State of North Carolina

PUBLIC-LOCAL LAWS

ENACTED BY THE

General Assembly

AT ITS

SESSION OF 1935

BEGUN AND HELD IN THE CITY OF RALEIGH
ON
WEDNESDAY, THE NINTH DAY OF JANUARY, A.D. 1935

PUBLISHED BY AUTHORITY

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1935
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Session 1935

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H. B. 22  CHAPTER 1

AN ACT TO AMEND CHAPTER FIVE HUNDRED SEVENTY-NINE OF PUBLIC-LOCAL LAWS OF NINETEEN HUNDRED THIRTY-THREE, REGULATING HUNTING BY REMOVING TRANSYLVANIA COUNTY FROM THE PROVISIONS THEREOF.

The General Assembly of North Carolina do enact:

SECTION 1. That Section one of Chapter five hundred seventy-nine of the Public-Local Laws of nineteen hundred and thirty-three be amended by striking out the words "Transylvania County" in lines two and six 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 That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.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 16th day of January, A.D. 1935.

H. B. 36  CHAPTER 2

AN ACT TO SAFEGUARD THE PUBLIC FUNDS OF ASHE COUNTY.

Whereas, the First National Bank of West Jefferson, North Carolina, was the first bank in Ashe County to open after the proclamation of the President of the United States of March 6, 1933; and

Whereas, the First National Bank of West Jefferson, Ashe County, North Carolina, is generally regarded as one of the safest and soundest banks in Western North Carolina; Now, therefore,
The General Assembly of North Carolina do enact:

Section 1. That the First National Bank of West Jefferson, North Carolina, be and the same is hereby designated as the depository of all public funds of the County of Ashe; and the Sheriff, Treasurer, Clerk of the Court, County Auditor and Register of Deeds of Ashe County are hereby directed to deposit all of their public funds in said Bank, there to remain on deposit, during their respective terms of office, or until drawn out in due course of their office business; that if either of said public officers violates this statute, he shall be removed from office by *quo warranto* proceedings duly instituted.

Sec. 2. That this Act shall apply to Ashe 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 That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.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 22nd day of January, A.D. 1935.

S. B. 48

CHAPTER 3

AN ACT TO PROVIDE FOR THE ELECTION OF THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS BY THE QUALIFIED VOTERS IN CERTAIN COUNTIES.

The General Assembly of North Carolina do enact:

Section 1. That in any county in North Carolina where the Chairman of the Board of County Commissioners is paid a stated salary, in lieu of the per diem, as compensation for his services as chairman, then in such county or counties, the position of chairman shall constitute an office within the board, and he shall be elected to such office by the qualified voters of the county in the same manner and for the same time as the other members of the board; and when so elected, shall be a member of and the chairman of said board, with the same rights and privileges as chairman as is now vested in the chairman elected by the members of the board, except that he shall hold the office for the term of two years and until his successor is elected and qualified.

Sec. 2. This Act shall apply to Mecklenburg County only.

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

Sec. 4. This Act shall be in force from its ratification and apply to the next regular election for county commissioners in North Carolina.

Ratified this the 22nd day of January, A.D. 1935.
H. B. 90

CHAPTER 4

AN ACT TO AMEND CHAPTER 275, PUBLIC-LOCAL LAWS OF 1931, THE SAME BEING AN ACT TO REGULATE THE OFFICE OF CONSTABLE OF ASHEVILLE TOWNSHIP, BUNCOMBE COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. Amend Chapter two hundred seventy-five, Public-Local Laws of one thousand nine hundred thirty-one, by repealing Section two and rewriting same to read as follows: "That the Constable of Asheville Township shall receive two hundred dollars per month in full for his services."

Sec. 2. Amend Section five so that the same shall read as follows: "That the Constable of Asheville Township, Buncombe County, North Carolina, is authorized to appoint not more than one special Deputy Constable who is to receive seventy-five dollars per month in full for his services."

Sec. 3. That it shall be the duty of the County Commissioners to pay the salaries herein provided for and to furnish the duly elected Constable of Asheville Township with an automobile and the operating expense of same.

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 the date of its ratification.

Ratified this the 23rd day of January, A.D. 1935.

H. B. 78

CHAPTER 5

AN ACT TO PROVIDE FOR A NEW REGISTRATION OF THE VOTERS OF WAKE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That before the next regular county primary to be held for the nomination of candidates for county officers or before any special county election on any proposition or referendum which might be submitted to a vote of the electors of this county there shall be a new registration of the voters of Wake County, and the said registration shall be made in accordance with the provisions of Sections five thousand nine hundred thirty-four (5934) and five thousand nine hundred thirty-five (5935) of Article five (5) of the Consolidated Statutes as amended by Chapter one hundred sixty-five of the Public Laws of one thousand nine hundred thirty-three, relating to new registration of voters.
SEC. 2. That on or before February first, 1935, it shall be the duty of the Wake County Board of Elections to deliver to the North Carolina Historical Commission all of said registration books heretofore in use in Wake County elections for the purpose of preservation by the said Historical Commission, and that said registration books shall not be available for public inspection for a period of five years from February 1st, 1935.

SEC. 3. That no name, or names, shall be copied from any source other than from those who are entitled to be legally registered by the duly appointed registrar in person, and that there shall not be any transfer or retention of names on the books of the new registration of said voters.

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 23rd day of January, A.D. 1935.

H. B. 95
CHAPTER 6

AN ACT TO FIX THE AMOUNT OF BOND OF THE CLERK OF THE SUPERIOR COURT OF WASHINGTON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Section nine hundred and twenty-nine of the Consolidated Statutes be and the same is hereby amended by adding at the end of said section the following: "The bond of the Clerk of the Superior Court of Washington County shall be for the sum of five thousand dollars. If at any time the Solicitor of the Judicial District embracing the said County shall be of the opinion, after an examination of the said office, that said bond should be increased, he shall recommend an increase to the resident Judge of the said district, who may, after notice to the clerk, hear such evidence and determine such facts as may be necessary; and, if he then be of the opinion that said bond should be increased and shall find it to be a fact that the funds in the hands of said Clerk are not adequately protected, he shall make an order providing for such increase, fixing the amount thereof, but in no event shall the amount of said bond exceed ten thousand dollars."

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

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

Ratified this the 24th day of January, A.D. 1935.
CHAPTER 7

AN ACT TO CONSOLIDATE MORGANTON TOWNSHIP NUMBER ONE AND MORGANTON TOWNSHIP NUMBER TWO IN BURKE COUNTY INTO ONE TOWNSHIP FOR TAXING PURPOSES.

The General Assembly of North Carolina do enact:

SECTION 1. That Morganton Township Number One and Morganton Township Number Two in Burke County be and they are hereby consolidated into one taxing district to be known as Morganton Township.

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

Ratified this the 24th day of January, A.D. 1935.

CHAPTER 8

AN ACT TO AMEND CHAPTER 459 PUBLIC-LOCAL LAWS OF 1923 RELATING TO THE ELECTION OF DRAINAGE COMMISSIONERS IN ROBESON COUNTY.

Whereas, under the provisions of Section 5 of Chapter 152 of the Public Laws of 1917, Drainage Commissioners are required to be elected every three years; and

Whereas, under the Act creating Back Swamp and Jacob Swamp Drainage District in Robeson County, G. B. Sellers, A. W. Pate and D. B. McNeill were appointed as Drainage Commissioners for said district; and

Whereas, A. W. Pate, one of the Drainage Commissioners, has since died and his successor has not been elected; and

Whereas, on account of certain acts required to be performed by the Drainage Commissioners of said Back Swamp and Jacob Swamp Drainage District of Robeson County, it is necessary that a successor be appointed immediately to fill the vacancy caused by the death of A. W. Pate: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That George L. Thompson be, and he is hereby, appointed as Drainage Commissioner to fill the vacancy caused by the death of A. W. Pate of the Back Swamp and Jacob Swamp Drainage District in Robeson County.

SEC. 2. That hereafter, when vacancies occur by death or otherwise in the Board of Commissioners of said Back Swamp and Jacob Swamp Drainage District in Robeson County, such vacancy
shall be filled by appointment by the Clerk of Superior Court of Robeson County, upon such petition presented by the land owners of said Drainage District in Robeson County as the said clerk deems proper.

SEC. 3. That upon proper petition presented by the land owners of the aforesaid Drainage District, whenever required, the Clerk of Superior Court of Robeson County is hereby vested with power and authority to appoint successors to the present Board of Commissioners of said Drainage District as the term of office of each expires, in accordance with the laws relating to the appointment of Drainage Commissioners now in force.

SEC. 4. That all laws and clauses of laws in conflict with this Act be, and the same are hereby, repealed.

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

Ratified this the 25th day of January, A.D. 1935.

S. B. 11

CHAPTER 9

AN ACT PROVIDING FOR THE ACCEPTANCE BY THE TAX COLLECTOR OF TRANSYLVANIA COUNTY OF BONDS, NOTES AND MATUR ED INTEREST COUPONS IN PAYMENT OF DEBT SERVICE PORTION OF CURRENT AND DELINQUENT TAXES AND IN FULL PAYMENT OF TAXES FOR THE YEAR 1932 AND YEARS PRIOR THERETO.

The General Assembly of North Carolina do enact:

SECTION 1. That the Tax Collector of Transylvania County shall accept in payment of the debt service portion of current and/or delinquent taxes any bond or bonds, note or notes, matured interest coupon or coupons of said county, due or to become due in the current fiscal year at par value.

SEC. 2. That the Tax Collector of Transylvania County shall accept in full payment of taxes levied for the year one thousand nine hundred and thirty-two and years prior thereto any bond or bonds, note or notes, and/or matured interest coupon or coupons of said county at par value: Provided, that the State ad valorem tax provided for by Chapter four hundred twenty-seven, Public Laws of nineteen hundred thirty-one, and included in the taxes levied for the years nineteen hundred and thirty-one and nineteen hundred and thirty-two shall be required to be paid in cash; and, provided further, that the governing board of said county may require, as a condition precedent to the acceptance of such bonds, notes and coupons, in full payment of taxes levied for the year
nineteen hundred and thirty-two and years prior thereto, the payment of current taxes, and, provided further, that if foreclosure suit shall have been started on any tax sale certificate issued for taxes levied for the year nineteen hundred and thirty-two or years prior thereto, all costs incurred in said suit and charged against the taxpayer shall be required to be paid in cash.

Sec. 3. That the Tax Collector of Transylvania County shall be allowed full credit in his settlement with said county for all bonds, notes and interest coupons received by him in payment of taxes in accordance with the provisions of this Act.

Sec. 4. That all laws or 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 25th day of January, A.D. 1935.

H. B. 63

CHAPTER 10

AN ACT ABOLISHING THE OFFICE OF TREASURER OF GRAHAM COUNTY CREATED UNDER CHAPTER TWENTY-EIGHT, SECTION FIVE, OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-ONE.

The General Assembly of North Carolina do enact:

Section 1. That part of Section five of Chapter twenty-eight of the Public-Local Laws of one thousand nine hundred thirty-one, creating the office of Treasurer of Graham County, be and the same is hereby repealed, and that the office of Treasurer of Graham County be and the same is hereby abolished.

