand Jury, discharge of</td>
<td>408</td>
</tr>
<tr>
<td>Mortgages and deeds of trust, certain ones validated</td>
<td>19</td>
</tr>
<tr>
<td>Salaries of officers may be reduced</td>
<td>336</td>
</tr>
<tr>
<td>Still rewards</td>
<td>408</td>
</tr>
<tr>
<td>Tax sale for 1932 postponed</td>
<td>503, 504</td>
</tr>
<tr>
<td>Tax sales validated</td>
<td>498</td>
</tr>
<tr>
<td>Unpaid taxes, sale of land for</td>
<td>452</td>
</tr>
<tr>
<td>Swain County, Beard, Mrs. Roy, back salary as teacher ordered paid</td>
<td>433</td>
</tr>
<tr>
<td>Chairman of Board of Commissioners, compensation</td>
<td>33</td>
</tr>
<tr>
<td>Citizens Bank building, purchase by County</td>
<td>479</td>
</tr>
<tr>
<td>Fishing in Tennessee River</td>
<td>308</td>
</tr>
<tr>
<td>Mortgage foreclosures extended</td>
<td>467</td>
</tr>
<tr>
<td>Pool rooms, law regulating, amended</td>
<td>261</td>
</tr>
<tr>
<td>Preference to local school teachers</td>
<td>347</td>
</tr>
<tr>
<td>Road and bridge bonds of townships, assumption by County</td>
<td>121</td>
</tr>
<tr>
<td>(Repealed and re-enacted, page 229.)</td>
<td></td>
</tr>
</tbody>
</table>
Counties—Continued—

<table>
<thead>
<tr>
<th>Subject</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sale of land for taxes authorized for municipalities</td>
<td>74</td>
</tr>
<tr>
<td>Sheriff and Tax Collector, salary and fees</td>
<td>32</td>
</tr>
<tr>
<td>Surety bonds of County officers and Bryson City Treasurer</td>
<td>38</td>
</tr>
<tr>
<td>Townships, certain ones consolidated</td>
<td>124</td>
</tr>
<tr>
<td>Transylvania County, Bonds of County acceptable in payment of</td>
<td>304</td>
</tr>
<tr>
<td>debt-service portion of taxes</td>
<td></td>
</tr>
<tr>
<td>Brevard Banking Company, purchase of building authorized</td>
<td>272</td>
</tr>
<tr>
<td>County bonds acceptable against deposits in closed bank</td>
<td>435</td>
</tr>
<tr>
<td>Game laws; open seasons</td>
<td>499</td>
</tr>
<tr>
<td>Jury service, non-payment of taxes no bar to</td>
<td>25</td>
</tr>
<tr>
<td>Preference given to local school teachers</td>
<td>347</td>
</tr>
<tr>
<td>Prohibition enforcement, law repealed</td>
<td>204</td>
</tr>
<tr>
<td>Prohibition enforcement, rewards abolished</td>
<td>181</td>
</tr>
<tr>
<td>Resignation of officials; collection of taxes</td>
<td>28</td>
</tr>
<tr>
<td>Salaries of officers</td>
<td>364</td>
</tr>
<tr>
<td>Store-room keepers, report on disbursements</td>
<td>146</td>
</tr>
<tr>
<td>Tax sales, not necessary to advertise worthless lands</td>
<td>239</td>
</tr>
<tr>
<td>Wilson, L. P., Justice of the Peace, acts validated</td>
<td>66</td>
</tr>
<tr>
<td>Tyrrell County, Delinquent taxes, application of proceeds from</td>
<td>262</td>
</tr>
<tr>
<td>Scrip, issuance by County</td>
<td>267</td>
</tr>
<tr>
<td>Special taxes authorized</td>
<td>380</td>
</tr>
<tr>
<td>Union County, County Accountant, salary of</td>
<td>150</td>
</tr>
<tr>
<td>Deputy sheriffs, appointment of</td>
<td>120</td>
</tr>
<tr>
<td>Marvin, payment of 1932 taxes extended because of destruction of crops</td>
<td>122</td>
</tr>
<tr>
<td>Rape, W. C., act for relief of</td>
<td>119</td>
</tr>
<tr>
<td>Recorder’s Court, fees in</td>
<td>47</td>
</tr>
<tr>
<td>(Amended, page 297.)</td>
<td></td>
</tr>
<tr>
<td>Special taxes authorized</td>
<td>429</td>
</tr>
<tr>
<td>Stills, rewards for capture of, abolished</td>
<td>149</td>
</tr>
<tr>
<td>Tax Collector, salary; abolition of office</td>
<td>112</td>
</tr>
<tr>
<td>Tax penalties for 1932 remitted</td>
<td>500</td>
</tr>
<tr>
<td>Vance County, Defective probates validated</td>
<td>316</td>
</tr>
<tr>
<td>Fireworks, law prohibiting, repealed</td>
<td>135</td>
</tr>
<tr>
<td>Recorder’s Court, salary of Recorder</td>
<td>123</td>
</tr>
<tr>
<td>Revaluation of property</td>
<td>349</td>
</tr>
<tr>
<td>Wake County, Assistant Clerk Superior Court, salary of</td>
<td>311</td>
</tr>
<tr>
<td>Ballentine, E. H., Justice of the Peace, acts validated</td>
<td>494</td>
</tr>
<tr>
<td>Brame, W. A., Justice of the Peace, acts validated</td>
<td>473</td>
</tr>
<tr>
<td>Cotton weigher for Raleigh Township</td>
<td>287</td>
</tr>
<tr>
<td>Deputy sheriff for Caraleigh village</td>
<td>118</td>
</tr>
<tr>
<td>Foreclosure of sinking fund mortgages, extension authorized</td>
<td>250</td>
</tr>
<tr>
<td>Fresh meats, sale regulated</td>
<td>330</td>
</tr>
<tr>
<td>Green Hope School District, application of school taxes</td>
<td>367</td>
</tr>
<tr>
<td>Personal property, removal by vendee without notice to vendor</td>
<td>385</td>
</tr>
</tbody>
</table>
Counties—Continued—

Real Estate Commission Law, County exempted.................................................. 169
Salaries of County officers....................................................................................... 489
Tax penalties remitted to citizens of certain townships; extension of time for payment................................................................. 135
Taxes, payable in installments.................................................................................. 300
Unlisted shares of stock, listing for taxes................................................................. 355
Warren County, Special enforcement officer abolished.............................................. 8
Special taxes authorized............................................................................................ 324
Washington County, County Commissioners elected by districts......................... 470
Firelighting prohibited ............................................................................................. 216
Hardison, George W., Notary Public, official acts validated..................................... 25
Peanut pickers, law amended.................................................................................... 289
Salary of Sheriff; Tax Collector authorized; deputy sheriffs................................. 476
Watauga County, Recorder's Court, abolition of..................................................... 406
Recorder's Court, civil jurisdiction.......................................................................... 115
Tax Collector authorized; salary of Sheriff............................................................... 256
Wayne County, Bonds, refunding and school refunding, authorized......................... 34
County Auditor clerk to Commissioners.................................................................. 5
County Court, term of judge.................................................................................... 23
Governing agencies may accept bonds for taxes...................................................... 317
(JAmended, page 469.)
Jarman, T. F., Justice of the Peace, acts validated..................................................... 63
Justices of the Peace, election of.............................................................................. 134
Salaries of County officers; fees for capturing stills.................................................. 5
School districts, assumption by County of bonds of.............................................. 187
Tax Collector created; tax sales validated................................................................. 4
Wilkes County, Barker, Mrs. Irene Dimmette, Notary Public, acts validated........... 111
Boundary line with Ashe County, law repealed....................................................... 125
Clerk of Superior Court, disposition of fees of......................................................... 370
County line established with Alleghany County...................................................... 331
Elkin Recorder's Court, County removed from jurisdiction of.............................. 59
Filling stations, Sunday closing, law repealed......................................................... 54
Fishing laws ............................................................................................................. 386
Jones, Mrs. Rose McNeill, Notary Public, acts validated.......................................... 111
Wilson County, Cotton, sale of seed cotton regulated ............................................. 398
Game laws amended.................................................................................................. 363
General County Court, jurisdiction of Wilson Mayor's Court conferred on............ 371
General County Court, salaries of Judge and Solicitor.......................................... 170
Sheriff, salary of; deputies....................................................................................... 414
Special constables, law creating, repealed.............................................................. 73
Vouchers acceptable for taxes................................................................................... 484
Yadkin County, Close season on quail...................................................................... 485
County Treasurer, office abolished; County depository.......................................... 429
Fishing laws ............................................................................................................ 384
Counties—Continued—

Page

Moxley, C. E., ex-Sheriff, act for relief of ........................................ 52
Still rewards, act reducing, repealed .................................................... 489
Yancey County, Board of Revaluation and Review appointed; pay of ........ 220
(Amended, page 330.)
Clerk Superior Court, official bond of ............................................... 205
County Accountant, appointment and salary ......................................... 430
Farm agent may not be employed during bond default .......................... 415
Fireworks and toy pistols, law against, repealed .................................. 53
Gymnasium at Burnsville, provision for, in budget ............................... 443
Hunting and fishing on timber reservations regulated ............................ 475
Jurors, pay of ....................................................................................... 253
Jury Commission, making up jury box .................................................. 119
Redemption of property sold for taxes ................................................... 382
Register of Deeds, salary and fees of .................................................... 431
Register of Deeds to prepare tax lists; compensation for ....................... 127
Revaluation, expenses provided for ...................................................... 386
Stills, capture of, law repealed ............................................................... 146
Tax sales postponed ............................................................................. 381
Taxes, commissions for collecting ......................................................... 26

County Accountants—See under Counties.
County Boards of Commissioners—See under Counties.
County Commissioners—See under Counties.
County Lines, Ashe County-Wilkes County line, law repealed ................. 125
Established between Wilkes and Alleghany Counties ............................. 331
Court Reporters—See Court Stenographers.
Court Stenographers:
Appointment in Pitt County .................................................................... 426
Appointment, salary and fees of, in Buncombe County ............................ 300
Employment in Lincoln County ................................................................ 219
Pay of, in Catawba County ..................................................................... 237
Pay of, in Robeson, Hoke and Bladen Counties ....................................... 438

Court Houses—See under Counties.