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 25th day of January, A.D. 1935.
S. B. 79

CHAPTER 11

AN ACT TO ENABLE THE BOARD OF COMMISSIONERS OF ALLEGHANY COUNTY TO APPOINT TAX COLLECTOR TO COLLECT BACK TAXES FOR THE YEARS OF NINETEEN HUNDRED THIRTY-ONE, NINETEEN HUNDRED THIRTY-TWO AND NINETEEN HUNDRED THIRTY-THREE; AND TO AUTHORIZE COUNTY COMMISSIONERS TO ACCEPT PERSONAL SURETY BOND FOR THE SHERIFF OF SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. The Board of Commissioners of Alleghany County are hereby authorized and empowered to appoint a Tax Collector to collect the back taxes due Alleghany County for the years of one thousand nine hundred and thirty-one, one thousand nine hundred and thirty-two, and one thousand nine hundred and thirty-three, and to fix the compensation of the said Tax Collector for collecting said taxes. The said Board of Commissioners of Alleghany County shall require the Tax Collector appointed by them to file a justified bond in double the amount of taxes turned over to said Tax Collector, which bond shall be approved by the Board of Commissioners and filed with the Register of Deeds of Alleghany County and recorded by the said Register of Deeds.

The said Tax Collector appointed by the said Board of Commissioners shall have power to advertise and sell land and other property for taxes turned over to him for collection by the Board of Commissioners, and to make title to the purchaser in the same manner and to the same extent as is now provided by law.

Sec. 2. The time for filing suits for the foreclosure of tax sales certificates for land sold for taxes in Alleghany County for the years one thousand nine hundred twenty-eight, one thousand nine hundred twenty-nine, one thousand nine hundred thirty, one thousand nine hundred thirty-one, one thousand nine hundred thirty-two, and one thousand nine hundred thirty-three is hereby extended to June first, nineteen hundred thirty-six.

Sec. 3. The Board of Commissioners of Alleghany County are hereby authorized and empowered to accept personal surety bond from the Sheriff and Tax Collector of Alleghany County, said bond to be conditioned upon the faithful performance of his duties as Sheriff and Tax Collector, and his accounting for all taxes collected by him and all monies received by him by virtue of his office as Sheriff and/or Tax Collector, and any personal surety bonds heretofore accepted by the said Board of Commissioners of Alleghany County from the Sheriff and Tax Collector of Alleghany County are hereby approved and validated.
Sec. 4. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Sec. 5. This Act shall be in full force and effect from and after ratification.

Ratified this the 28th day of January, A.D. 1935.

S. B. 71

CHAPTER 12

AN ACT RELATING TO THE FEES OF NON-SALARIED OFFICERS IN YADKIN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. Fee for Person Apprehending Violators of Liquor Laws. That any officer of Yadkin County who shall hereafter arrest and procure evidence sufficient to convict any person manufacturing intoxicating liquors in Yadkin County shall upon conviction of said person so arrested be entitled to receive a fee of ten dollars, to be taxed against the defendant.

Sec. 2. Fee for Evidence to Convict. That any officer of said county who shall hereafter arrest and procure evidence sufficient to convict any person of the offense of selling intoxicating liquors, shall upon conviction of said person of said offense be entitled to receive a fee of ten dollars, to be taxed against the defendant.

Sec. 3. Fee for Capture of Vehicle. That when any officer of Yadkin County shall hereafter seize or capture any vehicle or team transporting intoxicating liquors contrary to law and said vehicle or team is forfeited and sold under the provisions of law said officer shall be entitled to receive a fee of twenty-five dollars, to be added to the cost of said seizure and sale which shall be deducted from the money received from said sale, and the remainder of the funds received from said sale to be paid over to the proper authorities as is now required by law.

Sec. 4. County to Pay Fee, When. That in all cases where any person convicted of the manufacture or sale of intoxicating liquors and the cost is not paid by the defendant, but is taxed against the county, the officer making the arrest and securing the conviction of said defendant shall be allowed a fee determined by the discretion of the Board of County Commissioners of Yadkin County.

Sec. 5. Felonies. That all cases where the warrant issued constitutes a felony the officer making such arrest shall be entitled to a fee of two dollars and fifty cents, to be taxed against the defendant.

Sec. 6. That this Act shall not apply in any case where the amount of liquor involved is less than one gallon.
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Application of Act.

Sec. 7. That this Act shall apply only to non-salaried officers and deputies in the County of Yadkin.

Sec. 8. This Act shall apply only to Yadkin County.

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 the date of its ratification.

Ratified this the 31st day of January, A.D. 1935.

H. B. 74

CHAPTER 13

AN ACT FOR THE SHERIFF OF CURRITUCK COUNTY TO MAINTAIN A DEPUTY ON KNOTT'S ISLAND IN TOWNSHIP OF FRUITVILLE IN COUNTY OF CURRITUCK.

The General Assembly of North Carolina do enact:

SECTION 1. After the first Monday in December nineteen hundred thirty-six the Sheriff of Currituck County shall maintain a deputy sheriff in the township of Fruitville whose residence shall be on the island of Knott's Island. His salary shall be three hundred dollars per annum, to be paid by the sheriff out of his salary.

Sec. 2. That the Board of County Commissioners and the Sheriff of Currituck County may immediately place a deputy sheriff on the island of Knott's Island and pay his salary jointly until the first Monday in December nineteen hundred thirty-six.

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 February, A.D. 1935.

H. B. 73

CHAPTER 14

AN ACT TO VALIDATE CERTAIN SCHOOL BONDS OF THE COUNTY OF ROCKINGHAM, NORTH CAROLINA

The General Assembly of North Carolina do enact:

SECTION 1. That the two hundred seventy-three thousand dollar school bonds issued by the County of Rockingham and being part of an issue of three hundred sixty-seven thousand dollar school bonds authorized by an order passed by the Board of Com-
missioners of the County of Rockingham July second, one thousand nine hundred thirty-four, be and the same are hereby validated, ratified, approved and confirmed, notwithstanding any want of power of the said County to issue said bonds and notwithstanding any defects or irregularities in the proceedings authorizing the bonds or in the sale, execution or delivery thereof and the said bonds are hereby declared to be legal, valid and enforceable obligations of said County.

Sec. 2. That all laws, parts of laws in conflict with the provisions of this Act be and the same are hereby repealed.

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

Ratified this the 4th day of February, A.D. 1935.

H. B. 177 CHAPTER 15

AN ACT TO VALIDATE CERTAIN SALES OF LAND FOR TAXES IN CRAVEN COUNTY AND CERTIFICATES ISSUED IN PURSUANCE THEREOF.

The General Assembly of North Carolina do enact:

Section 1. That all sales of land in Craven County for failure to pay taxes, held or conducted by the Sheriff or any other tax collector of said Craven County, or any city, town or other municipality in said county during the years one thousand nine hundred thirty-three and one thousand nine hundred thirty-four on any day subsequent to or other than the first Monday in September of 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 said first Mondays of September, one thousand nine hundred thirty-three, and one thousand nine hundred thirty-four.

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

Ratified this the 4th day of February, A.D. 1935.
H. B. 191

CHAPTER 16

AN ACT TO REPEAL CHAPTER FOUR HUNDRED THIRTY-THREE, PUBLIC-LOCAL LAWS, ONE THOUSAND NINE HUNDRED AND THIRTY-THREE, BEING AN ACT TO VALIDATE A SETTLEMENT BETWEEN THE BOARD OF COMMISSIONERS OF BRUNSWICK COUNTY AND THE BOARD OF EDUCATION.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter four hundred and thirty-three, Public-Local Laws one thousand nine hundred and thirty-three, validating a settlement between the County Commissioners and the Board of Education of Brunswick County, 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 4th day of February, A.D. 1935.

H. B. 198

CHAPTER 17

AN ACT TO AMEND CHAPTER TWO HUNDRED AND TWENTY OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND TWENTY-NINE, THE SAME BEING AN ACT TO CREATE A PEACE OFFICERS RELIEF FUND FOR THE CITY AND COUNTY OF DURHAM.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter two hundred and twenty, of the Public-Local Laws of one thousand nine hundred and twenty-nine, being an act to create a Peace Officers Relief Fund for the City and County of Durham, be amended by inserting after Section eleven thereof, the following, to be known as Section eleven and one-half:

"Section 11½. The Executive Board shall have authority to use the funds of this Association for the purpose of securing membership in any recognized hospital care association, covering and securing hospital care for members of the Association, and if deemed advisable, by the said Executive Board, such membership may cover the family of a member. And the said Executive Board is further authorized to employ a physician to examine and attend members of the Association, at a monthly salary not to exceed Fifty ($50.00) Dollars per month."

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 4th day of February, A.D. 1935.
S. B. 121  

CHAPTER 18

AN ACT TO AMEND SENATE BILL NUMBER ELEVEN RELATING TO THE ACCEPTANCE BY THE TAX COLLECTOR OF TRANSYLVANIA COUNTY OF CERTAIN BONDS, NOTES AND INTEREST COUPONS OF SAID COUNTY IN PAYMENT OF CERTAIN TAXES.

The General Assembly of North Carolina do enact:

SECTION 1. That Senate Bill number eleven be amended by inserting after the word "thirty-two" and before the word "shall" in line nine Section two of said Act, the following: "and the County School Debt Service levy for the year one thousand nine hundred and thirty-two."

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 4th day of February, A.D. 1935.

S. B. 68  

CHAPTER 19

AN ACT TO AMEND CHAPTER ONE HUNDRED FORTY-FIVE OF THE PUBLIC-LOCAL AND PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED TWENTY-FIVE, AMENDING THE DUTIES OF THE CLERK OF THE SUPERIOR COURT OF ROWAN COUNTY GOVERNING THE RECEIVERSHIP OF LESS THAN ONE HUNDRED DOLLARS.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter one hundred and forty-five of the Public-Local and Private Laws of one thousand nine hundred and twenty-five be and the same is hereby amended as follows: By adding to paragraph two of Section one, after the period, the following words:

"However, the provision as to interest shall not apply unless the sum or sums received shall be in excess of one hundred dollars and left on deposit for three months or more. And he shall be entitled and not held accountable for the fees or commissions arising from such non-resident funds."

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

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

Ratified this the 5th day of February, A.D. 1935.
S. B. 76

CHAPTER 20

AN ACT TO PERMIT THE COUNTY BOARD OF EDUCATION OF GUILFORD COUNTY, NORTH CAROLINA, TO DISPOSE OF CERTAIN PROPERTY WITHOUT OFFERING THE SAME AT PUBLIC AUCTION.

Whereas, the old Oak Hill Public School property, in High Point Township, is no longer used by the County Board of Education for public school purposes, and the same has been put into the High Point City Administrative Unit by the State School Commission, and

Whereas, the Bass' Chapel Negro School property, in Morehead Township, is no longer used for public school purposes, and this property was acquired by gift from the Bass' Chapel Negro Church, and

Whereas, the Mt. Tabor School property, in Morehead Township, is no longer used for public school purposes, and this property was acquired by the County Board of Education by gift from the Mt. Tabor Church; Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That authority is hereby given the County Board of Education of Guilford County to execute a deed, without consideration, to the Board of Trustees of the High Point Administrative Unit for the Oak Hill School property in High Point Township.

SEC. 2. That authority is hereby given to the County Board of Education of Guilford County to deed to the Bass' Chapel Negro Church the old Bass' Chapel School property without consideration.

SEC. 3. That authority is given the County Board of Education of Guilford County to deed to the Mt. Tabor Church the Mt. Tabor School property upon such terms as may be agreed upon between the County Board of Education and the Trustees of the Mt. Tabor Church in consideration of the building which the County Board of Education erected on said property.

SEC. 4. This Act shall be enforced from and after its ratification.

Ratified this the 5th day of February, A.D. 1935.
CHAPTER 21
AN ACT TO PAY CLERK TO THE REGISTER OF DEEDS. CLERK OF THE SUPERIOR COURT AND SHERIFF OF WILKES COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That in addition to the compensation heretofore provided for, the Board of Commissioners of Wilkes County shall pay the Register of Deeds, Clerk of Superior Court and Sheriff of said county respectively, the sum of six hundred dollars each, per annum, to be expended by said officers respectively in the payment of clerk hire and deputies, and that said sum of money shall be paid each of said officers on the first Monday of each month in the amount of fifty dollars and that said money shall be paid out of the Wilkes County general fund.

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 5th day of February, A.D. 1935.

CHAPTER 22
AN ACT REQUIRING SUFFICIENT NOTICE TO BE GIVEN TAXPAYERS AND ABOLISHING THE FEES OF TAX COLLECTORS IN GARNISHMENT PROCEEDINGS FOR THE COLLECTION OF PERSONAL PROPERTY AND POLL TAXES IN HALIFAX COUNTY.

The General Assembly of North Carolina do enact:

Section 1. If any poll tax or other tax shall not be paid within sixty days after the same shall be demandable, the official charged with the duty of collecting such taxes may serve upon any employer in the county, employing any persons against whom such taxes may be charged on the county tax books, a list of such persons in his employ, setting forth the name of each such person and the amount of tax charged against each. It shall thereupon become the duty of such employer to withhold from the salary or wages of each such employee an amount sufficient to pay the tax charged against him; Provided, that not more than twenty-five per centum (25%) of the salary or wages of any employee shall be so withheld, and if such an amount is not sufficient to discharge the tax, then the remainder of the tax shall be withheld from subse-
quent salary or wages in the same manner. All such moneys so withheld shall by said employer be paid over to the tax collector within seven (7) days after payment of the remainder of such salary or wages to the employees liable for the tax.

Neither the collector nor his deputies nor the employers shall add to taxes collected in this manner, or collect from said employees in any manner, any fees on account of service, levy, garnishment or otherwise.

In the event any employee shall desire to contest the validity of said tax, the amount thereof or his liability therefor, he may do so by notifying his employer of his intention so to do, within five (5) days after such money is withheld, and requesting that the money withheld from his salary or wages be not paid over to the collector. In such event the employer shall retain said money, and the collector shall proceed before a Justice of the Peace in the manner specified in Section eight thousand and four of the Consolidated Statutes. In all such cases the notice required by said Section shall be served by the collector, who shall be entitled to no fees on account of said service, the salary of said collector being regarded as adequate compensation for the performance of these services. The Justice shall be allowed a fee of twenty-five cents to be paid by the employee if judgment is rendered against him; Provided, that no such fee shall be allowed in any case in which the tax is paid before actual hearing. In all such contested cases, if the notice provided for in Section eight thousand and four of the Consolidated Statutes is not served by the collector within thirty days after the day on which the money so withheld would have been paid over to him but for such contest, such money shall be returned to the employee and the employer shall be relieved of any liability to the county in connection therewith.

No taxes shall be collected by withholding part of any person's wages or salary or by use of garnishment proceedings except in accordance with the provisions of this Act.

At least two weeks prior to the exercising of the powers hereby conferred, the tax collector shall give notice to said delinquent employees by a printed or written notice posted conspicuously at or near the place of employment of said employee designating in said notice the place, date and hours when said tax collector may be found for the purpose of collecting said taxes and notifying said employees of the intention of said tax collector to proceed in the manner provided hereunder if said taxes be not paid on said date specified in said notice. It shall be the duty of said tax collector to be present at the place and during the hours specified in said notice for the purpose of enabling said employees to pay, rather than have said taxes deducted from the wages of said employees as herein provided. In case of persons, firms or corporations employing less than fifteen employees the tax collector, in
lied of giving the notice in the manner as herein provided, at least two weeks prior to the exercising of the powers hereby conferred, may notify the delinquent employee in such manner as will enable said employee to be advised of his intentions to proceed to collect the taxes due by said delinquent employee in accordance with the provisions of this Act.

It shall be the duty of the tax collector to serve the notice upon the employer as herein provided, at least seven (7) days prior to the date said employees' wages are due and payable, in order to require the employer to deduct said taxes, or any portion thereof, from the wages next due, otherwise said reduction shall be made from the wages next due after the expiration of said seven (7) days notice.

Sec. 2. This Act shall apply only to Halifax County and to all political subdivisions located and levying taxes in said County. To this end the words "collector," "tax collector," and "official charged with the duty of collecting taxes" as used in the preceding section shall be taken to mean the tax collector of any such subdivision and the word "county" unless the context otherwise indicates shall be taken to mean any such subdivision.

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 5th day of February, A.D. 1935.

H. B. 45

CHAPTER 23

AN ACT PROVIDING FOR CERTAIN SPECIAL TAX IN CURRITUCK COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That subject to approval of the Director of Local Government, the Board of County Commissioners of Currituck County is hereby authorized to levy such special property tax as may be necessary, not to exceed twelve (12¢) 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 be in full force and effect from and after its ratification.

Ratified this the 26th day of February, A.D. 1935.
H. B. 59  

CHAPTER 24

AN ACT TO REPEAL CHAPTER FOUR HUNDRED AND TWENTY PUBLIC-LOCAL LAWS SESSION OF ONE THOUSAND NINE HUNDRED AND THIRTY-THREE PROVIDING FOR A MORE EFFICIENT AUDITING OF THE BOOKS AND ACCOUNTS OF THE OFFICES OF COLUMBUS COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That Chapter four hundred and twenty Public-Local Laws Session of one thousand nine hundred and thirty-three be and the same is hereby repealed.

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

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

Ratified this the 6th day of February, A.D. 1935.

H. B. 94  

CHAPTER 25

AN ACT TO SAFEGUARD THE PUBLIC FUNDS OF BLADEN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That there shall be no expenditure of any public funds of Bladen County, made by the Board of Commissioners of said county to defray the expenses of any delegation, or any public official of said county, to the City of Raleigh, or elsewhere, for the purpose of advocating or opposing any legislation introduced in either branch of the General Assembly, relative to said county; this to include any other expense in connection with such opposition or advocacy of said measures, including telegrams, letters, etc.: Provided, however, that nothing in this Act shall be construed to prevent any citizen or officer of said county from appearing before any committee of either branch of the General Assembly at his own expense and advocating or opposing said legislation.

Sec. 2. That any officer or official of Bladen County violating the provisions of this Act, upon conviction thereof, shall be guilty of a misdemeanor.

Sec. 3. That this Act shall apply to Bladen County 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 force from and after its ratification.

Ratified this the 6th day of February, A.D. 1935.
CHAPTER 26

AN ACT TO VALIDATE CERTAIN SALES OF LANDS FOR TAXES AND CERTIFICATES ISSUED IN PURSUANCE THEREOF.

The General Assembly of North Carolina do enact:

Section 1. That all sales of land, for failure to pay taxes for the year one thousand nine hundred and thirty-four, held or conducted by any Sheriff or any Tax Collector of Iredell County during the year one thousand nine hundred and thirty-four, on any day subsequent to or other than the first Monday of September of said year, where the Sheriff of the County had died and his successor had not been appointed and qualified by the first Monday of September, 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, signed by the Sheriff who succeeded to the office while the advertising of said sales was pending 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 said first Monday of September, one thousand nine hundred and thirty-four, by the deceased Sheriff in whose name they were advertised.

Sec. 2. This Act shall apply to Iredell County only.

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

Ratified this the 6th day of February, A.D. 1935.

CHAPTER 27

AN ACT TO FIX THE COMPENSATION OF TOWNSHIP TAX ASSESSORS AND LIST TAKERS IN NEW HANOVER COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the Board of Commissioners of New Hanover County are hereby authorized to designate the number of days for which township tax assessors and list takers serving in New Hanover County shall receive compensation; and to fix the compensation of Township Tax Assessors and List Takers not to be less than the sum of Five ($5.00) Dollars per diem.

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 February, A.D. 1935.
H. B. 170  

CHAPTER 28

AN ACT TO VALIDATE TAX SALES IN BERTIE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That all acts and things done by the Board of County Commissioners of Bertie County relating to the sale of lands of the delinquent taxpayers for taxes due said County 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 6th day of February, A.D. 1935.

H. B. 89  

CHAPTER 29

AN ACT FOR THE RELIEF OF THE SHERIFF OF ASHE COUNTY.

Whereas, the office of the Sheriff of Ashe County was by Chapter one hundred and four of the Public-Local Laws of one thousand nine hundred and twenty-nine placed on a salary basis instead of fees, to be effective as of the first Monday in December, one thousand nine hundred and thirty-one; and

Whereas, the then Sheriff who was elected upon a fee basis, was entitled to the commissions on the taxes collected for the years one thousand nine hundred and twenty-nine and one thousand nine hundred and thirty, and the tax books for the year one thousand nine hundred and thirty-one did not come into the hands of his successor, the present Sheriff of Ashe County, until December, one thousand nine hundred and thirty-one; and

Whereas, no provision was made in said Act for salary of H. M. Miller, the Sheriff inducted into office the first Monday in December one thousand nine hundred and thirty, to December first, one thousand nine hundred and thirty-one; and

Whereas, the said H. M. Miller, Sheriff of Ashe County, was compelled to serve as Sheriff of said county from the first Monday in December one thousand nine hundred and thirty to the first Monday in December one thousand nine hundred and thirty-one without any compensation whatever for the collection of the taxes for said year; and

Whereas, a levy was made in the tax levy for the year of one thousand nine hundred and thirty-one, to pay said salary, and only about two-thirds of the taxes for the year one thousand nine hundred and thirty-one, have been collected; Now, therefore,
The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners and the Treasurer of Ashe County are hereby authorized and directed to pay the said H. M. Miller, Sheriff, his salary for the year he served without compensation out of the balance of the taxes for the year one thousand nine hundred and thirty-one, when collected.

Sec. 2. That the Act shall apply to the County of Ashe only.

Sec. 3. That all laws, 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. 1935.

H. B. 82

CHAPTER 30

AN ACT TO REPEAL CHAPTER FOUR HUNDRED AND FIFTY-FIVE OF THE PUBLIC-LOCAL LAWS OF THE REGULAR SESSION ONE THOUSAND NINE HUNDRED AND THIRTY-THREE, RELATING TO THE EMPLOYMENT OF A FARM AGENT IN YANCEY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter four hundred fifty-five of the Public-Local Laws, session one thousand nine hundred thirty-three, entitled "An Act to provide conditions under which a farm agent or farm demonstrator may be employed in Yancey County" 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 6th day of February, A.D. 1935.

H. B. 157

CHAPTER 31

AN ACT TO REPEAL CHAPTER NINETY-TWO OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-THREE RELATING TO A FARM DEMONSTRATION AGENT FOR NEW HANOVER COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter ninety-two of the Public-Local Laws of one thousand nine hundred and thirty-three be and the same is hereby repealed.

Ch. 455, Public-Local Laws 1933, repealed, as to employment of farm agent in Yancey County.

Ch. 92, Public-Local Laws 1933, repealed, as to employment of farm agent in New Hanover 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 February, A.D. 1935.

S. B. 5  CHAPTER 32

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

The General Assembly of North Carolina do enact:

SECTION 1. There is hereby created a board to be known as the Port Commission of Southport and Brunswick County, and which board is hereby constituted a body politic and corporate. The said board shall be composed of five members, all of whom shall be experienced business men and residents of Southport and Brunswick County, and who shall be appointed by the Board of Aldermen of the City of Southport and the Board of Commissioners of Brunswick County meeting in joint session, and two of whom shall be appointed for a term of two years and so designated, two for a term of four years and so designated, and one for a term of five years and so designated; and their successors in each class shall be appointed for a term of four years. Each of the members and their successors so appointed shall take and subscribe, before some official authorized to administer oaths, an oath of office and file the same with the said Board of Aldermen of Southport and the Board of Commissioners of Brunswick County. The said board shall organize by electing one of its members Chairman and another Secretary, and shall elect a Treasurer of said board who shall not be a member thereof, and shall fix the compensation of said treasurer and prescribe his duties. The said treasurer shall give bond in such amount as the board shall determine in some reliable surety company doing business in the State of North Carolina, and the premium required to be paid on said bond shall be paid by the said Port Commission. Said Port Commission shall meet in regular session at least once a month at a place and date to be fixed by the said board, and shall meet in special session at such other times and places as the Chairman of said Commission or any two
members thereof may request. The members of said board shall receive no compensation, per diem or otherwise, but shall be allowed and paid their actual expenses incurred in transacting the business and at the instance of the said Commission.