Courts:
Limited liability for court costs in Cleveland County ............................ 27
County Criminal Courts:
Scotland County, Costs and fees ............................................................ 116, 410
Salaries of officers ................................................................................... 80
General County Courts:
Alamance County, Removal of cases to Superior Court on demand for jury trial ................................................................. 58
Bertie County, Jury trials and appeals ..................................................... 310
Salaries of officers ................................................................................... 143
Davidson County, Created from Lexington Recorder's Court; salaries and fees; jurisdiction ................................................................. 66
(Amended, page 73.)
Courts—Continued—

Forsyth County, Fees of Clerk .................................................. 172
Terms of .................................................................................. 166
(Amended, page 390.)
Scotland County, Salaries of officers ........................................... 80
Wayne County, Term of Judge ....................................................... 23
Wilson County, Jurisdiction of Wilson Mayor's Court; fees; clerks and emergency officers .................................................. 371
Salaries of Judge and Solicitor .................................................... 170

Mayor's Courts:
Richmond County, Fees and costs in ............................................. 331
Statesville, Jurisdiction conferred on Iredell County Recorder's Court .................................................................................. 328
Wilson, Jurisdiction conferred on General County Court ............... 371

Municipal Courts:
Greensboro, Transfer of cases from Superior Court ......................... 409

Municipal-County Courts:
Lenoir County and Kinston, Recorder named; vacancy appointments .................................................................................. 129

Recorder's Courts:
Alexander County, Abolished ....................................................... 151
Bladen County, Pay of officers ....................................................... 65, 375
Brunswick County, Removal to Superior Court on demand for jury trial .................................................................................. 117
Camden County, Salary of Recorder ............................................. 123
Carteret County, Removal of cases to Superior Court on demand for jury trial ........................................................................ 2
Catawba County, No mileage for witnesses ........................................ 363
Chowan County, Salaries of officers .............................................. 220
Cleveland County, Advertisement and disposition of costs payable .................................................................................. 430
         Jury trials at Kings Mountain ............................................... 104
Cumberland County, Appellate jurisdiction .................................... 206
         Salaries of officers ............................................................ 490
Currituck County, Prosecuting attorney; fees ................................... 165
Denton, Jurisdiction of ............................................................... 298
Elkin, Abolished ........................................................................ 464
         Wilkes County removed from jurisdiction of ...................... 59
Harnett County, Salaries of Recorder and Solicitor ......................... 341
Iredell County, Fees taxable as costs ........................................... 318
         Jurisdiction of Mayor's Court of Statesville conferred on Lexington, Recorder's Court changed to Davidson County Court; salaries and fees; jurisdiction .................................................. 66
         (Amended, page 73.)
Lincoln County, Solicitor made elective ........................................ 63
Mecklenburg County, Costs; removal to Superior Court on demand for jury; judicial notice of ordinances ................................ 200
Recorder's Courts—Continued—

<table>
<thead>
<tr>
<th>County</th>
<th>Topic</th>
<th>Page(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Moore County</td>
<td>Salaries of officers</td>
<td>221, 222</td>
</tr>
<tr>
<td>Nash County</td>
<td>Election and salary of Recorder</td>
<td>305</td>
</tr>
<tr>
<td>New Hanover County</td>
<td>Salaries of officers</td>
<td>225, 228</td>
</tr>
<tr>
<td>Richmond County</td>
<td>Salaries of officers</td>
<td>270</td>
</tr>
<tr>
<td>Robeson County</td>
<td>Allocation of new townships to proper Court</td>
<td>439</td>
</tr>
<tr>
<td>Rockingham County</td>
<td>Leaksville Township, appointment of election officials validated</td>
<td>270</td>
</tr>
<tr>
<td></td>
<td>Leaksville Township, appointment of Recorder</td>
<td>432</td>
</tr>
<tr>
<td></td>
<td>Reidsville Township, salaries of officers</td>
<td>315</td>
</tr>
<tr>
<td></td>
<td>Rutherford County, Election of officials; salaries; witnesses</td>
<td>30</td>
</tr>
<tr>
<td></td>
<td>Thomasville, Salaries and fees; jurisdiction</td>
<td>246</td>
</tr>
<tr>
<td></td>
<td>(Amended, pages 369, 472.)</td>
<td></td>
</tr>
<tr>
<td>Union County and Monroe</td>
<td>Fees</td>
<td>47</td>
</tr>
<tr>
<td></td>
<td>(Amended, page 297.)</td>
<td></td>
</tr>
<tr>
<td>Vance County</td>
<td>Salary of Recorder</td>
<td>123</td>
</tr>
<tr>
<td></td>
<td>Civil jurisdiction</td>
<td>115</td>
</tr>
<tr>
<td>Watauga County</td>
<td>Abolition of</td>
<td>406</td>
</tr>
<tr>
<td></td>
<td>Superior Courts:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Clerks of—See under Counties.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Columbus County, Preparation of criminal calendar by Solicitor</td>
<td>311</td>
</tr>
<tr>
<td></td>
<td>Guilford County, Transfer of cases to Greensboro Municipal Court</td>
<td>409</td>
</tr>
<tr>
<td></td>
<td>Pasquotank County, Firemen of Elizabeth City exempt from jury duty</td>
<td>65</td>
</tr>
<tr>
<td></td>
<td>(Amended, pages 369, 472.)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Coyotes—See Game Laws.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Craven County—See Counties.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Crimes and Punishments:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Firelighting prohibited in certain counties</td>
<td>216</td>
</tr>
<tr>
<td></td>
<td>Game law violations in Cumberland, Transylvania, Harnett and Nash Counties</td>
<td>409</td>
</tr>
<tr>
<td></td>
<td>Meter adjusters, violation of act regulating in certain counties</td>
<td>296</td>
</tr>
<tr>
<td></td>
<td>(Repealed, page 461.)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Nets for fishing, violation of law regulating, in certain counties</td>
<td>242, 309, 497</td>
</tr>
<tr>
<td></td>
<td>Alleghany County, Allowing dogs to kill sheep punished</td>
<td>218</td>
</tr>
<tr>
<td></td>
<td>Beaufort County, Violation of game laws</td>
<td>251</td>
</tr>
<tr>
<td></td>
<td>Violation of law on fishing with nets</td>
<td>497</td>
</tr>
<tr>
<td></td>
<td>Violation of law on seed cotton sales</td>
<td>436</td>
</tr>
<tr>
<td></td>
<td>Violation of sanitary law as to seine beaches</td>
<td>361</td>
</tr>
<tr>
<td></td>
<td>Bladen County, Speed of boats on White Lake regulated</td>
<td>157</td>
</tr>
<tr>
<td></td>
<td>Violation of act to prevent hydrophobia</td>
<td>350</td>
</tr>
<tr>
<td></td>
<td>Buncombe County, Violation of act regulating distribution of gasoline and oils</td>
<td>378</td>
</tr>
<tr>
<td></td>
<td>Violation of laws on dance and recreation halls</td>
<td>364</td>
</tr>
<tr>
<td></td>
<td>Violation of law regulating passenger motor vehicles</td>
<td>255</td>
</tr>
<tr>
<td></td>
<td>Cabarrus County, Violation of law on boxing</td>
<td>404</td>
</tr>
<tr>
<td></td>
<td>Violation of law on ice peddlers</td>
<td>473</td>
</tr>
<tr>
<td>County</td>
<td>Violation Description</td>
<td>Page</td>
</tr>
<tr>
<td>-----------------</td>
<td>----------------------------------------------------------------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>Caswell County</td>
<td>Violation of law on fox hunting</td>
<td>404</td>
</tr>
<tr>
<td>Catawba County</td>
<td>Violation of game laws</td>
<td>449</td>
</tr>
<tr>
<td>Cherokee County</td>
<td>Setting off explosives regulated</td>
<td>156</td>
</tr>
<tr>
<td>Columbus County</td>
<td>Violation of rules of Board of Health regarding sanitation</td>
<td>496</td>
</tr>
<tr>
<td>Cumberland County</td>
<td>Violation of game law violations</td>
<td>499</td>
</tr>
<tr>
<td>Currituck County</td>
<td>Violation of game law; game commission</td>
<td>214</td>
</tr>
<tr>
<td>Dare County</td>
<td>Violation of law on fishing with nets</td>
<td>497</td>
</tr>
<tr>
<td>Davidson County</td>
<td>Violation of law on ice peddlers</td>
<td>473</td>
</tr>
<tr>
<td>Franklin County</td>
<td>Fishing in Moore's Pond</td>
<td>461</td>
</tr>
<tr>
<td>Graham County</td>
<td>Hunting of wild hogs, raccoon and opossum prohibited</td>
<td>211</td>
</tr>
<tr>
<td>Greene County</td>
<td>Setting of steel and log traps prohibited</td>
<td>210</td>
</tr>
<tr>
<td>Haywood County</td>
<td>Punishment for public drunkenness</td>
<td>53</td>
</tr>
<tr>
<td>Henderson County</td>
<td>Violation of hunting and fishing law around Lake Summit</td>
<td>74</td>
</tr>
<tr>
<td>Iredell County</td>
<td>Forging scrip</td>
<td>456</td>
</tr>
<tr>
<td>Lee County</td>
<td>Violation of law on hunting pheasants</td>
<td>407</td>
</tr>
<tr>
<td>Lower Country Line Primitive Baptist Association, Sale of commodities prohibited during meetings</td>
<td>51</td>
<td></td>
</tr>
<tr>
<td>Macon County</td>
<td>Sale of calves for veal</td>
<td>313</td>
</tr>
<tr>
<td>Mecklenburg County</td>
<td>Soliciting of process from justices of the peace by constables punished</td>
<td>6</td>
</tr>
<tr>
<td></td>
<td>Violation of law regulating sale of milk</td>
<td>288, 307</td>
</tr>
<tr>
<td>(Repealed, page 373.)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mitchell County</td>
<td>Disorderly conduct and public drunkenness, laws repealed</td>
<td>134</td>
</tr>
<tr>
<td>Nash County</td>
<td>Violation of Sunday closing law near churches</td>
<td>312</td>
</tr>
<tr>
<td>New Hanover County</td>
<td>Crimes under Consolidated Commission</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Acts</td>
<td>S9, 93, 101</td>
</tr>
<tr>
<td></td>
<td>Failure of officers to report and make settlements</td>
<td>223, 224</td>
</tr>
<tr>
<td>Northampton County</td>
<td>Setting steel and log traps prohibited</td>
<td>218</td>
</tr>
<tr>
<td>Orange County</td>
<td>Drunkenness and disorderly conduct punished</td>
<td>390</td>
</tr>
<tr>
<td>Pasquotank County</td>
<td>Unlawful entrance into amusement places</td>
<td>391</td>
</tr>
<tr>
<td></td>
<td>Violation of law on slot machines</td>
<td>409</td>
</tr>
<tr>
<td>Perquimans County</td>
<td>Setting of steel traps</td>
<td>491</td>
</tr>
<tr>
<td>Pitt County</td>
<td>Violation of law regulating sale of milk</td>
<td>381</td>
</tr>
<tr>
<td>Richmond County</td>
<td>Collection of unlawful fees by Justices of the Peace</td>
<td>332</td>
</tr>
<tr>
<td></td>
<td>Violation of law regulating Justice of the Peace process</td>
<td>425, 426</td>
</tr>
<tr>
<td>Robeson County</td>
<td>Setting steel traps</td>
<td>461</td>
</tr>
<tr>
<td></td>
<td>Violation of law on dogs</td>
<td>322</td>
</tr>
</tbody>
</table>
Crimes and Punishments—Continued—
  Rockingham County, Seining and trapping fish in certain rivers....  309
  Sampson County, Setting of steel or log traps made misdemeanor....  168
  Scotland County, Setting steel traps..................................  468
  Stokes County, Seining and trapping fish in certain rivers........  309
  Tyrrell County, Forgery of scrip........................................  267
  Upper Country Line Primitive Baptist Association, Conduct of busi-
  ness prohibited during meetings....................................  44
  Wake County, Removal of personal property by vendor without
  notice to purchaser.....................................................  385
  Wilson County, Violation of law regulating purchase of seed cotton 398
  Yadkin County, Violation of close season law on quail..............  485
  Yancey County, Violation of law on hunting and fishing on timber
  reservations ..........................................................  475