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

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

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

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

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

No compensation but expenses allowed.

Powers.

Corporate powers and right of eminent domain.

Wharfage fees and tolls.

Port development.

Issuance of bonds for construction.

Denominations and maturities.

Coupons.

Sale of bonds.
Aldermen of Southport and the County Commissioners of Brunswick County jointly; but if such private sale is not made to the Reconstruction Finance Corporation or other governmental agency, then the sale shall be made under the provisions of the Municipal Finance Act of the State with the approval of the Local Government Board and Commission.

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 6. All wharfage fees and other fees, tolls, dues or other revenues derived by the Port Commission from the operation of such terminal or terminals shall be applied to the cost of the operation and administration of said terminal or terminals (including interest on bonds or other evidences of indebtedness issued therefor, and the cost of insurance against loss by injury to persons or property), and the balance to be paid to the Treasurer and to be used for the purpose of providing a sinking fund with which to pay at or before maturity all bonds and notes or other evidences of indebtedness incurred for and on behalf of the building, constructing, maintaining, and operating of said terminal. When the bonds and/or notes or other evidences of indebtedness have been paid and the operation of said terminal or terminals shows a profit, the said profit shall be equally divided between the City of Southport and the County of Brunswick after deducting a depreciation fund of not less than four per cent of the cost of reproduction of said terminal or terminals per annum, said cost of reproduction to be based on the prevailing cost of labor and materials and financing charges at the time the deduction is made. Said depreciation fund is to be used for no other purpose than to replace the terminal or terminals as a result of usual wear and tear.

Sec. 7. Whenever the said Port Commission shall determine that such wharfage fees, and other fees, tolls, dues, and other revenues will be or are insufficient to pay in any year the cost of operation and administration of said terminal or terminals (including interest on bonds or other evidences of indebtedness issued therefor, and the cost of insurance against loss by injury to persons or property), and sinking fund requirements for such year, it shall certify to the Board of Aldermen of the City of Southport and the Board of County Commissioners of Brunswick County the amount of such anticipated or existing deficiency, and upon receipt of such certificate it shall be the duty of said Boards of Aldermen and County Commissioners of Southport and Brunswick County to cause to be levied on all the taxable property within the territorial limits of said City and County, in the same manner as other City and County taxes are levied, a special tax in an amount sufficient to meet such deficiency, not exceeding, however, an amount equivalent to ten cents on each hundred dollars of taxable values for the year or years in which such levy is sought and/or required to be

Application of fees and tolls.

Sinking fund.

Division of profits.

Depreciation fund.

Provision for making up deficit.

Tax levied for deficit.

10c. limitation.
made, and the tax so levied shall be in addition to all other taxes authorized by law to be levied in said City and County; and the authorization for such levy and the levy of such taxes for said special purpose are hereby declared to be levies for necessary purposes, notwithstanding any prohibition in any general or special acts now existing. Any indebtedness by said Port Commission incurred pursuant to this Act shall not be taken into consideration in determining the power of the City of Southport and the County of Brunswick to become further indebted: Provided, however, that the Board of Aldermen and Board of County Commissioners of Southport and Brunswick County shall not make or cause to be made such tax levy as above provided for until there shall first have been submitted to the qualified voters of the said City and County the question of special tax levy for the indicated purpose and a majority of the qualified voters shall have voted in favor of such special levy.

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

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

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

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

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

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

Ratified this the 8th day of February, A.D. 1935.
AN ACT TO RATIFY THE POSTPONEMENT OF SALES OF LANDS FOR TAXES IN THE COUNTY OF ASHE, AND AUTHORIZING THE ISSUING OF ALIAS SUMMONS IN TAX FORECLOSURE PROCEEDINGS. (APPLICABLE ALSO TO GRAHAM AND HYDE COUNTIES.)

Whereas, on account of severe economic depression existing in the counties of Ashe, Graham and Hyde and the consequent inability of the taxpayers of said counties to pay their taxes, the Board of Commissioners of the counties of Ashe, Graham and Hyde has postponed the sales of lands of the delinquent taxpayers of said counties from time to time, said sales not being had at the times prescribed by the general law governing sales of lands of delinquent taxpayers; Now, therefore.

The General Assembly of North Carolina do enact:

SECTION 1. That the sales of lands for the counties of Ashe, Graham and Hyde for the years nineteen hundred twenty-eight, nineteen hundred twenty-nine, nineteen hundred thirty, nineteen hundred thirty-one, nineteen hundred thirty-two, and nineteen hundred thirty-three be and the same are hereby ratified and confirmed.

SEC. 2. That in all tax foreclosure suits heretofore instituted in the counties of Ashe, Graham and Hyde, and which have not been terminated by formal judgment, in which alias or pluries summons have not been regularly issued as prescribed by law, alias or pluries summons may issue at any time within two years from the ratification of this Act, and when said alias or pluries summons are issued, the chain of summons may be kept up as now prescribed by law. That the cost in said proceedings shall be the same as the cost prescribed by law at the time of the issuing of the original summons in said proceedings, except as to attorney's fees, which shall in no case exceed the sum of Ten Dollars in each case. That the cost in all tax foreclosure proceedings in the counties of Ashe, Graham and Hyde instituted after the ratification of this Act shall be the same as now prescribed by law, except attorney's fees, which shall in no case exceed Ten Dollars for each case, which shall be taxed in the cost.

SEC. 3. That at any time before the final termination of said foreclosure proceedings and before the deed is made to the purchaser of said lands, the taxpayer may give a tax note for said tax and cost under the same terms and conditions now provided in such cases, except the time for the payment and date of execution of said note which shall not extend beyond two years from the execution of same.
Sec. 4. That this Act shall apply to Ashe, Graham and Hyde Counties 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 full force and effect from and after its ratification.

Ratified this the 11th day of February, A.D. 1935.

H. B. 131

CHAPTER 34

AN ACT TO VALIDATE CERTAIN SALES OF LANDS FOR TAXES AND CERTIFICATES ISSUED IN PURSUANCE THEREOF IN CLAY 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 the sheriff and/or tax collector of Clay County for taxes due for the tax years 1927, 1928, 1929, 1930, 1931, 1932 and 1933 on any day subsequent to or other than that provided by law for such sales for the taxes due for said respective tax years, 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 and heretofore provided by law for such sales for the respective years mentioned.

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

Ratified this the 11th day of February, A.D. 1935.

H. B. 169

CHAPTER 35

AN ACT TO CONFER CIVIL JURISDICTION UPON THE RECORDER'S COURT FOR THE COUNTY OF SCOTLAND.

The General Assembly of North Carolina do enact:

Section 1. That there is hereby conferred upon the Recorder's Court for the County of Scotland, said Court having been already established by Chapter one hundred fifteen of the Public-Local Laws of one thousand nine hundred thirteen, and is known as the...
Criminal Court for the County of Scotland, civil jurisdiction to try and determine civil actions wherein the party plaintiff or defendant is a resident of that County.

SEC. 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 cost, does not exceed five hundred ($500.00) dollars.

(c) Jurisdiction concurrent with the Superior Court in all actions not founded on a contract wherein the amount involved, exclusive of interest and cost, does not exceed the sum of five hundred ($500.00) dollars.

SEC. 3. That the procedure of said civil court shall be according to the method set out in sections one thousand five hundred and ninety-one to one thousand five hundred and ninety-eight, inclusive, of the Consolidated Statutes, but not including one thousand five hundred and ninety-eight (a), excepting wherein the procedure is changed by this Act.

SEC. 4. That a fee of three dollars ($3.00) per case shall be paid by the plaintiff as a part of the advanced cost at the time of filing an action in said Court, this fee to be paid by the Clerk of the said Court to the trial justice as his compensation.

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 11th day of February, A.D. 1935.

S. B. 97

CHAPTER 36

AN ACT TO TRANSFER CERTAIN UNEXPENDED FUNDS TO THE GENERAL FUND IN THE COUNTY OF DUPLIN.

Whereas, there is a cash balance of sixty-two and thirty-six one-hundredths ($62.36) dollars in the Kenansville Railroad Aid Fund, and whereas, all outstanding obligations of this Fund and this district have been paid in full.

And Whereas, there is a cash balance of three hundred thirty-two and seventy-three one-hundredths ($332.73) dollars in the Magnolia Road Fund and all outstanding obligations of this Fund have been paid in full. Therefore,
The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of Duplin County be and they are hereby authorized and directed to transfer from the Kenansville Railroad Aid Fund the balance now on hand in said fund, and all future collections whenever made for the benefit of said fund, to the General Fund of Duplin County.

Sec. 2. That the Board of Commissioners of Duplin County be and they are hereby authorized and directed to transfer any balance in the Magnolia Road Fund, or any fund that may hereafter accrue to that fund by reason of any future collections for the benefit of said fund, to the General Fund of Duplin County.

Sec. 3. That all laws and clauses of laws in conflict with this Act be repealed to the extent of such conflict.

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

Ratified this the 11th day of February, A.D. 1935.

S. B. 98    CHAPTER 37

AN ACT TO PERMIT THE BOARD OF EDUCATION AND THE BOARD OF COMMISSIONERS OF DUPLIN COUNTY TO PAY THE SUM OF FIVE HUNDRED DOLLARS LOANED FAISON SPECIAL SCHOOL TAXING DISTRICT.

Whereas, I. W. Lane, a resident and taxpayer of Faison Township, advanced to the Faison Special School Taxing District, the sum of five hundred dollars ($500.00), to enable them to equip a science laboratory in the colored school of said district, and;

Whereas, the said school has had the benefit of this equipment, and the expenditures were made by and on behalf of the said school, and;

Whereas, there will be in a special fund for this district the sum of five hundred dollars ($500.00), or more, with which this item could be paid, and;

Whereas, there should be some legislation authorizing the Board of Commissioners of Duplin County and Board of Education of Duplin County to pay this item, which has been approved by the said Board of Education, Now Therefore.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Education and Board of Commissioners of Duplin County be and they are hereby authorized and directed to pay to I. W. Lane, the sum of five hundred dollars ($500.00) from the funds of the Faison Special School Taxing
District, whenever there may be funds available and sufficient in the funds of said district to pay the same.

Sec. 2. That all laws and clauses of laws in conflict with this Act shall be repealed.

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

Ratified this the 11th day of February, A.D. 1935.

S. B. 109

CHAPTER 38

AN ACT TO RELIEVE PERSONS SUMMONED TO SERVE AS TALES JURORS IN MECKLENBURG AND TRANSYLVANIA COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That any and all persons called by the Sheriff or his deputies to act as a tales juror or jurors in either civil or criminal courts and serving as same, except such persons as may be summoned as jurors of a special venire, shall serve as a juror or jurors, if selected, without pay, if such person or persons so summoned shall have served as a tales juror or jurors at any time within twelve (12) months prior thereto.

Sec. 2. That if any person, so called shall direct the attention of the presiding Judge to the fact that he has served as tales juror within a period of twelve (12) months, the Judge shall then excuse him.

Sec. 3. That this Act shall apply only to Mecklenburg and Transylvania Counties.

Sec. 4. That all Acts or parts of Acts inconsistent with this section be and same 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 February, A.D. 1935.

S. B. 147

CHAPTER 39

AN ACT TO REQUIRE A DEPOSIT FEE OF FIVE DOLLARS WITH THE CLERK OF COURT OF LINCOLN COUNTY WHEN SUMMONS IN CIVIL ACTION IS ISSUED.

The General Assembly of North Carolina do enact:

SECTION 1. That (in) all civil actions hereafter instituted in Lincoln County, except in forma pauperis suits, the plaintiff shall make a cash deposit of five dollars before the summons is issued.
by the Clerk, the same to be taxed in the bill of costs in said action.

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 February, A.D. 1935.

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S. B. 154   CHAPTER 40

AN ACT TO VALIDATE THE ACTS OF F. L. POTTER, JR., JUSTICE OF THE PEACE FOR KENANVILLE TOWNSHIP, DUPLIN COUNTY.

Whereas, the term of office of F. L. Potter, Jr., a Justice of the Peace of Kenansville Township, Duplin County, expired on the first Monday in December, one thousand nine hundred and thirty-four; and whereas, the said Justice of the Peace was re-elected at the General Election held in November of that year and failed to qualify according to law, and the said Justice of the Peace was inadvertent thereto and did continue to act a Justice of the Peace, assuming that his office 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 F. L. Potter, Jr., a Justice of the Peace, done and had by him after the first Monday in December, one thousand nine hundred and thirty-four, and to and including February eighth, one thousand nine hundred and thirty-five, be and the same are hereby validated and declared legal and binding in all respects as if performed by him during the tenure of his office.

Sec. 2. That this Act shall not apply to the 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 11th day of February, A.D. 1935.
H. B. 153  CHAPTER 41

AN ACT PROVIDING FOR A SPECIAL TAX LEVY IN CLAY COUNTY FOR SPECIAL PURPOSES.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners of Clay County are hereby authorized to levy such special property taxes as may be necessary, not to exceed thirty cents on the one hundred dollars valuation, for the following special purposes, respectively, as more fully hereinafter set out, in addition to any taxes now allowed by law for such or any other special purposes, and in addition to the rate allowed by the Constitution of North Carolina:

(1) For the expenses of holding courts of the county and the expense of maintenance of jail and jail prisoners, ten cents.

(2) For the expense of upkeep of courthouse, grounds and County Commissioners office, five cents.

(3) For the expense of tax listing, four cents.

(4) For the expense of County Accountant's office, five cents.

(5) For the expense of County Agent's office, four cents.

(6) For election expenses, two cents.

SEC. 2. That if any of the items or taxes levied for the purposes above set forth in this Act be decided to be unconstitutional or invalid, the same shall not affect the validity of the remaining special taxes levied in this Act, or the validity of the Act as a whole, or any other part thereof other than the part so decided to be unconstitutional and invalid.

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

Ratified this the 13th day of February, A.D. 1935.

H. B. 175  CHAPTER 42

AN ACT TO ESTABLISH AND PROVIDE FOR THE EXPENSES OF THE ANNUAL OUTING OF THE JUNIOR TRAFFIC OFFICERS OF THE CITY OF WILMINGTON AND COUNTY OF NEW HANOVER.

Whereas, the regular traffic officers in the school zones of the City of Wilmington and New Hanover County have for several years provided, with the assistance of public-spirited citizens, an outing of one day's entertainment for the boys who during the preceding year have assisted in the control and regulation of traffic in the several zones of the aforesaid city and county, as a just recognition of the value of the services rendered by said boy
assistant traffic officers, and to encourage and promote interest in the control of traffic generally; and

Whereas, great public benefit is derived from the services rendered by the said boy assistant traffic officers, it is deemed eminently just and proper that one day each year be set aside for an outing where athletic games or contests shall be provided and refreshments furnished for the use and benefit of such outing:

Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That annually hereafter a day shall be designated as herein provided and set apart as the day for the annual outing of the assistant boy traffic officers of the City of Wilmington and the county of New Hanover.

SEC. 2. That the regular officers of the City of Wilmington and New Hanover County who serve in the school zone of said city and county shall before the end of the school year designate a day, and the same is hereby set apart as the annual outing of the assistant boy traffic officers.

SEC. 3. That the regular traffic officers of the City of Wilmington and the county of New Hanover, who serve in school zones, shall provide a program of entertainment for the benefit of the boys who are entitled to attend the annual outing established by this Act.

SEC. 4. That the City of Wilmington and the county of New Hanover shall annually appropriate and provide for the use of the regular traffic officers in school zones of the said city and county, for the purpose of defraying the expenses incident to the outing hereby established, jointly, the sum of two hundred and fifty dollars, half of said amount to be appropriated and provided by the City of Wilmington and half by the county of New Hanover, or so much thereof as may be necessary to pay the expenses of said outing.

SEC. 5. That the City of Wilmington and county of New Hanover shall permit all regular traffic officers who serve in school zones to be excused from duty with pay for the purpose of attending the said outing.

SEC. 6. That this Act shall apply to the City of Wilmington and New Hanover County only.

SEC. 7. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 8. That this Act shall be in full force and effect from and after its ratification.

Ratified this the 13th day of February, A.D. 1935.
H. B. 287  
CHAPTER 43  
AN ACT TO PROHIBIT THE SALE OF FIREWORKS 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 sell, or offer for sale, shoot, fire, discharge, display or otherwise use or have possession of any fire-crackers, torpedoes, cap pistols, skyrockets, Roman candles, or other articles commonly known as fireworks, in the county of Sampson: Provided, the same shall not apply to the display and/or shooting of fireworks in the fair grounds during fair week.

Sec. 2. That any person violating the provisions of this Act shall be punishable with a fine not to exceed fifty dollars or imprisonment not to exceed thirty days.

Sec. 3. All laws or 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 the date of its ratification.

Ratified this the 13th day of February, A.D. 1935.

H. B. 294  
CHAPTER 44  
AN ACT APPOINTING A BOARD OF EDUCATION FOR YANCEY COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That J. W. Howell, Horace S. Edge and Wilson Edwards be, and they are hereby appointed the Board of Education for Yancey County, and said members shall be the only members of said Board of Education for the ensuing period of two years from and after the first Monday in May, one thousand nine hundred and thirty-five.

Sec. 2. That on the first Monday in May, one thousand nine hundred and thirty-five, the members of said Board of Education shall meet and organize, appoint a County Superintendent of Schools and appoint school committeemen for the ensuing two years, from and after the first Monday in May, one thousand nine hundred and thirty-five, and the teachers for said county shall be elected by the committeemen so appointed with the approval of the County Superintendent of Schools appointed by said Board on the first Monday in May, one thousand nine hundred and thirty-five, and the additional approval of the Board of Education appointed by section one of this Act.
Sec. 3. That said Board of Education shall receive the compensation now provided by law, and the County Superintendent of Schools appointed by said Board shall receive the compensation now provided by law, or such additional compensation as the General Assembly at this session may provide.

Sec. 4. That all laws and clauses of laws, local, special, or general, in conflict with the provisions of this Act, so far as the same affect Yancey County, be and 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. 1935.

H. B. 35   CHAPTER 45

AN ACT FOR THE RELIEF OF THE TAXPAYERS OF ASHE COUNTY DURING THE ECONOMIC EMERGENCY DECLARED TO EXIST.

That, whereas, the severe financial and economic depression existing throughout the entire United States for the past several years has resulted in the extremely low prices for products of the farm in agricultural sections of the United States; and,

Whereas, the county of Ashe is predominantly an agricultural county, with nine-tenths of its population living on farms, and no large towns nor manufacturing enterprises in said county, and its citizens depending almost wholly upon the cattle industry as their basic money product; and,

Whereas, prior to said depression, cattle in said county were selling on the market from ten to twelve cents per pound, gross; and,

Whereas, during said depression and during the past several years, and up to and including the years of one thousand nine hundred thirty-two and one thousand nine hundred and thirty-three and at the present time, cattle have been and are selling on the market from two to three cents per pound gross in said county; and,

Whereas, certain agricultural sections of North Carolina, where the basic agricultural products are cotton and tobacco, have been to some extent relieved from said depression, the taxpayers of the county of Ashe have received no such relief; and,

Whereas, the county of Ashe during the period of prosperity preceding the general depression incurred a bonded indebtedness for public roads in the sum of one million three hundred thousand dollars; and,

Whereas, at the time of the creation of said indebtedness, cattle were selling in said county on the market at from ten to
twelve cents per pound gross, and the assessed valuation of the
real and personal property of said county was around twenty
million dollars; and,

Whereas, the assessed value of the real estate of said county
is now only about three million dollars, and cattle are selling in
said county on the market at from one and one-half to three cents
per pound gross; and,

Whereas, for the past several years the citizens of Ashe County
have been unable to realize enough from the products of their
farms to support themselves and pay their taxes; and,

Whereas, there remains unpaid and uncollected a large per cent
of the taxes in said county for the years of one thousand nine
hundred and twenty-seven, one thousand nine hundred and
twenty-eight, one thousand nine hundred and twenty-nine, one
thousand nine hundred and thirty, one thousand nine hundred
and thirty-one, and one thousand nine hundred thirty-two, one thou-
sand nine hundred and thirty-three, and nearly one-half of the
homes of the citizens of said county have already been sold for
delinquent taxes, and foreclosure proceedings are now pending
against said delinquent taxpayers; and,

Whereas, practically all of the owners of real property in said
county by reason of said conditions are unable and it is believed
will for some time, and during the continuance of said economic
depression, be unable to meet the payments of the interest and
principal upon the bonded indebtedness of said county and retain
their homes: Now, therefore,

It is believed, and the Legislature of North Carolina hereby
declares that the conditions existing as hereinbefore set forth
has created an economic emergency of such nature that justifies
and renders valid legislation for the purpose of extending the
time for the payment of both principal and interest of the bonded
indebtedness of the county of Ashe: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of the county of
Ashe is hereby authorized, empowered and directed to make such
levies for the debt service and all necessary county expenses for
the county of Ashe for the years of one thousand nine hundred
and thirty-five and one thousand nine hundred thirty-six as in
their opinion and discretion that the taxpayers of said county are
able to pay and retain their homes, not to exceed one dollar and
forty cents on the one hundred dollars assessed value of all the
real and personal property in said county for said years.

SEC. 2. That the Board of Commissioners of the county of
Ashe are hereby authorized, empowered and directed to make
such settlement and adjustment of the bonded indebtedness of

Shrinkage in valuation.

Plight of Ashe County citizens.

Uncollected taxes.

Sale of homes for taxes.

County unable to pay bonds.

Emergency declared.

Limited tax levy authorized.

Tax limit.

Adjustment with bondholders authorized.
the county of Ashe, both as to principal and interest, with the
bondholders of said county, as in their opinion the taxpayers of
said county may be able to pay, and to issue new bonds of the
county in exchange in settlement of the old bonds, and upon such
terms as to payment and rate of interest as may be agreed upon
by said bondholders and said Board. It being the purpose of this
section of this Act to enable the Board of County Commissioners
of the county of Ashe to refund the present bonded indebtedness
of said county upon such terms, both as to interest and principal
of said indebtedness, so that the county of Ashe may be able to
pay the same without default as to such adjusted indebtedness.

Sec. 3. That after the years of one thousand nine hundred
thirty-five and one thousand nine hundred thirty-six it shall be
the duty of the Board of County Commissioners of the county of
Ashe to find as a fact annually before making the annual tax
levy for said county whether said economic emergency still ex-
ists, and if it shall appear to said Board that the prices of cattle,
potatoes and cabbage or the basic farm products and sources of
revenue of said county have returned to the prices or value of
the same at the time of the incurring of said bonded indebtedness
or substantially so, then, and in that event, said Board of County
Commissioners shall levy such taxes as may be necessary to pay
off and discharge said indebtedness; but if said Board shall find
as a fact that said economic emergency still exists they shall levy
only such taxes for debt service as in their opinion the taxpayers
of said county are able to pay and retain their homes: Provided,
however, the findings of fact under this section by the Board of
Commissioners may be reviewed by the courts, it not being the
purpose of this Act to repudiate the bonded indebtedness of the
county of Ashe, but to so adjust it as to do justice both to the
taxpayers and the bondholders of said county.