Crows—See Game Laws.
Cumberland County—See Counties.
Currituck County—See Counties.

D
Dams—See under Counties.
Dance and Recreation Halls—See under Counties.
Dare County—See Counties.
Davidson County—See Counties.
Davie County—See Counties.
Davis, Edward D., Office of enforcement officer abolished in Warren
  County .................................................................  8

Deeds and Conveyances:
  Mortgage foreclosures and deficiency judgments, extension in cer-
  tain counties .......... 48, 61, 250, 262, 303, 337, 361, 391, 392,
  467, 480
  Columbus County, Adjustment of mortgages due County.............  487
    Renewal of mortgages and notes....................................  262
    (Amended, page 392.)
  Gaston County, Extension of sinking fund mortgages................  303
  Johnston County, Bonds acceptable in payment of sinking fund
  mortgages ............................................................  474
  Martin County, Moratorium on mortgages held in sinking fund.......  48
  Stanly County, Mortgage sales validated................................  263
  Surry County, Certain mortgages and deeds of trust validated......  19
  Vance County, Defective probates validated..........................  316
  Wake County, Foreclosure of sinking fund mortgages may be
  extended .....................................................................  250

Deeds of Trust—See Deeds and Conveyances.
Deficiency Judgments—See Judgments.
Denton—See Cities and Towns.
Deputy Sheriffs—See under Counties.
Disorderly conduct—See Crimes and Punishments.
Dogs: (See also Domestic Animals)

Dog taxes in Pasquotank County, collection of ........................................ 77
Livestock killed by, in Brunswick County, County not liable ................... 236
Prevention of hydrophobia in Bladen County ............................................ 350
Sheep and domestic animals protected from, in Alleghany County .......... 218
Vaccination for rabies in Robeson County ............................................. 322

Domestic Animals (See also Dogs.):
Brunswick County not liable for killing by dogs .................................... 236
Protected from dogs in Alleghany County ............................................. 218

Drainage Districts:
Alexander County, Collection of delinquent drainage assessments .......... 354
Hyde County, Drainage assessments and tax levies ................................ 486
Relief of property owners in Mattamuskeet Drainage District ....................
Reorganization of Mattamuskeet Drainage District; appointment of Commissioners .................................................. 507
Iredell-Rowan Drainage District No. 1, Relief of .................................. 367
Robeson County District No. 2, Powers of Trustees .................................. 245

Duplin County—See Counties.
Durham—See Cities and Towns.
Durham County—See Counties.

E

Edgecombe County—See Counties.

Elections and Election Laws:

Allegany County, Pay of election officials ............................................. 128
Bertie County, Election of County Commissioners by districts ................. 421
Bladen County, Election of County Commissioners .................................. 45
Camden County, Nomination of members of Board of Education ................ 171
Caswell County, Schools not to be used as polling places ....................... 24
Columbus County, Election of Commissioners .........................................
Dare County, Elections in consolidated townships .................................. 422
Durham County, Election on and under Consolidated Commission Act ........ 191, 202
Fayetteville, Election of aldermen by wards ......................................... 207
Franklin County, Election of County Commissioners ............................. 395
Graham County, Election on lawful fences ............................................ 234
Guilford County, Election of Justices of the Peace for High Point Township .............................................................. 481
Haywood County, Election of Deputy Township Constable for Waynesville Township ....................................................... 141
Hertford County, Election of County Commissioners .............................. 45
Johnston County, Election of Commissioners by classes ......................... 267, 307
Lincoln County, Solicitor of Recorder's Court made elective .................. 63
Macon County, Election of Chairman of Board of County Commissioners .... 54
## Elections and Election Laws—Continued—

<table>
<thead>
<tr>
<th>County</th>
<th>Action</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mitchell County</td>
<td>Primary law amended</td>
<td>383</td>
</tr>
<tr>
<td>Nash County</td>
<td>Election of Recorder</td>
<td>305</td>
</tr>
<tr>
<td>New Hanover County</td>
<td>Election on, and under, Consolidated Commission Act</td>
<td>82, 102</td>
</tr>
<tr>
<td>Northampton County</td>
<td>Election of County Commissioners by districts</td>
<td>144</td>
</tr>
<tr>
<td>Pamlico County</td>
<td>Election of County Commissioners</td>
<td>321</td>
</tr>
<tr>
<td>Pasquotank County</td>
<td>Nomination of County Commissioners</td>
<td>420</td>
</tr>
<tr>
<td>Polk County</td>
<td>Election and terms of County Commissioners</td>
<td>411</td>
</tr>
<tr>
<td>Rockingham County</td>
<td>Appointment of Recorder's Court election officials validated</td>
<td>270</td>
</tr>
<tr>
<td>Rowan County</td>
<td>Election on revoking special school taxes</td>
<td>167</td>
</tr>
<tr>
<td>Rutherford County</td>
<td>Election of County Commissioners</td>
<td>61</td>
</tr>
<tr>
<td>Washington County</td>
<td>Commissioners elected by districts</td>
<td>470</td>
</tr>
<tr>
<td>Wayne County</td>
<td>Election of Justices of the Peace</td>
<td>134</td>
</tr>
</tbody>
</table>

Elizabeth City—See Cities and Towns.
Elkin—See Cities and Towns.
Evidence, Photostatic maps admissible in Harnett County........... 422
Explosives, Setting of, regulated in Cherokee County............. 156

### F

Farm Demonstration Agents—See under Counties.
Farm Demonstration Work—See under Counties.
Fayetteville—See Cities and Towns.
Fees—See Salaries and Fees.
Fences, Lawful fences in Graham County............................. 234
Filling Stations:
- Buncombe County, Distribution of gasoline and oils regulated... 378
- Pitt County, Sunday closing of, near certain churches........... 323
- Wilkes County, Sunday closing of, law repealed................... 54
Financial Agents—See under Counties.
Firemen, Exempt from jury duty in Pasquotank County............... 65
Fires—See Burning Over Lands.
Fireworks, Law prohibiting sale of, repealed in certain counties... 53, 137, 146, 358
Fish and Fishing—See Game Laws.
Foreclosure—See Deeds and Conveyances.
Forsyth County—See Counties.
Foxes—See Game Laws.
Franklin County—See Counties.
Free Medicine Shows, Regulated in certain counties............... 440, 471
Fresh Meats—See Meats.
Fur Bearing Animals—See under Game Laws.

### Game Laws:

<table>
<thead>
<tr>
<th>Action</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Firelighting prohibited in certain counties</td>
<td>216</td>
</tr>
<tr>
<td>Fishing laws in Alexander, Davie and Wilkes Counties</td>
<td>386</td>
</tr>
</tbody>
</table>
Game Laws—Continued—

Game law violations, rewards repealed in Buncombe and Madison Counties .......................................................... 357
Game laws and open seasons in Cumberland, Transylvania, Harnett and Nash Counties ...................................... 499
Nets for fishing regulated in certain counties .................. 242, 309, 497
Ashe County, Game laws amended, Game Commission .......... 479
Beaufort County, Fishing with nets regulated .................. 497
Law on fur bearing animals; open season ...................... 250
Sanitary conditions of seine beaches regulated ................. 361
Bladen County, Game laws amended ............................... 482
Buncombe County, Fishing in French Broad River permitted ... 308
(Amended, page 392.)
Burke County, Game Commission created; fishing laws ...... 389
Caswell County, Fox hunting regulated ......................... 404
Seining permitted ...................................................... 309
Catawba County, Fishing with trot lines and baskets allowed ... 296
Game law amendments.................................................. 449
Cherokee County, Fishing in Tennessee River .................. 444
(Amended, page 490.)
Fishing laws amended .................................................. 305
(Amended, page 385.)
Columbus County, Fishing laws ..................................... 314
Cumberland County, Game laws amended ....................... 490
Currituck County, Game Commission; game law violations ... 214
(Amended, page 323.)
Hunting license fees reduced ........................................ 467
Dare County, Fishing with nets regulated ....................... 497
Duplin County, Law on fox hunting repealed .................... 314
Durham County, Fishing with hook and line ................... 352
Franklin County, Fishing in Moore's Pond prohibited .......... 461
Graham County, Hunting of wild hogs, raccoon and o'possum regulated ............................................................... 211
License tax on vendors of fishing permits ....................... 378
Granville County, Fox hunting regulated ......................... 358
Greene County, Setting of traps prohibited ...................... 210
Henderson County, Hunting and fishing around Lake Summit suspended for two years ........................................... 74
(Repealed, page 379.)
Hyde County, Hunting license fees ................................ 472
Iredell County, Closed season on pheasants ...................... 407
Macon County, Coyotes, wild cats and crows, reward for scalps of Fishing in Tennessee River .................. 313
(Amended, pages 444, 490.)
Fox hunting allowed at all times ................................... 358
Northampton County, Setting traps prohibited .................. 218
Game Laws—Continued—