Sec. 4. That the provisions of this Act are hereby declared
to be severable. If any provisions hereof shall be found by the
decision of the court of competent jurisdiction to be invalid, such
decision shall not affect the other provisions of this Act.

Sec. 5. That this Act shall apply to the county of Ashe 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 14th day of February, A.D. 1935.
H. B. 79  CHAPTER 46

AN ACT TO REPEAL CHAPTER FOUR HUNDRED AND THREE, PUBLIC-LOCAL LAWS ONE THOUSAND NINE HUNDRED AND THIRTY-THREE, RELATING TO FEES OF JURORS IN CLAY COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That chapter four hundred and three of the Public-Local Laws of one thousand nine hundred and thirty-three be and the same is hereby repealed in so far as the same relates to Clay County, it being the intent and purpose of this Act to provide that the fees of jurors in Clay County shall be the same as were in effect prior to the enactment of said 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 effect from and after its ratification.

Ratified this the 14th day of February, A.D. 1935.

H. B. 184  CHAPTER 47

AN ACT RELATING TO THE COMPENSATION OF THE COUNTY COMMISSIONERS OF YADKIN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the members of the Board of Commissioners of Yadkin County shall receive the sum of three dollars and fifty cents per day and mileage to and from the place of meeting not exceeding five cents per mile, for services and expense in attending the meetings of the Board.

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

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

Ratified this the 14th day of February, A.D. 1935.
H. B. 190

CHAPTER 48

AN ACT TO AMEND CERTAIN STATUTES RELATING TO THE SALARIES OF CERTAIN OFFICERS OF BURKE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That Chapter forty-eight of the Public-Local Laws of the session of one thousand nine hundred and twenty-nine be and the same is hereby amended by striking out the words "subject, however, to the qualifications hereinafter set forth" appearing in line four of Section three of said Chapter forty-eight and by repealing Section eight of said chapter in so far as it pertains to the Register of Deeds of Burke County, it being the purpose and intent of this Act that said Register of Deeds shall receive the salary prescribed by Section three of said chapter free and clear of the qualifications and restrictions mentioned in Section eight thereof.

Sec. 2. That Chapter forty-eight of the Public-Local Laws of the session of one thousand nine hundred and twenty-nine be and the same is hereby amended by striking out the words "and also one thousand dollars per year for deputy sheriff, provided a full-time deputy is employed by him," appearing in lines twenty-four, twenty-five and twenty-six of Section four of said Chapter forty-eight, and by inserting in lieu thereof the following words, "and also one thousand eight hundred dollars per year for a full-time deputy sheriff, who shall be appointed by the Sheriff." That Section three of Chapter three hundred and seventy-one of the Public-Local Laws of one thousand nine hundred and thirty-one be and the same is hereby amended so as to conform to the foregoing provision and amendment relative to the salary of the full-time deputy sheriff and by adding at the end of said section a new sentence reading as follows: "The Board of Commissioners of Burke County, in the exercise of their discretion, may recompense the full-time deputy sheriff for reasonable expenses incurred by him in the discharge of his official duties."

Sec. 3. That Chapter two hundred and eighteen of the Public-Local Laws of the session of one thousand nine hundred and twenty-nine be and the same is hereby amended by striking out the words and figures "one thousand eight hundred ($1,800.00) dollars" appearing in lines ten and eleven of Section four of said chapter and by inserting in lieu thereof the following words and figures, namely, "Twenty-four hundred ($2,400.00) dollars."

Sec. 4. That this Act shall be effective from and after the first day of January, one thousand nine hundred and thirty-five.

Ratified this the 14th day of February, A.D. 1935.
H. B. 225

CHAPTER 49

AN ACT TO AMEND CHAPTER ONE HUNDRED AND SIXTY-THREE, PUBLIC-LOCAL LAWS ONE THOUSAND NINE HUNDRED AND THIRTY-THREE, RELATING TO FEES OF THE SHERIFF OF ALEXANDER COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That Section three of Chapter one hundred and sixty-three of the Public-Local Laws of one thousand nine hundred and thirty-three be and the same is hereby amended by striking out the last sentence of the paragraph under Section three relating to the compensation and fees of the Sheriff and inserting in lieu thereof the following: "He shall be allowed the following fees:

Warrants and capias, two dollars.
Superior Court summons, one dollar.
Justice of Peace summons, sixty cents.
Subpoenas, fifty cents.
Claim and delivery, one dollar.
Executions, one dollar.

For making each certificate of the sale and purchase of real estate for taxes, and for each deed for real estate, one dollar.

In all other cases he shall receive the fees now allowed 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 14th day of February, A.D. 1935.

H. B. 236

CHAPTER 50

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF CALDWELL COUNTY TO APPOINT ONE OR MORE RURAL POLICEMEN.

The General Assembly of North Carolina do enact:

Section 1. That the County Commissioners of Caldwell County be, and they hereby are authorized, in their discretion, to appoint one or more rural policemen, who will have the same powers and duties as a deputy sheriff, the term and salary to be fixed by said Commissioners.
Sec. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed.

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

Ratified this the 14th day of February, A.D. 1935.

H. B. 55

CHAPTER 51

AN ACT TO AMEND CHAPTER FIVE HUNDRED AND TWENTY-ONE, PUBLIC-LOCAL LAWS ONE THOUSAND NINE HUNDRED AND THIRTY-THREE, PROHIBITING THE SETTING OF STEEL TRAPS IN ROBESON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That Section one of Chapter five hundred and twenty-one, Public-Local Laws of one thousand nine hundred and thirty-three, be amended by striking out in line two the words "for a period of two 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 15th day of February, A.D. 1935.

H. B. 146

CHAPTER 52

AN ACT TO ALLOW THE RESIDENTS AND CITIZENS OF SWAIN COUNTY TO FISH IN CERTAIN STREAMS IN SWAIN COUNTY WITHOUT FIRST PROCURING A COUNTY LICENSE THEREFOR.

The General Assembly of North Carolina do enact:

Section 1. That the citizens and residents of Swain County are hereby allowed to take fish from the following streams in said county with hook and line, trot line, or basket, without procuring a license therefor, to wit: Tuckaseigee River, Tennessee River, Nantahala River, Alarka Creek, and Occonaluftee River up to the line of the Great Smoky Mountain National Park, and the fish taken from the park area in this river shall be governed by the rules and regulations now in effect by the officials of the said Great Smoky Mountain National Park.

Sec. 2. That the provisions of this Act shall be construed to mean all persons domiciled and actually living in Swain County.
Conflicting laws 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 15th day of February, A.D. 1935.

H. B. 147

CHAPTER 53

AN ACT TO PROHIBIT THE SETTING OF STEEL TRAPS IN SWAIN AND GRAHAM COUNTIES. (APPLICABLE ALSO TO BLADEN AND CRAVEN COUNTIES.)

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful and constituted a misdemeanor for any person or persons to set steel traps in Swain, Graham, Bladen and Craven Counties for the purpose of taking game or otherwise.

SEC. 2. That any person violating the provisions of this Act shall be fined not less than ten ($10.00) dollars nor more than fifty ($50.00) dollars, or imprisoned for not more than thirty (30) days, and in no case shall the court have the right to suspend judgment on the payment of the costs: Provided, this Act shall not apply to farmers or other persons setting steel traps for musk rats and ground hogs on their own premises for the protection of crops: Provided further, that this act shall not apply to persons setting steel traps around the hen-house or other local buildings on the farm for the protection of fowls. In all cases, however, said traps shall be set in such a manner as to protect as far as possible domestic animals.

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 15th day of February, A.D. 1935.
H. B. 219  CHAPTER 54

AN ACT TO REPEAL CHAPTER ONE HUNDRED AND FOUR
OF THE PUBLIC-LOCAL LAWS OF THE SESSION OF ONE
THOUSAND NINE HUNDRED AND TWENTY-NINE, PLAC-
ING THE OFFICE OF THE SHERIFF OF ASHE COUNTY
UPON A SALARY BASIS.

That, whereas, under the present law the Treasurer of the
county of Ashe receives no compensation for collecting and dis-
bursing the school funds; and,

Whereas, prior to the year of one thousand nine hundred and
thirty-three the annual tax levy of the county of Ashe averaged
from one hundred and eighty-eleven thousand dollars to two hun-
dred-eleven thousand dollars; and,

Whereas, because of the decrease in the assessed valuation of
the property of said county, and the economic emergency, said
annual levy has been reduced to approximately fifty-two hundred
($5200.00) dollars; and,

Whereas, the Sheriff of Ashe County could not effectively ad-
minister the duties of office of Sheriff of said county on the com-
missions allowed by law on the annual tax levy: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter one hundred and four of the Public-
Local Laws of the session of one thousand nine hundred and
twenty-nine and all amendments thereto are hereby repealed.

Sec. 2. That the office of Sheriff and Treasurer of Ashe County
shall remain as at present combined, and the Sheriff shall per-
form the duties of both offices, and shall receive the fees and com-
pensation as provided for in Sections three thousand nine hun-
dred and eight, three thousand nine hundred and ten and eight
thousand and forty-two of the Consolidated Statutes of North
Carolina of one thousand nine hundred and nineteen, and shall
receive commissions on all sales of lands for taxes when the tax
for said sales is collected.

Sec. 3. The Board of Commissioners of Ashe County are hereby
empowered and directed to pay the Sheriff of Ashe County the
sum of fifteen hundred dollars ($1500.00) annually, in addition
to the commissions to be paid from the general funds of the
county.

Sec. 4. That all county officers of the county of Ashe, except
the Coroner and Surveyor, shall be required to give bonds in the
amounts required by law, in some reputable and solvent indemnity
insurance company, to be approved by said Board, and the pre-
mium thereof shall be paid by the county.
Sec. 5. That the provisions of Sections one, two and three of this Act shall not go into effect until the first Monday in December, one thousand nine hundred and thirty-five.

Sec. 6. That no county officer of the county of Ashe shall hold the same office more than two successive terms.

Sec. 7. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 8. That this Act shall apply to Ashe County only.

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

Ratified this the 15th day of February, A.D. 1935.

H. B. 54

CHAPTER 55

AN ACT TO PROHIBIT THE WRONGFUL HOARDING AND/ OR SELLING OF MILK BOTTLES, CRATES, CANS AND OTHER CONTAINERS OF DAIRY PRODUCTS IN MECKLENBURG COUNTY. (APPLICABLE ALSO TO PITTS COUNTY.)

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person, firm or corporation in Mecklenburg and Pitt Counties to hoard, harbor and/or keep any milk bottles, cans, crates or other containers for milk or milk products which have the name, label, trade-mark or inscription of any other firm, person, or corporation, blown, embossed or marked thereon. Any bonded peace officer of Mecklenburg and Pitt Counties is hereby given the power to search the premises of any person, firm or corporation in Mecklenburg and Pitt Counties and arrest any person engaged in the unlawful hoarding of milk bottles, cans, crates or other containers for milk, or milk bottles, in violation of this section, and such officer may seize and confiscate the bottles, cans, crates and containers which are being hoarded in violation of this Act and return the same to the lawful owner thereof.

Sec. 2. It shall be unlawful for any person, firm or corporation to remove from Mecklenburg and Pitt Counties any milk bottles, cans, crates, or other containers for milk or milk products which have the name, label, trade-mark or inscription of any other person, firm or corporation blown, embossed or marked thereon; Provided, that the name, label, trade-mark or inscription on the said bottles, cans, crates or containers shall be the name, label, trade-mark or inscription of a resident of Mecklenburg and Pitt Counties.