Pasquotank County, Game Commission funds diverted to general fund .................................................. 290
Perquimans County, Steel traps prohibited for two years........................................................................ 491
Person County, Close season on foxes abolished..................................................................................... 296
Robeson County, Setting steel traps prohibited....................................................................................... 464
Rockingham County, Seining and trapping fish in certain rivers prohibited ........................................... 300
Sampson County, Setting of steel or log traps prohibited......................................................................... 168
Scotland County, Setting of steel traps prohibited.................................................................................... 468
Stokes County, Seining and trapping fish in certain rivers prohibited ..................................................... 309
Swain County, Fishing in Tennessee River................................................................................................. 308
Wilson County, Game laws amended......................................................................................................... 363
Yadkin County, Close season on quail.......................................................................................................... 485
Fishing laws .................................................................................................................................................. 384
Yancey County, Hunting and fishing on timber reservations regulated.................................................. 475

Gasoline—See under Counties and also Filling Stations.
Gaston County—See Counties.
Gates County—See Counties.
General County Courts—See Courts.
Glasses, Drinking, Use of—See under Counties.
Gooch, E. D., Justice of the Peace, Acts validated .................................................................................... 342
Graham County—See Counties.
Granville County—See Counties.
Greene County—See Counties.
Greensboro—See Cities and Towns.
Guilford County—See Counties.
Gymnasiums—See under Counties.

Halifax County—See Counties.
Hardison, George W., Notary Public, Acts validated ............................................................................... 25
Harnett County—See Counties.
Hayesville—See Cities and Towns.
Haywood County—See Counties.
Henderson County—See Counties.
Hertford County—See Counties.
Hog Cholera, Treatment in Columbus County .......................................................................................... 419
Treatment in Greene and Hertford Counties............................................................................................... 125
Treatment in Northampton County........................................................................................................... 147
Hoke County—See Counties.
Home Demonstration Work—See under Counties.
**Hospitals:**

- Buncombe County, Adjustment of taxes on .......................................................... 170
- Mecklenburg County, Special tax for tubercular hospital .................................. 370
- Rowan County, Relieved from taxes and assessments ........................................... 233

**Hunting**—See Game Laws.

**Hyde County**—See Counties.

**Hydrophobia**—See Dogs.

**I**

- Ice Peddlers—See Peddlers.
- Iredell County—See Counties.

**J**

- Jackson County—See Counties.
- Jarman, T. F., Justice of the Peace, Acts validated ....................................... 63
- Johnston County—See Counties.
- Jones County—See Counties.
- Jones, Mrs. Rose McNeill, Notary Public, Acts validated ................................ 111
- Judgments, Deficiency judgments and mortgage foreclosures delayed in certain counties ....... 48, 61, 250, 262, 303, 337, 361, 391, 392, 467, 480
- Hyde County, Provision for paying judgments against County .......................... 56
- Judicial Sales, Validated in Stanly County ....................................................... 263

**Juries**—See Jurors and Juries.

**Jurors and Juries:**

- Buncombe County, Pay of; act repealed .................................................................. 1
- Catawba, Fees of jurors .......................................................................................... 363
- Cherokee County, Jury Commission, law amended ............................................ 205
- Clay County, Fees of jurors .................................................................................. 379
- Cleveland County Jury trials in Recorder’s Court at Kings Mountain ............... 104
- Columbus County, Six months grand jury provided ............................................. 475
- Durham County, Pay of ......................................................................................... 190
- Guilford County, Act for relief of tales jurors repealed ....................................... 52
- Halifax County, Drawing of grand jurors ............................................................. 291
- Jackson County, Drawing of jurors, law amended ................................................ 106
- Johnston County, Pay of jurors ............................................................................. 257
- McDowell County, Pay of jurors .......................................................................... 447
- Macon County, Fees of jurors ............................................................................... 379
- Mecklenburg County, Relay terms for grand jurors ............................................. 384
- Pasquotank County, Elizabeth City firemen exempt from jury duty .................... 65
- Pay of jurors limited .............................................................................................. 128
- Surry County, Discharge of grand jury .................................................................. 408
- Transylvania County, Non-payment of taxes no bar to jury service .................. 25
- Yancey County, Jury Commission and making up jury box ............................... 119
- Pay of jurors .......................................................................................................... 253
### Justices of the Peace:

<table>
<thead>
<tr>
<th>Act regulating, in Buncombe County, amended</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appeals from courts of, regulated in Martin County</td>
<td>432</td>
</tr>
<tr>
<td>Ballentine, E. H., Wake County, acts validated</td>
<td>494</td>
</tr>
<tr>
<td>Brame, W. A., Wake County, acts validated</td>
<td>473</td>
</tr>
<tr>
<td>Costs in courts of, in Buncombe County</td>
<td>149</td>
</tr>
<tr>
<td>Election of, in Wayne County</td>
<td>134</td>
</tr>
<tr>
<td>Fees and costs of, in Richmond County</td>
<td>331</td>
</tr>
<tr>
<td>Fees of, in Caswell County</td>
<td>148</td>
</tr>
<tr>
<td>Fees of, in Mecklenburg County</td>
<td>212</td>
</tr>
<tr>
<td>Fees of, in Pitt County</td>
<td>229</td>
</tr>
<tr>
<td>Gooch, E. D., Granville County, acts validated</td>
<td>342</td>
</tr>
<tr>
<td>Jarman, T. F., Wayne County, acts validated</td>
<td>63</td>
</tr>
<tr>
<td>McRae, J. S., Robeson County, acts validated</td>
<td>438</td>
</tr>
<tr>
<td>Moses, Onley, Macon County, acts validated</td>
<td>359</td>
</tr>
<tr>
<td>Number limited in High Point Township</td>
<td>481</td>
</tr>
<tr>
<td>Ramey, I. V., Macon County, acts validated</td>
<td>359</td>
</tr>
<tr>
<td>Regulation of process of, in Richmond County; trial fees</td>
<td>424</td>
</tr>
<tr>
<td>Roup, F. N., Alleghany County, acts validated</td>
<td>169</td>
</tr>
<tr>
<td>Soliciting process from, by constables prohibited in Mecklenburg County</td>
<td>6</td>
</tr>
</tbody>
</table>

| Thompson, L. S., Beaufort County, acts validated | 136 |
| Wilson, L. P., Transylvania County, acts validated | 65 |
| Woolard, A. L., Pitt County, acts validated; reappointment | 30 |

### K

| Kennedy, J. C., Notary Public, Acts validated | 255 |

### Kings Mountain

—See Cities and Towns.

### Kinston

—See Cities and Towns.

### L

<table>
<thead>
<tr>
<th>Law Libraries—See Libraries.</th>
</tr>
</thead>
</table>

### Laws Amended:

| 1909, Public, chapter 104 | 315 |
| 1911, Public-Local, chapter 156 | 315 |
| 1911, Public-Local, chapter 158 | 123 |
| 1911, Public-Local, chapter 176 | 305 |
| 1911, Public-Local, chapter 647 | 246 |
| 1913, Public-Local, chapter 115 | 116, 411 |
| 1913, Public-Local, chapter 276 | 67 |
| 1913, Public-Local, chapter 435 | 292 |
| 1913, Public-Local, chapter 667 | 206 |
| 1913, Public-Local, chapter 676 | 298 |
| 1913, Public-Local, chapter 694 | 126 |
| 1913, Public-Local, chapter 697 | 23 |
| 1913, Public-Local, chapter 775 | 134 |
Laws Amended—Continued—