Sec. 3. Any person violating the provisions of this Act shall be guilty of a misdemeanor, and upon conviction shall be subject
to a fine of not more than fifty dollars nor less than ten dollars, or imprisonment for a period of not more than thirty days within the discretion of the court.

SEC. 4. This Act shall only apply to Mecklenburg and Pitt Counties.

SEC. 5. All laws and clauses of laws in conflict herewith are hereby repealed.

SEC. 6. In case any section or clause of this Act is declared unconstitutional by a court of competent jurisdiction, such decision shall not affect the legality of any other section or clause of this Act.

SEC. 7. This Act shall be in force and effect from and after the date of its ratification.

Ratified this the 18th day of February, A.D. 1935.

H. B. 161

CHAPTER 56

AN ACT TO AMEND CHAPTER ONE HUNDRED AND EIGHTY-FIVE, PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-THREE, RELATING TO MAXIMUM SALARIES OF JUDGE AND SOLICITOR OF THE GENERAL COUNTY COURT OF WILSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Section one of Chapter one hundred and eighty-five of the Public-Local Laws of one thousand nine hundred and thirty-three, be, and the same is hereby, amended by striking out the words and figures two thousand seven hundred dollars ($2,700.00) at the end of said section and inserting in lieu thereof the words and figures three thousand six hundred dollars ($3,600.00).

SEC. 2. That Section two of Chapter one hundred and eighty-five of the Public-Local Laws of one thousand nine hundred and thirty-three, be, and the same is hereby, amended by striking out the words and figures one thousand five hundred dollars ($1,500.00) at the end of said section and inserting in lieu thereof the words and figures two thousand dollars ($2,000.00).

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

Ratified this the 19th day of February, A.D. 1935.
H. B. 295

CHAPTER 57

AN ACT TO AMEND CHAPTER FORTY-ONE, PUBLIC-LOCAL
LAWS OF NINETEEN HUNDRED AND THIRTY-THREE,
RELATING TO BONDS OF CERTAIN OFFICERS IN SWAIN
COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Section one of Chapter forty-one of Public-
Local Laws of nineteen hundred and thirty-three be, and the same
is, hereby amended by changing the period at the end of said sec-
tion one to a semi-colon and adding the following: "Provided,
that the bond of the Clerk of the Superior Court of Swain County
shall be fixed at the sum of five thousand ($5,000.00) dollars in
the discretion of the Board of County Commissioners of Swain
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 20th day of February, A.D. 1935.

H. B. 264

CHAPTER 58

AN ACT TO VALIDATE SALES OF LANDS FOR TAXES BY
THE COUNTY OF MACON AND THE SEVERAL INCOR-
PORATED 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 Macon County, and by the Tax Collector of
the Town of Franklin, and any other incorporated town in Macon
County in any month in the year one thousand nine hundred and
thirty-three and one thousand nine hundred and thirty-four than
the month prescribed by statute, are hereby validated and de-
claried 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 all laws and clauses of laws in conflict with this
Act are hereby repealed.

Sec. 3. That this Act shall be in force from and after its rati-
fication.

Ratified this the 20th day of February, A.D. 1935.
CHAPTER 59

AN ACT TO AMEND CHAPTER FIVE HUNDRED AND THIRTY-SIX, PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-THREE, RELATIVE TO TAXATION OF PEDDLERS IN CABARRUS AND DAVIDSON COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That Section one of Chapter five hundred and thirty-six, Public-Local Laws of one thousand nine hundred and thirty-three, be and the same is hereby amended by striking out the words "Counties of Cabarrus and" in line four and inserting in lieu thereof the words "County of"; and further amend said section by striking out the words "Counties of Cabarrus and" in lines ten and eleven and inserting in lieu thereof the words "County of."

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 20th day of February, A.D. 1935.

H. B. 299

CHAPTER 60

AN ACT TO VALIDATE CERTAIN SALES OF LAND FOR TAXES IN JONES COUNTY AND CERTIFICATES ISSUED IN PURSUANCE THEREOF.

The General Assembly of North Carolina do enact:

SECTION 1. That all sales of land in Jones County for failure to pay taxes, held or conducted by the Sheriff or any other tax collector of Jones County, or any city, town or other municipality in said county during the years one thousand nine hundred thirty-three and one thousand nine hundred thirty-four, on any day subsequent to or other than the first Monday in September of 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 said first Mondays of September, one thousand nine hundred thirty-three, and one thousand nine hundred thirty-four.

Tax sales in Jones County and its subdivisions validated.

Certificates also validated.
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 20th day of February, A.D. 1935.

H. B. 300

CHAPTER 61

AN ACT AUTHORIZING THE BOARD OF COMMISSIONERS OF NEW HANOVER COUNTY TO APPROPRIATE MONEY TO THE WILMINGTON PORT TRAFFIC ASSOCIATION, INCORPORATED.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of New Hanover County are hereby authorized and empowered to appropriate from the general funds of New Hanover County, not otherwise appropriated, a sum of money not to exceed five thousand dollars per year to the Wilmington Port Traffic Association, Inc., to be applied to defray the current expenses of the operation of said Wilmington Port Traffic Association, Inc.

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 20th day of February, A.D. 1935.

H. B. 368

CHAPTER 62

AN ACT, SUPPLEMENTAL TO AN ACT, ENTITLED AN ACT TO VALIDATE CERTAIN SALES OF LAND FOR TAXES AND CERTIFICATES ISSUED IN PURSUANCE THEREOF, AND BEING HOUSE BILL ONE HUNDRED NINETEEN, RATIFIED ON FEBRUARY FIFTH, ONE THOUSAND NINE HUNDRED THIRTY-FIVE.

The General Assembly of North Carolina do enact:

SECTION 1. That Section one of the original bill be amended in line three thereof by striking out the word “four” and inserting in lieu thereof the word “three.”

That said Act be amended further in line five thereof by striking out the word “four” and inserting in lieu thereof the word “three.”
Sec. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed.

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

Ratified this the 20th day of February, A.D. 1935.

H. B. 218  
CHAPTER 63

AN ACT RELATING TO THE OFFICERS OF TRANSYLVANIA COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That from and after the first day of January, one thousand nine hundred and thirty-five, the Register of Deeds, Clerk of the Superior Court, Tax Collector and Sheriff of Transylvania County shall receive in lieu of the fees heretofore allowed said officers the following salaries per year: the same to be paid in equal monthly installments: Register of Deeds, one thousand seven hundred and seventy-five dollars ($1,775.00); Clerk of the Superior Court, one thousand nine hundred dollars ($1,900.00); Tax Collector, one thousand seven hundred and seventy-five dollars ($1,775.00); Sheriff, two thousand seven hundred and fifty dollars ($2,750.00).

Sec. 2. That from and after the first day of January, one thousand nine hundred and thirty-five, the said county officers shall render a full account of all fees received by them as provided by law.

Sec. 3. That the Register of Deeds shall receive the sum of two hundred dollars in full payment for his additional services as County Accountant for the month of December, one thousand nine hundred thirty-four, and the months of January and February of one thousand nine hundred and thirty-five.

Sec. 4. That the said officers shall give bond, to be approved by the Commissioners, in some bonding company licensed to do business in North Carolina, the premium on said bond to be paid by 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 full force and effect from and after its ratification.

Ratified this the 21st day of February, A.D. 1935.
H. B. 350

CHAPTER 64

AN ACT TO REGULATE THE DRAWING OF GRAND JURORS IN ALAMANCE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That on the first Monday in July, one thousand nine hundred and thirty-five, the Board of County Commissioners of Alamance County be and it is 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) grand jurors to serve for a period of twelve months, and that thereafter, on the first Monday 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 the Judge presiding over any term of the Superior Court of said Alamance County may at any time discharge said grand jury from further services in which event he shall cause the Board of County Commissioners to draw a new grand jury, which shall be drawn and shall serve as provided in Section two hereof.

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. 1935.

H. B. 393

CHAPTER 65

AN ACT TO AUTHORIZE AND EMPOWER THE BOARD OF COMMISSIONERS OF ALAMANCE COUNTY TO PURCHASE AND LEASE AND FURNISH TO FARMERS IN SAID COUNTY NECESSARY EQUIPMENT TO BE USED IN THE TREATMENT OF FARM LANDS TO PREVENT EROSION.

The General Assembly of North Carolina do enact:

Section 1. The Board of County Commissioners of Alamance County, North Carolina, is hereby authorized and empowered to purchase or rent the necessary equipment to be used as provided in this Act by the farmers of said county in the cultivation of their lands in such manner as may tend to prevent erosion. Said Board of Commissioners is hereby authorized and empowered to purchase or rent said erosion equipment upon such terms and conditions as they may deem to the best interest of Alamance County.

Sec. 2. The said Board of County Commissioners of Alamance County is hereby authorized and empowered to rent and/or furnish said erosion equipment to such farmers as may apply for
the same for the farm upon such terms and conditions, and upon such rental fees or other compensation as the said Board of County Commissioners may deem to be to the best interest of the county.

Sec. 3. The said Board of County Commissioners of said county is further authorized and empowered to levy taxes and appropriate such sums of money as may be necessary to pay the purchase price of said equipment and to properly operate, maintain, and keep the same in good working condition. Said appropriation to be made and charged to the Department of Agriculture of said Alamance County.

Sec. 4. All laws and clauses of laws in conflict herewith are hereby repealed.

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

Ratified this the 21st day of February, A.D. 1935.

H. B. 231

CHAPTER 66

AN ACT AUTHORIZING THE ISSUANCE OF REFUNDING BONDS OF WAYNE COUNTY, AND VALIDATING THE OUTSTANDING BONDED INDEBTEDNESS TO BE REFUNDED BY SAID REFUNDING BONDS.

Whereas, the Board of Commissioners of Wayne County, North Carolina, has finally passed, in accordance with the provisions of the County Finance Act, as amended, three orders authorizing the issuance of bonds of the county as follows:

(1) An order authorizing three hundred and eighty-eight thousand-dollar Refunding Road and Bridge Bonds for the purpose of refunding a like amount of the principal of valid subsisting bonded indebtedness of the county, maturing between November first, one thousand nine hundred and thirty-three, and June thirtieth, one thousand nine hundred and thirty-eight, both dates inclusive, which indebtedness was legally incurred before January first, one thousand nine hundred and twenty-nine, and is now evidenced by the following:

Twenty thousand-dollar four and one-half per cent Bridge Bonds dated May first, one thousand nine hundred and twenty-five.

Forty-eight thousand-dollar four and three-quarter per cent Road and Bridge Bonds dated December first, one thousand nine hundred and twenty-eight.

Sixty thousand-dollar four and three-quarter per cent Road and Bridge Funding Gold Bonds dated December first, one thousand nine hundred and twenty-eight.
One hundred and twenty thousand-dollar four and three-quarter per cent Road Gold Bonds dated December first, one thousand nine hundred and twenty-eight.

Sixty thousand-dollar four and three-quarter per cent Refunding Gold Bonds dated January first, one thousand nine hundred and thirty-three.

Fourteen thousand-dollar five per cent Bridge Bonds dated July first, one thousand nine hundred and nineteen.

Nine thousand-dollar five per cent Bridge Bonds dated June first, one thousand nine hundred and twenty-one.

Fifteen thousand-dollar five per cent Bridge Bonds dated June first, one thousand nine hundred and twenty-four.

Twelve thousand-dollar five per cent Nahunta Township Road Bonds dated July first, one thousand nine hundred and seventeen.

Thirty thousand-dollar six per cent Mount Olive Road District Bonds dated April first, one thousand nine hundred and fifteen.