1913, Public-Local, chapter 800.................................................. 438
1915, Public-Local, chapter 415.................................................. 432
1915, Public-Local, chapter 424.................................................. 289
1915, Public-Local, chapter 520.................................................. 166
1915, Public-Local, chapter 691.................................................. 369
1917, Public-Local, chapter 228.................................................. 429
1917, Public-Local, chapter 532.................................................. 51
1919, Public-Local, chapter 25................................................... 387
1919, Public-Local, chapter 282.................................................. 358
1919, Public-Local, chapter 426.................................................. 295
1919, Public-Local, chapter 576.................................................. 406
1921, Public-Local, chapter 98................................................... 134
1921, Public-Local, chapter 99................................................... 143
1921, Public-Local, chapter 117.................................................. 275
1921, Public-Local, chapter 234.................................................. 51
1921, Public-Local, chapter 521.................................................. 230
1921, Public-Local, chapter 527.................................................. 438
1923, Public-Local, chapter 15.................................................. 146
1923, Public-Local, chapter 255.................................................. 215
1923, Public-Local, chapter 347.................................................. 215
1923, Public-Local, chapter 381.................................................. 105
1923, Public-Local, chapter 411.................................................. 40
1923, Public-Local, chapter 498.................................................. 137
1925, Public-Local, chapter 430, re-enacted................................ 462
1927, Public-Local, chapter 39.................................................. 266
1927, Public, chapter 42.......................................................... 149
1927, Public-Local, chapter 142.................................................. 302
1927, Public-Local, chapter 241.................................................. 169
1927, Public-Local, chapter 296.................................................. 462
1927, Public-Local, chapter 358.................................................. 188
1927, Public-Local, chapter 364.................................................. 67
1927, Public-Local, chapter 391.................................................. 311
1927, Public-Local, chapter 415.................................................. 141
1927, Public-Local, chapter 427.................................................. 474
1927, Public-Local, chapter 431.......................................................... 214, 467
1929, Public-Local, chapter 25.................................................. 17
1929, Public-Local, chapter 60................................................... 171
1929, Public-Local, chapter 61................................................... 222
1929, Public-Local, chapter 111.................................................. 75
1929, Public-Local, chapter 157.................................................. 149
1929, Public-Local, chapter 212.................................................. 7, 27
1929, Private, chapter 213............................................................ 287
1929, Public-Local, chapter 238.................................................. 445
1929, Public-Local, chapter 316.................................................. 118
1929, Public-Local, chapter 415.................................................. 207
1929, Public-Local, chapter 466.................................................. 261
<table>
<thead>
<tr>
<th>Year</th>
<th>Type</th>
<th>Chapter</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1929</td>
<td>Public-Local</td>
<td>489</td>
<td>120</td>
</tr>
<tr>
<td>1931</td>
<td>Public-Local</td>
<td>19</td>
<td>106</td>
</tr>
<tr>
<td>1931</td>
<td>Public-Local</td>
<td>28</td>
<td>46</td>
</tr>
<tr>
<td>1931</td>
<td>Public-Local</td>
<td>37</td>
<td>39</td>
</tr>
<tr>
<td>1931</td>
<td>Public-Local</td>
<td>48</td>
<td>234</td>
</tr>
<tr>
<td>1931</td>
<td>Public-Local</td>
<td>61</td>
<td>395</td>
</tr>
<tr>
<td>1931</td>
<td>Public-Local</td>
<td>64</td>
<td>338</td>
</tr>
<tr>
<td>1931</td>
<td>Public-Local</td>
<td>80</td>
<td>112</td>
</tr>
<tr>
<td>1931</td>
<td>Public-Local</td>
<td>82</td>
<td>150</td>
</tr>
<tr>
<td>1931</td>
<td>Public-Local</td>
<td>86</td>
<td>457</td>
</tr>
<tr>
<td>1931</td>
<td>Public-Local</td>
<td>90</td>
<td>47</td>
</tr>
<tr>
<td>1931</td>
<td>Public-Local</td>
<td>109</td>
<td>205</td>
</tr>
<tr>
<td>1931</td>
<td>Public-Local</td>
<td>133</td>
<td>188</td>
</tr>
<tr>
<td>1931</td>
<td>Public-Local</td>
<td>168</td>
<td>119</td>
</tr>
<tr>
<td>1931</td>
<td>Public-Local</td>
<td>179</td>
<td>170</td>
</tr>
<tr>
<td>1931</td>
<td>Public-Local</td>
<td>183</td>
<td>103</td>
</tr>
<tr>
<td>1931</td>
<td>Public-Local</td>
<td>210</td>
<td>482</td>
</tr>
<tr>
<td>1931</td>
<td>Public-Local</td>
<td>227</td>
<td>421</td>
</tr>
<tr>
<td>1931</td>
<td>Public-Local</td>
<td>234</td>
<td>214</td>
</tr>
<tr>
<td>1931</td>
<td>Public-Local</td>
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Laws Amended—Continued—

<table>
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<tr>
<th>Year, Type, No.</th>
<th>Page</th>
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<tr>
<td>1933, Public-Local, H. B. No. 763</td>
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<td>1933, Public-Local, H. B. No. 1308</td>
<td>391</td>
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<td>1933, Public-Local, H. B. No. 1405</td>
<td>465, 483</td>
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<td>1933, Public-Local, H. B. No. 1575</td>
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<td>1933, Public-Local, H. B. No. 1594</td>
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<td>1933, Public-Local, S. B. No. 11</td>
<td>116</td>
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<tr>
<td>1933, Public-Local, S. B. No. 135</td>
<td>361, 467</td>
</tr>
<tr>
<td>1933, Public-Local, S. B. No. 175</td>
<td>209, 317, 319</td>
</tr>
<tr>
<td>1933, Public-Local, S. B. No. 262</td>
<td>483</td>
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<tr>
<td>1933, Public-Local, S. B. No. 382</td>
<td>335</td>
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<tr>
<td>1933, Public-Local, S. B. No. 334</td>
<td>369, 472</td>
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<td>1933, Public-Local, S. B. No. 451</td>
<td>413, 452</td>
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<tr>
<td>1933, Public-Local, S. B. No. 475</td>
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<tr>
<td>1933, Public-Local, S. B. No. 631</td>
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Laws Repealed:

<table>
<thead>
<tr>
<th>Year, Type, No.</th>
<th>Page</th>
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<tbody>
<tr>
<td>1891, Public, chapter 449</td>
<td>58</td>
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<tr>
<td>1893, Public, chapter 190</td>
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<td>1911, Public-Local, chapter 407</td>
<td>314</td>
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<td>1913, Public-Local, chapter 799</td>
<td>149</td>
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<td>ex-1913, Public-Local, chapter 107</td>
<td>72</td>
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<tr>
<td>1915, Public-Local, chapter 643</td>
<td>72</td>
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<tr>
<td>1915, Public-Local, chapter 805</td>
<td>58</td>
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<td>136</td>
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<td>1923, Private, chapter 171</td>
<td>423</td>
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<td>1923, Public-Local, chapter 598</td>
<td>237</td>
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<td>ex-1924, Public-Local, chapter 23</td>
<td>33</td>
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<td>ex-1924, Public-Local, chapter 76</td>
<td>73</td>
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Laws Repealed—Continued—  

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<td>373</td>
</tr>
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</table>
Lee County—See Counties.

Lenoir County—See Counties.

Lexington—See Cities and Towns.

Libraries, Law Library established in Haywood County ........................................ 13

Licenses:

Ice peddlers licensed in certain counties .......................................................... 473

Beaufort County, Bathing beaches licensed .......................................................... 448

Licensing of purchasers of seed cotton ............................................................... 436

Buncombe County, Refund of certain license taxes .............................................. 351

Caldwell County, Licensing of circuses ............................................................... 259

Currituck County, Hunting license fees reduced .................................................. 467

Graham County, License tax on vendors of fishing permits .................................. 378

Hyde County, Hunting license fees .................................................................... 472

Mecklenburg County, License taxes on building and loan associations ................. 387

Mitchell County, American Legion exempt from license taxes on amusements ......... 497

Wilson County, Licensing of purchasers of seed cotton ....................................... 398

Lincoln County—See Counties.

Livestock—See Domestic Animals.

Log Traps—See Game Laws.

Lower Country Line Primitive Baptist Association, Sale of commodities during meetings prohibited ................................................................. 51

Lubricating Oils—See under Counties.

Mc

McDowell County—See Counties.

McRae, J. S., Justice of the Peace, Official acts validated .................................... 438

Macon County—See Counties.

Madison County—See Counties.

Maps, Photostatic copies admissible in evidence in Harnett County ....................... 422

Martin County—See Counties.

Martin, J. F., Former Sheriff of Anson County, Act for relief of .......................... 347

Marvin—See Cities and Towns.

Maxton—See Cities and Towns.

Mayor's Courts—See Courts.

Meats, Sale regulated in Raleigh and Wake County .............................................. 330

Mecklenburg County—See Counties.

Medicine Shows—See Free Medicine Shows.

Meter Adjusters, Regulated in certain counties .................................................. 295

(Repealed, page 461.)

Milk, Sale of, regulated in Mecklenburg County .................................................. 288, 307

(Repealed, page 373.)

Sale of, regulated in Pitt County ........................................................................... 380

Mitchell County—See Counties.

Monroe—See Cities and Towns.
Montgomery County—See Counties.
Moore County—See Counties.
Morehead City—See Cities and Towns.
Mortgages and Deeds of Trust—See Deeds and Conveyances.
Moses, Onley, Justice of the Peace, Official acts validated.......................... 359
Motor Vehicles—See Automobiles.
Moxley, C. E., ex-Sheriff of Yadkin County, Act for relief of...................... 52
Municipal-County Courts—See under Courts.
Municipalities—See Cities and Towns.

N

Nash County—See Counties.
Nets—See Game Laws.
New Hanover County—See Counties.
Northampton County—See Counties.

Notaries Public:
Catawba County, Official acts of Miss Margaret Carpenter validated 18
Forsyth County, Official acts of H. K. Ogburn validated............................ 217
Jackson County, Official acts of Mrs. Irene Dimmette Barker validated 111
Official acts of Mrs. Rose McNeill Jones validated................................. 111
Sampson County, Official acts of J. C. Kennedy validated.......................... 255
Washington County, Official acts of George W. Hardison validated.............. 25

Notes—See Bonds and Notes.

O

Ogburn, H. K., Notary Public, Official acts validated............................... 217
Onslow County—See Counties.
O'possum—See Game Laws.
Orange County—See Counties.

P

Pamlico County—See Counties.
Pasquotank County—See Counties.
Peanut Pickers, Law relating to, amended.............................................. 289
Peddlers, Ice peddlers regulated in Cabarrus and Davidson Counties............. 473
Pender County—See Counties.
Perquimans County—See Counties.
Person County—See Counties.
Personal Property, Removal by vendee without notice to vendor in Wake County ................................................................. 385
Pheasants—See under Game Laws.
Pitt County—See Counties.
Pleadings—See Civil Procedure.
Police Officers—See under Cities and Towns.
Polk County—See Counties.
Pool Rooms, Law regulating, in Caldwell County repealed......................... 390
Law regulating, in Swain County amended............................................ 261
Primaries—See Elections and Election Laws.

Prisoners—See Convicts.

Probate:
- Granville County, Probate fees .................................................. 264
- Surry County, Certain mortgages and deeds of trust validated .......... 19
- Vance County, Defective probates validated ................................... 316

Process—See Civil Procedure.

Prohibition Laws:
- Rewards abolished in Clay, Graham, Jackson, Polk and Transylvania Counties .................................................. 181, 204
- Alamance County, Prohibition enforcement, law repealed .................. 186
- Avery County, Sale of intoxicating liquors, law repealed .................... 143
- Cherokee County, Enforcement law repealed .................................... 188
- Currituck County, No fees for destruction of stills .......................... 33
- Franklin County, Rewards for enforcement ...................................... 188, 421
- Granville County, Rewards for capture of stills and operators ............ 266
- Mitchell County, Fees for capture of stills abolished ......................... 136
- Polk County, Prohibition enforcement law repealed .......................... 204
- Rewards for prohibition enforcement ............................................ 158
- Sampson County, Rewards for capturing stills .................................. 221
- Surry County, Still rewards ........................................................ 408
- Transylvania County, Prohibition enforcement law repealed .............. 204, 365
- Union County, Rewards for capture of stills abolished ...................... 149
- Warren County, Special enforcement officer abolished ....................... 8
- Wayne County, Fees for capturing stills ......................................... 5
- Yadkin County, Act reducing still rewards repealed ......................... 489
- Yancey County, Capture of stills, law repealed ................................. 146

Public Cotton Weighers—See Cotton Weighers.
Public Roads—See Roads and Highways.
Public Schools—See Schools and School Districts.

Q

Quadrennial Assessment, Provided for Macon County .......................... 241
(Amended, page 498.)

R

Rabies—See Dogs.
Raccoon—See Game Laws.
Railroads, Rockingham County, Appointments to Leaksville Township
  Railroad Trustees ........................................................................ 34
Raleigh—See Cities and Towns.
Ramey, I. V., Justice of the Peace, Official acts validated .................... 359
Randolph County—See Counties.
Rape, W. C., Act for relief of, in Union County ................................. 119
Real Estate Commission Law, Cleveland County exempted from ................................................. 129
Wake County exempted from ........................................................................................................... 169
Registers of Deeds—See under Counties.
Reidsville—See Cities and Towns.
Revaluation and Review, Boards of—See under Counties.
Richmond County—See Counties.
Rivers—See under Counties.
Road Commissions—See Roads and Highways.
Roads and Highways:
Jackson County, Assumption by County of Dillsboro Township road bonds ......................................................... 180
McDowell County, Assumption by County of township road and bridge bonds .............................................. 121
(Repealed and re-enacted, page 243.)
Macon County, Special tax for township road bonds limited ............................................................................. 448
Madison County, Road bonds made county-wide obligations ........................................................................... 280
Rutherford County, Township road bonds made county-wide obligations ..................................................... 334
Swain County, Assumption by County of township road bonds .............................................................. 121
(Repealed and re-enacted, page 229.)
Robeson County—See Counties.
Rockingham County—See Counties.
Roup, F. N., Justice of the Peace, Acts validated ......................................................................................... 169
Rowan County—See Counties.
Rural Police:
Columbus County, Abolished .................................................................................................................... 48
Currituck County, Abolished ..................................................................................................................... 33
Mecklenburg County, Civil service for ......................................................................................................... 20
Warren County, Special enforcement officer, act repealed ........................................................................... 8
Rutherford County—See Counties.

Salaries and Fees:
Court stenographers, pay of, in certain counties ......................................................................................... 438
Alamance County, Salaries in office of Clerk Superior Court ........................................................................ 51
Salary of Sheriff ............................................................................................................................................. 458
Alexander County, Salaries and fees of officers ......................................................................................... 150
Alleghany County, Salaries of County officers .......................................................................................... 127
Anson County, Compensation of Sheriff ..................................................................................................... 332
Beaufort County, License fees of seed cotton buyers .................................................................................. 436
Bertie County, Salaries of County officers .................................................................................................. 143
Bladen County, Salaries and fees of officers ............................................................................................... 65, 131, 374
(Amended, pages 465, 483.)
Salary and fees of sheriff ............................................................................................................................. 131, 465
Salaries and Fees—Continued—

Brunswick County, Compensation of Sheriff in tax suits ........................................ 353
  Compensation of Tax Collector .................................................................................. 39
  Pay of assistants to Auditor .................................................................................... 441
  Salaries of Clerk Superior Court and assistants .................................................. 137

Buncombe County, Pay of jurors; act repealed ......................................................... 1
  Pay of Mrs. Helen C. Whittemore for teaching school ........................................... 360
  Permit fees for passenger motor vehicles .............................................................. 255
  Salary and fees of court reporter ............................................................................. 301
  Salary of liquidating agent ....................................................................................... 180

Burke County, Reduction of salaries provided ......................................................... 37

Camden County, Salary of Judge of Recorder’s Court ............................................. 126

Caswell County, Extra pay of County Accountant for tax duties ............................ 499
  Fees of County officers ............................................................................................ 462
  Fees of Justices of the Peace ..................................................................................... 148

Catawba County, Fees of jurors and witnesses ......................................................... 363
  Pay of Court Stenographer ..................................................................................... 237
  Salaries of officers ..................................................................................................... 292

Chowan County, Salaries of officers reduced ............................................................ 220

Clay County, Fees of jurors ......................................................................................... 379

Cleveland County, Commissioners may fix salaries .................................................. 3
  Jury fee in Recorder’s Court at Kings Mountain .................................................... 104
  Limited fees for police officers ............................................................................... 27
  Salary of County Auditor ......................................................................................... 29

Columbus County, Pay of Commissioners, law repealed .......................................... 137
  Salaries of Clerk Superior Court and assistant .................................................... 419
  Salary of Chief Deputy Sheriff ............................................................................... 469
  Salary of County Auditor ....................................................................................... 435
  Salary of Register of Deeds ..................................................................................... 459
  Salary of Tax Collector ............................................................................................ 448, 483

Cumberland County, Fees of Tax Collector ............................................................. 154
  Salaries of County officers ....................................................................................... 483, 499

Currituck County, Extra pay of Clerk Superior Court as to Game Commission duties ................................................................. 214
  Fees of solicitor of Recorder’s Court ...................................................................... 165
  Hunting license fees reduced ................................................................................... 407
  No fees for capture of stills; process fees for deputy sheriffs .................................. 33

Davidson County, Salaries and fees in County Court ................................................. 68, 69, 70
  (Amended, page 73.)

Durham County, Pay of jurors .................................................................................... 190
  Salaries under Consolidated Commission Act ...................................................... 194, 199

Edgecombe County, Compensation of township cotton weigher ............................ 57
  Salary of Sheriff and deputies .................................................................................. 260
  (Amended, page 428.)

Forsyth County, Fees of Clerks of Superior and County Courts ............................. 172
Salaries and Fees—Continued—

Franklin County, Process fees in Louisburg Township.......................... 369
Salaries of Clerk of Court and Register of Deeds............................. 215
(Amended, page 418.)
Salary of Sheriff................................................................. 216
Salary of Tax Collector......................................................... 211
Gaston County, Commissioners may fix salaries............................. 40
Fees under tax relief act...................................................... 345
Gates County, Certain fees of Clerk Superior Court....................... 493
Salaries and fees of County officers........................................ 238
Graham County, Pay of Clerk of Superior Court............................ 46
Granville County, Fees of certain County officers......................... 264
Salaries of County officers and clerks.................................... 265
Greene County, Commissions of Tax Collector.................................. 55
Guilford County, Fees of Clerk Superior Court............................. 406
Salary of Sheriff................................................................. 474
Harnett County, Salaries of Commissioners.................................... 339
Salaries of County officers.................................................... 339, 340
Salary of County Attorney.................................................... 366
Haywood County, Pay of Sheriff for collecting taxes...................... 2
Salary of County Accountant.................................................. 445
Salary of Tax Supervisor...................................................... 292
Salary of Tax Collector.......................................................... 2, 7
Hertford County Salaries of officers.......................................... 43, 261
Salary of superintendent of Convict Farm.................................... 24
Hyde County, Hunting license fees........................................... 472
Pay of Mattamuskeet Drainage District Commissioners..................... 510
Iredell County, Fees taxable as costs in Recorder's Court................. 318
Jackson County, Fees of Clerk Superior Court............................ 106
Pay of Register of Deeds for making tax list.............................. 165
Johnston County, Pay of jurors................................................ 257
Salary of Coroner........................................................................ 353
Lenoir County, Salaries of officers to be reduced......................... 352
Lincoln County, Pay of court stenographer................................... 219
McDowell County, Salaries and fees of County officers and jurors........ 446
Macon County, Extra pay of Register of Deeds as Public Accountant.... 105
Fees of jurors............................................................................ 379
Pay of Commissioners............................................................... 104
Pay of tax appraisers............................................................... 241
Madison County, Salary and fees of Sheriff................................... 234
Martin County, Commissioners may fix salaries............................. 141
Mecklenburg County, Fees of Justices of the Peace......................... 212
Pay of tax collecting officials of County and
Charlotte.................................................................................... 279, 281, 285, 317
Salaries of rural police.................................................................. 22
Salaries of County officers.......................................................... 437
(Amended, page 488.)
<table>
<thead>
<tr>
<th>County</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Montgomery County</td>
<td>Salary of Sheriff</td>
<td>394</td>
</tr>
<tr>
<td>Moore County</td>
<td>Salaries of officers</td>
<td>221</td>
</tr>
<tr>
<td>Nash County</td>
<td>Salaries fixed by Commissioners</td>
<td>164</td>
</tr>
<tr>
<td></td>
<td>(Amended, page 463.)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Salary of Judge of Recorder's Court</td>
<td>306</td>
</tr>
<tr>
<td>New Hanover County</td>
<td>Salaries of County and City of Wilmington officers</td>
<td>S4, S5, S7, 90, 183, 222, 437</td>
</tr>
<tr>
<td></td>
<td>Salary of City-County Tax Collector and assistants</td>
<td>183, 184</td>
</tr>
<tr>
<td>Northampton County</td>
<td>Salaries of County officers</td>
<td>49, 441</td>
</tr>
<tr>
<td>Pamlico County</td>
<td>Salaries of County officers</td>
<td>149</td>
</tr>
<tr>
<td>Pasquotank County</td>
<td>Disposition of arrest fees of Elizabeth City police</td>
<td>251</td>
</tr>
<tr>
<td></td>
<td>Pay of jurors limited</td>
<td>128</td>
</tr>
<tr>
<td>Pitt County</td>
<td>Fees of Court Stenographer</td>
<td>427</td>
</tr>
<tr>
<td></td>
<td>Fees of Justices of the Peace</td>
<td>229</td>
</tr>
<tr>
<td>Polk County</td>
<td>Salary of Sheriff</td>
<td>157</td>
</tr>
<tr>
<td>Richmond County</td>
<td>Extra pay of officers for keeping records</td>
<td>208</td>
</tr>
<tr>
<td></td>
<td>Fees of Justices of the Peace</td>
<td>331, 425</td>
</tr>
<tr>
<td></td>
<td>Salaries in Recorder's Court</td>
<td>270</td>
</tr>
<tr>
<td></td>
<td>Salary and fees of Sheriff</td>
<td>244</td>
</tr>
<tr>
<td>Robeson County</td>
<td>Salaries of county officers and employees</td>
<td>8</td>
</tr>
<tr>
<td>Rockingham County</td>
<td>Salaries in Reidsville Township Recorder's Court</td>
<td>315</td>
</tr>
<tr>
<td>Rutherford County</td>
<td>Compensation of Commissioners</td>
<td>62</td>
</tr>
<tr>
<td></td>
<td>Compensation of Tax Collector</td>
<td>75</td>
</tr>
<tr>
<td></td>
<td>Salaries of County officers</td>
<td>126</td>
</tr>
<tr>
<td></td>
<td>Salaries and fees in Recorder's Court</td>
<td>30</td>
</tr>
<tr>
<td></td>
<td>Salary of County Auditor</td>
<td>17</td>
</tr>
<tr>
<td>Scotland County</td>
<td>Costs and fees in County Criminal Court</td>
<td>116, 410</td>
</tr>
<tr>
<td></td>
<td>Fees of Clerk Superior Court</td>
<td>147</td>
</tr>
<tr>
<td></td>
<td>Fees of Sheriff</td>
<td>275</td>
</tr>
<tr>
<td></td>
<td>Salaries of officers</td>
<td>79</td>
</tr>
<tr>
<td>Stokes County</td>
<td>Allowance for deputy of Clerk Superior Court</td>
<td>450</td>
</tr>
<tr>
<td>Surry County</td>
<td>Reduction of officers' salaries</td>
<td>336</td>
</tr>
<tr>
<td>Swain County</td>
<td>Back salary of Mrs. Roy Beard as teacher ordered paid</td>
<td>433</td>
</tr>
<tr>
<td></td>
<td>Compensation of Sheriff and Tax Collector and Chairman of Board of Commissioners</td>
<td>32</td>
</tr>
<tr>
<td>Thomasville</td>
<td>Salaries and fees in Recorder's Court</td>
<td>246</td>
</tr>
<tr>
<td></td>
<td>(Amended, page 472.)</td>
<td></td>
</tr>
<tr>
<td>Transylvania County</td>
<td>Salaries of officers</td>
<td>364</td>
</tr>
<tr>
<td>Union County</td>
<td>Fees in Recorder's Court</td>
<td>47</td>
</tr>
<tr>
<td></td>
<td>(Amended, page 297.)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Salary of County Accountant</td>
<td>150</td>
</tr>
<tr>
<td></td>
<td>Salary of Tax Collector</td>
<td>112</td>
</tr>
</tbody>
</table>
Salaries and Fees—Continued—

Vance County, Salary of Judge of Recorder’s Court ........................................ 123
Wake County, Salaries of County officers .................................................. 489
Salaries of Assistant Clerk Superior Court ............................................... 311
Washington County, Salary of Sheriff ..................................................... 476
Watauga County, Pay of Tax Collector and Sheriff .......................... 257
Wayne County, Salaries of officers; fees for capturing stills ............. 5
Wilkes County, Disposition of fees of Clerk Superior Court .............. 370
Wilson County, Fees in General County Court ........................................ 371
Salaries in General County Court ......................................................... 170
Salaries of Sheriff and deputies ............................................................ 414
Yadkin County, Salary of County Treasurer abolished ...................... 429
Yancey County, Commissions for collecting taxes ......................... 26
Pay of Board of Equalization and Review .............................................. 220
Pay of jurors ......................................................................................... 253
Pay of Register of Deeds for preparing tax lists .............................. 127
Salary and fees of Register of Deeds ....................................................... 431
Salary of County Accountant ............................................................... 430

Sales—See Judicial Sales.
Salisbury—See Cities and Towns.
Sampson County—See Counties.

Schools and School Districts:
School teachers, preference given to local teachers in certain counties ........................................ 347
Beaufort County, Provision for extended term ........................................... 153
Bladen County, Disposition of special school district taxes ............ 388
Buncombe County, Pay of Mrs. Helen C. Whittemore for teaching school ........................................ 360
Camden County, Nomination of Board of Education ............................ 171
Caswell County, Schools not to be used as polling places ................. 24
Cherokee County, Protection of school revenues .................................. 78
Special school district taxes suspended ................................................. 152, 273
Columbus County, Teachers of vocational education and home economics ........................................ 419
Haywood County, School district trustees abolished; title to property in Clerk Superior Court ........................................ 423
Henderson County, Bonds retired from funds due from Highway Commission ........................................ 286
Jones County, Appointment to vacancy on Board of Education ............ 320
McDowell County, School indebtedness for buildings made county-wide obligation ........................................ 159
Macon County, Suspension of Iotla School District taxes .................. 354
Mitchell County, Terms of members of Board of Education ................. 439
Rowan County, Revoking special school taxes ......................................... 167
Rutherford County, School construction debts made county-wide obligations ........................................ 290

(Amended, page 383.)
Schools and School Districts—Continued—

Swain County, Back salary of Mrs. Roy Beard as teacher ordered paid .......................................................... 433
Wake County, Application of Green Hope School District taxes .......... 367
Wayne County, Assumption by County of district school bonds .......... 187
School refunding bonds validated ................................................... 34

Scotland County—See Counties.
Scrip, Issuance by Counties .................................................................. 267, 325, 453
Seed Cotton—See Cotton.
Service Stations—See Filling Stations.
Sheep—See Domestic Animals.
Sheriffs—See under Counties.
Shows—See Circuses.
Sinking Fund Commissioners—See under Counties.
Slot Machines, Law regulating, in Bladen County, repealed .............. 316
Prohibited in Pasquotank County .................................................... 408
Solicitors, Preparation of criminal calendars in Columbus County ....... 311
Special Constables—See Constables.
Stanly County—See Counties.
Statesville—See Cities and Towns.
Steel Traps—See Game Laws.
Stills—See Prohibition Laws.
Stokes County—See Counties.
Store-Room Keepers, Report of disbursements in certain counties ..... 146
Sunday Closing—See Blue Laws.
Superior Courts—See Courts.
Surry County—See Counties.
Swain County—See Counties.

T

Tax Collectors—See Taxes and Taxation.

Taxes and Taxation:

Ice peddlers, license tax on, in certain counties .................................. 473
Sale of land for taxes authorized for municipalities in certain counties .................................................. 74
Special taxes authorized in certain counties ....................................... 380
Tax sales, redemption of land in certain counties ................................ 235
Alamance County, Tax Collector authorized ...................................... 458
Alexander County, Special taxes levied ............................................. 407
Tax Collector's office abolished ......................................................... 150
Anson County, Ex-Sheriff to collect back taxes .................................. 287
Pay of Sheriff for tax collections .................................................... 332
Ashe County, Tax levies in accordance with ability to pay ................. 373
Tax sales for 1932 postponed ......................................................... 456
Avery County, Collection of delinquent taxes .................................... 462
Beaufort, Tax discounts ................................................................. 268
Taxes and Taxation—Continued—

<table>
<thead>
<tr>
<th>County</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bladen County, Commissions of Sheriff for tax collections</td>
<td>374, 465</td>
</tr>
<tr>
<td>Disposition of special school district taxes</td>
<td>388</td>
</tr>
<tr>
<td>Vouchers acceptable for taxes</td>
<td>76</td>
</tr>
<tr>
<td>(Amended, page 351.)</td>
<td></td>
</tr>
<tr>
<td>Brunswick County, Collection of delinquent taxes</td>
<td>42</td>
</tr>
<tr>
<td>Compensation of Sheriff in tax suits; time for serving summons</td>
<td>353</td>
</tr>
<tr>
<td>Compensation of Tax Collector</td>
<td>39</td>
</tr>
<tr>
<td>Relief of Tax Collector as to bank deposits</td>
<td>114</td>
</tr>
<tr>
<td>Buncombe County, Adjustment of taxes on hospitals</td>
<td>170</td>
</tr>
<tr>
<td>Re-assessment of property for taxation</td>
<td>180</td>
</tr>
<tr>
<td>Refund of certain license taxes</td>
<td>351</td>
</tr>
<tr>
<td>Caldwell County, Tax sales validated</td>
<td>321</td>
</tr>
<tr>
<td>Carteret County, Discounts on delinquent taxes</td>
<td>162</td>
</tr>
<tr>
<td>Vouchers acceptable for taxes</td>
<td>161</td>
</tr>
<tr>
<td>Caswell County, County Accountant to assist in tax collections</td>
<td>396, 499</td>
</tr>
<tr>
<td>Special taxes permitted for certain purposes</td>
<td>204</td>
</tr>
<tr>
<td>Tax penalties for 1932 remitted; notice to delinquents</td>
<td>382</td>
</tr>
<tr>
<td>Vouchers acceptable for taxes</td>
<td>41</td>
</tr>
<tr>
<td>Catawba County, County Accountant named tax collector</td>
<td>142</td>
</tr>
<tr>
<td>Tax penalties remitted</td>
<td>484</td>
</tr>
<tr>
<td>Chatham County, Municipalities may accept bonds for street assessments and taxes</td>
<td>452</td>
</tr>
<tr>
<td>Tax sale validated</td>
<td>362</td>
</tr>
<tr>
<td>Cherokee County, Special school district taxes suspended</td>
<td>152, 273</td>
</tr>
<tr>
<td>Tax Commission created</td>
<td>239</td>
</tr>
<tr>
<td>Cleveland County, Tax sales for 1932 postponed</td>
<td>456</td>
</tr>
<tr>
<td>Columbus County, Collection of back taxes</td>
<td>481</td>
</tr>
<tr>
<td>Tax Collector named; salary</td>
<td>443, 481</td>
</tr>
<tr>
<td>Trustee named for certain property bid in at tax foreclosure sales</td>
<td>502</td>
</tr>
<tr>
<td>Craven County, Delinquent taxes, law amended</td>
<td>118</td>
</tr>
<tr>
<td>Vouchers acceptable for taxes</td>
<td>161</td>
</tr>
<tr>
<td>Cumberland County, County vouchers acceptable for taxes</td>
<td>13, 17</td>
</tr>
<tr>
<td>Tax collecting department; Tax Collector</td>
<td>153</td>
</tr>
<tr>
<td>(Amended, page 483.)</td>
<td></td>
</tr>
<tr>
<td>Tax penalties remitted</td>
<td>439</td>
</tr>
<tr>
<td>(Amended, page 470.)</td>
<td></td>
</tr>
<tr>
<td>Tax sale for 1932 postponed</td>
<td>477</td>
</tr>
<tr>
<td>Tax sales validated</td>
<td>478</td>
</tr>
<tr>
<td>Currituck County, Provision for collecting dog and poll taxes</td>
<td>26</td>
</tr>
<tr>
<td>Durham County, City-County Tax Collector</td>
<td>197</td>
</tr>
<tr>
<td>Edgecombe County, Payment of court costs in tax suits before settlement</td>
<td>495</td>
</tr>
<tr>
<td>Tax Collectors authorized</td>
<td>260</td>
</tr>
<tr>
<td>(Amended, page 428.)</td>
<td></td>
</tr>
</tbody>
</table>
Taxes and Taxation—Continued—

Forsyth County, Central Board of Assessors created............................ 293
Franklin County, Bond and Salary of Tax Collector.............................. 211
   Special taxes levied......................................................... 395
   Vouchers acceptable for taxes............................................ 76
Gaston County, Tax relief act for County.......................................... 342
   (Amended, see Gaston County, Public Laws 1933, page 469.)
Gates County, Tax foreclosures, notice of sales................................. 204
   Township tax collectors.................................................... 387
Graham County, Bonds acceptable for taxes......................................... 506
   License tax on vendors of fishing permits................................ 378
Greene County, Tax Collector, office created; tax foreclosures extended .... 55
Halifax County, Bonds acceptable in payment of taxes and assessments ....... 413
Haywood County, Salary of Tax Collector......................................... 411
   Tax Collector, act creating, repealed.................................... 1
   (Amended, page 116.)
   Tax Collector's bond....................................................... 27
   Tax Supervisor authorized.................................................. 232
Henderson County, Bonds acceptable for taxes...................................... 356
Hertford County, Tax Collectors authorized........................................ 261
   Township tax collecting agents.......................................... 37
Hoke County, Tax sale for 1932 postponed.......................................... 479
Hyde County, Interest on unpaid taxes; redemption of land sold for tax foreclosures, notice of sales.......................... 204
   Tax Collector, act creating, repealed.................................... 1
   (Amended, page 116.)
   Tax Collector's bond....................................................... 27
   Tax Supervisor authorized.................................................. 232
Iredell County, Tax penalties remitted............................................. 484
Jackson County, Bonds acceptable for taxes....................................... 506
   Register of Deeds to make tax list...................................... 165
Jones County, Tax Collector authorized............................................ 258
   Vouchers acceptable for taxes............................................ 42
Lee County, Bonds acceptable for taxes and assessments......................... 488
   Lenoir County, Making out tax receipts................................... 237
McDowell County, Postponement of tax sales validated........................... 433
Macon County, Collection of back taxes............................................ 491
   Extension of time for paying delinquent taxes.......................... 155
   Postponement of tax sale validated..................................... 324
   Quadrennial assessment provided for.................................... 241
   (Amended, page 498.)
   Special tax for township road bonds limited.............................. 448
   Suspension of Iota School District taxes................................ 354
   Tax penalties abolished.................................................... 355
Madison County, Redemption of property sold for taxes......................... 399
   Special tax to pay debt to Yancey County................................ 368
Martin County, Postponement of tax sales validated............................ 36
Maxton, Bonds acceptable for taxes and assessments............................. 493
Taxes and Taxation—Continued—

Mecklenburg County, Collection of current and delinquent taxes in County and Charlotte.......................................................................................................................... 277
(Amended, pages 299, 317, 319. See also under Mecklenburg County, Public Laws 1933.)
License taxes on building and loan associations............................................ 387
Refund of taxes erroneously paid..................................................................... 451
Special tax for tubercular hospital.................................................................. 370
Mitchell County, American Legion exempt from license taxes on amusements ................................................................................................................................. 497
Redemption of property sold for taxes.............................................................. 399
Special taxes levied.......................................................................................... 397
Tax sales validated............................................................................................ 444
Montgomery County, Office of Tax Collector created.................................... 394
Tax sale for 1932 postponed................................................................................ 494
Moore County, Tax penalties for 1932 suspended.......................................... 506
New Hanover County, Consolidated City-County Tax Collector... 92, 182
Pasquotank County, Collection of dog taxes.................................................... 77
Tax sales validated in County and Elizabeth City........................................... 252
Pitt County, Tax penalties for 1932 remitted; notice to delinquents................. 382
Polk County, Collection of delinquent taxes..................................................... 416
Deputy tax collector provided........................................................................ 320
Tax Collector provided for................................................................................ 157
(Amended, page 320.)
Tax foreclosures validated.............................................................................. 405
Randolph County, Bonds acceptable for taxes and assessments.................... 348
(Amended, pages 413, 452.)
County and municipal taxes payable in installments................................. 145, 466
(Amended, pages 335, 505.)
Richmond County, Commissions and fees of Sheriff in tax collections........ 244
Robeson County, Bonds acceptable for taxes and assessments..................... 493
Revenue and tax department created.............................................................. 11
Rowan County, Charitable hospital relieved of taxes and street assessments ................................................................................................................................. 293
Revoking special school taxes......................................................................... 167
Rutherford County, Compensation of Tax Collector........................................ 75
Special taxes authorized................................................................................... 434
Sampson County, Collection of delinquent taxes; penalties remitted .......... 446
(Repealed, page 496.)
Partial payment of taxes.................................................................................. 236
Special tax for revaluation expenses............................................................... 501
Stanly County, Tax foreclosures validated....................................................... 263
Surry County, Sale of land for unpaid taxes.................................................... 452
Tax sale for 1932 postponed............................................................................. 503, 504
Tax sales validated............................................................................................ 498
Swain County, Compensation of Sheriff and Tax Collector........................... 32
Taxes and Taxation—Continued—

Transylvania County, Collection of taxes .................................................. 28, 364
County bonds acceptable for paying certain taxes ..................................... 304
Non-payment of taxes no bar to jury service............................................. 25
Unnecessary to sell worthless lands for taxes .......................................... 239
Tyrrell County, Application of proceeds from delinquent taxes ................. 262
Union County, Payment of 1932 taxes in Marvin extended because of destruction of crops ................................................................. 122
Salary of Tax Collector; abolition of office .............................................. 112
Special taxes authorized ................................................................................. 420
Tax penalties for 1932 remitted ................................................................. 500
Vance County, Revaluation of property ....................................................... 349
Wake County, Application of Green Hope School District taxes ............... 367
Listing of unlisted shares of stock ............................................................ 355
Tax penalties remitted and extension granted to citizens of certain townships ............................................................................................... 135
Taxes payable in installments ................................................................. 300
Warren County, Special taxes authorized .................................................... 324
Washington County, Tax Collector authorized ....................................... 476
Watauga County, Tax Collector authorized ................................................. 256
Wayne County, Governing agencies may accept bonds for taxes ............... 317
(Amended, page 469.)
Tax Collector created; tax sales validated ................................................. 4
Wilson County, Vouchers acceptable for taxes ......................................... 484
Yadkin County, Act for relief of C. E. Moxley, ex-Sheriff, as to collecting taxes ......................................................................................... 52
Yancey County, Board of Revaluation and Review created ...................... 220
(Amended, page 330.)
Commissions for collecting taxes ............................................................. 26
Expenses of revaluation provided for ....................................................... 386
Redemption of property sold for taxes .................................................... 382
Register of Deeds to prepare tax lists; compensation for .......................... 127
Tax sales postponed ..................................................................................... 381

Thomasville—See Cities and Towns.
Thompson, L. S., Justice of the Peace, Acts validated ............................... 136
Towns—See Cities and Towns.
Townships—See under Counties.
Toy Pistols—See Fireworks.
Transylvania County—See Counties.
Traps, Steel or Log—See Game Laws.
Trot Lines—See Game Laws.
Tyrrell County—See Counties.
Union County—See Counties.
Upper Country Line Primitive Baptist Association, Conduct of business prohibited during meetings.................................................. 43
Usury, Reduction of debts in usurious contracts in Cherokee and Clay Counties .......................................................... 413

V

Vance County—See Counties.
Veal—See Calves for Veal.
Villages—See under Counties.
Vocational Education—See under Counties.
Vouchers, Issuance by Counties:
Acceptable for taxes in certain counties............. 41, 42, 76, 161, 351, 484
Issued in Cumberland County........................................ 13, 17
Notes issued for, in Sampson County................................. 414

W

Wake County—See Counties.
Warren County—See Counties.
Washington County—See Counties.
Watauga County—See Counties.
Water Districts, Regulation in Asheville............................... 376
Wayne County—See Counties.
Waynesville—See Cities and Towns.
Welfare Department, (See also under Counties):
Store-room keepers, report on disbursements in certain counties..... 146
White Lake—See Bladen County under Counties.
Whittemore, Mrs. Helen C., Act for relief of............................... 360
Wild Cats—See Game Laws.
Wild Hogs—See Game Laws.
Wilkes County—See Counties.
Wilmington—See Cities and Towns.
Wilson—See Cities and Towns.
Wilson County—See Counties.
Wilson, L. P., Justice of the Peace, Acts validated........................ 66
Winston-Salem—See Cities and Towns.
Woolard, A. L., Justice of the Peace, Acts validated; reappointment..... 30

Y

Yadkin County—See Counties.
Yancey County—See Counties.