(2) An order authorizing two hundred and fifty-seven thousand-dollar Refunding Bonds for the purpose of refunding a like amount of the principal of valid subsisting bonded indebtedness of the county, maturing between November first, one thousand nine hundred and thirty-three, and June thirtieth, one thousand nine hundred and thirty-eight, both dates inclusive, which indebtedness was legally incurred before July first, one thousand nine hundred and thirty-three, and is now evidenced by the following:

Twenty-five thousand-dollar four and three-quarter per cent Funding Bonds dated November first, one thousand nine hundred and twenty-four.

Twelve thousand-dollar five per cent Courthouse Bonds dated December first, one thousand nine hundred and thirteen.

Twenty thousand-dollar five per cent Funding Bonds dated July first, one thousand nine hundred and thirty-one.

Two hundred thousand-dollar five and one-half per cent Funding Bonds dated March first, one thousand nine hundred and twenty-two.

(3) An order authorizing one hundred and four thousand five-hundred-dollar Refunding School Bonds for the purpose of refunding a like amount of the principal of valid subsisting bonded indebtedness of the county, maturing between November first, one thousand nine hundred and thirty-three, and June thirtieth, one thousand nine hundred and thirty-eight, both dates inclusive, which indebtedness was legally incurred before July first, one thousand nine hundred and thirty-three, and is now evidenced by the following:

Twenty thousand-dollar four and three-quarter per cent School Building Gold Bonds dated October first, one thousand nine hundred and twenty-eight.
Thirty-five thousand-dollar four and three-quarter per cent School Funding Gold Bonds dated October first, one thousand nine hundred and twenty-eight.

Twenty thousand-dollar five per cent School Funding Bonds dated July first, one thousand nine hundred and thirty-one.

Two thousand-dollar five per cent Mount Olive Graded School District Bonds dated July first, one thousand nine hundred and fifteen.

Fifteen thousand-dollar five and one-quarter per cent Mount Olive Graded School District School Bonds dated June first, one thousand nine hundred and twenty-four.

Four thousand-dollar five and one-quarter per cent Eureka Consolidated School District Bonds dated October first, one thousand nine hundred and twenty-four.

Eight thousand five hundred-dollar six per cent Pikeville Consolidated School District Schoolhouse Bonds dated May first, one thousand nine hundred and twenty-four; and,

Whereas, the bonded indebtedness to be refunded by the Refunding Road and Bridge Bonds mentioned in paragraph (1) of the foregoing preamble was legally incurred for the construction of roads and bridges in said county, and the roads and bridges for the construction of which the bonded indebtedness of Nahunta Township and of Mount Olive Road District hereinafter described was incurred, have been taken over by the county of Wayne as a part of the highway system of the county and said bonded indebtedness has been assumed and must be paid by the county as a county-wide obligation; and,

Whereas, the bonded indebtedness to be refunded by the two hundred and fifty-seven thousand-dollar Refunding Bonds mentioned in paragraph (2) of the first preamble above was legally incurred for the following purposes, all constituting necessary expenses of the county:

The indebtedness evidenced by the four and three-quarter per cent Funding Bonds dated November first, one thousand nine hundred and twenty-four, was incurred for the construction of roads in said county and for the building of a county home for said county.

The indebtedness evidenced by the five per cent Courthouse Bonds dated December first, one thousand nine hundred and thirteen, was incurred for the construction and equipment of a new courthouse for said county.

The indebtedness evidenced by the five per cent Funding Bonds dated July first, one thousand nine hundred and thirty-one, was incurred for the construction of roads in said county and for the maintenance of the constitutional six months school term in the county.
The indebtedness evidenced by the five and one-half per cent Funding Bonds dated March first, one thousand nine hundred and twenty-two, was incurred for the construction of roads in said county and for the maintenance of the constitutional six months' school term in the county.

And said indebtedness incurred for the maintenance of the constitutional six months' school term was incurred by the Board of Commissioners of Wayne County acting as an administrative agent of the state in providing a state system of public schools; and,

*Whereas,* the bonded indebtedness to be refunded by the one hundred and four thousand five hundred-dollar Refunding School Bonds mentioned in paragraph (3) of the first preamble above was legally incurred for the following purposes:

All of the indebtedness evidenced by the twenty thousand-dollar four and three-quarter per cent School Building Gold Bonds and by the thirty-five thousand-dollar four and three-quarter per cent School Funding Gold Bonds, all dated October first, one thousand nine hundred and twenty-eight, and by the twenty thousand-dollar five per cent School Funding Bonds dated July first, one thousand nine hundred and twenty-four, was incurred by the Board of Commissioners of Wayne County, acting as an administrative agent of the State in providing a state system of public schools, in maintaining the constitutional six months' school term in the county.

All of the indebtedness evidenced by the two thousand-dollar five per cent Mount Olive Graded School District Bonds dated July first, one thousand nine hundred and fifteen, by the fifteen thousand-dollar five and one-quarter per cent Mount Olive Graded School District School Bonds dated June first, one thousand nine hundred and twenty-four, by the four thousand-dollar five and one-quarter per cent Eureka Consolidated School District Bonds dated October first, one thousand nine hundred and twenty-four, and by the eight thousand five hundred-dollar six per cent Pikeville Consolidated School District Schoolhouse Bonds dated May first, one thousand nine hundred and twenty-four, was incurred by the respective school districts for school buildings pursuant to a vote of a majority of the qualified voters therein.

And all of said buildings are necessary for the maintenance of the constitutional six months' school term in the county and the above described bonded indebtedness of said school districts has been assumed and must be paid by the county as a county-wide obligation: *Now, therefore.*
The General Assembly of North Carolina do enact:

SECTION 1. The bond orders mentioned in the foregoing preambles, authorizing three hundred and eighty-eight thousand-dollar Refunding Road and Bridge Bonds, two hundred and fifty-seven thousand-dollar Refunding Bonds, and one hundred and four thousand five hundred-dollar Refunding School Bonds of Wayne County, North Carolina, and the publications of said bond orders, and all proceedings of the Board of Commissioners of said county, up to and including the final passage of said bond orders, be and the same are hereby validated and confirmed, and the Board of Commissioners of said county is hereby authorized and empowered to issue at one time or from time to time, in accordance with the provisions of the County Finance Act, as amended, and the Local Government Act, as amended, negotiable bonds of the county for the purpose of refunding a like amount of the principal of the outstanding bonded indebtedness heretofore incurred and described in said bond orders, and all of said indebtedness is hereby validated and confirmed and declared to be valid subsisting indebtedness of said county, created for necessary expenses and for special purposes with the special approval of the General Assembly.

SEC. 2. In each year while any of the refunding bonds issued hereunder and in accordance with the provisions of said bond orders shall be outstanding, there shall be levied upon all taxable property in the county a special tax sufficient to pay the interest on said bonds as the same shall fall due and also sufficient to provide for the creation of a special fund for the payment of the principal of said bonds at or before their maturity, which tax shall be in addition to all other taxes authorized or limited by law. The General Assembly does hereby give its special approval to the levy of said tax for said special purposes.

SEC. 3. Any action or proceeding in any court to set aside any of said bond orders or to obtain any other relief upon the ground that any such bond order is invalid, or that the bonds to be refunded are invalid, and any action or proceeding in any court to restrain or enjoin the levy of the special tax provided for hereinafore and in said bond orders, must be commenced within thirty days after the ratification of this Act. After the expiration of said period of limitation, no right of action or defense founded upon the invalidity of any such bond order or questioning the power or the authority to levy the special tax provided for hereinafore and in said bond orders, shall be asserted, nor shall the validity of any such bond order or the power or authority to levy said tax be open to question in any court upon any ground whatever, except in an action or proceeding commenced within such period.
SEC. 4. The powers granted by this Act are granted in addition to and not in substitution for existing powers of Wayne County.

SEC. 5. Chapters three hundred twenty-four and five hundred twenty-nine of the Public-Local Laws of North Carolina of one thousand nine hundred thirty-three be and the same are hereby repealed.

SEC. 6. All laws and clauses of laws in conflict with this Act be and the same are hereby repealed.

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

Ratified this the 21st day of February, A.D. 1935.

S. B. 26  CHAPTER 67

AN ACT TO CORRECT AND CLARIFY TYPOGRAPHICAL ERRORS AND AMEND CHAPTER FOUR HUNDRED SIXTY OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-ONE AS IT RELATES TO THE PITT COUNTY PEACE OFFICERS' PROTECTIVE ASSOCIATION.

The General Assembly of North Carolina do enact:

SECTION 1. Chapter four hundred sixty of the Public-Local Laws of one thousand nine hundred and thirty-one is hereby amended by striking out all of Section six and adding in lieu thereof the following Section six:

Sec. 6. Source of Revenue. That in all criminal cases in Pitt County, North Carolina, brought in all courts wherein the defendant enters a plea of nolo contendere, a plea of guilty, or shall be adjudged guilty by the court or found guilty by a jury, wherein the costs of the action are paid by the defendant, there shall be taxed in the Bill of Costs a fee of one dollar, to be known as the Peace Officers' Emergency Fee, and shall be collected as other costs in criminal cases are collected, by the Justice of the Peace, Clerk, or other officer of the court authorized to receive costs; such funds so received shall be accounted for monthly, a copy of which report shall be sent to the Chairman of the Executive Board, and such funds turned over to the Treasurer of the Pitt County Peace Officers' Protective Association to be by him held and securely kept for the purpose of the Association; Provided, however, that such officers' Emergency Fee shall not be taxed in the costs in cases where the cost is paid by the county, Donations and contributions to said Pitt County Peace Officers' Protective Association may be received from any source approved by the executive board.
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 22nd day of February, A.D. 1935.

H. B. 112

CHAPTER 68

AN ACT TO REGULATE THE PRACTICES AND FEES OF JUSTICES OF THE PEACE IN CERTAIN CASES IN CUMBERLAND COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Section 1. That it shall be unlawful for any Justice of the Peace in Cumberland County, except as provided for in Section Two hereinafter, to issue or make returnable any criminal warrant before himself or any other Justice of the Peace within said County, wherein the charge is for any offense and/or violation of any criminal law or laws over which original jurisdiction is not conferred upon Justices of the Peace by the Constitution of the State of North Carolina.

Sec. 2. That any criminal warrant issued by any Justice of the Peace within Cumberland County wherein the offense charged is not within the original jurisdiction of Justices of the Peace as prescribed by the Constitution of the State of North Carolina shall be made returnable before the Recorder's Court of Cumberland County.

Sec. 3. That the Justice of the Peace, for his services in taking affidavits, issuing warrants, and subpoenaing witnesses under Section Two of this Act shall receive as fees therefor the sum of fifty cents and shall charge no other fees directly or indirectly, except that for taking a justified bond for the appearance of the defendant or defendants before the Recorders Court he shall be allowed a fee of twenty-five cents.

Sec. 4. That any Justice of the Peace violating the provisions of this Act shall be guilty of a misdemeanor and upon conviction shall be fined not less than fifty dollars nor more than one hundred dollars or sixty days in jail or both, in the discretion of the Court.

Sec. 5. That all laws and clauses of laws in conflict herewith are hereby repealed.

Sec. 6. That this Act shall apply to the County of Cumberland.

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

Ratified this the 25th day of February, A.D. 1935.
AN ACT TO VALIDATE CERTAIN SALES OF LAND FOR TAXES AND CERTIFICATES ISSUED IN PURSUIT THEREOF.

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 any county, city, town or other municipality during the years one thousand nine hundred and thirty-three, and one thousand nine hundred and thirty-four, on any day subsequent to or other than the first Monday in September of said years, 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 first Monday in September, one thousand nine hundred and thirty-three, and one thousand nine hundred and thirty-four.

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

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

Ratified this the 25th day of February, A.D. 1935.

H. B. 273

CHAPTER 70

AN ACT TO PROVIDE FOR A CALENDAR FOR THE CRIMINAL COURTS OF BURKE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That on Monday prior to the convening of any term, held solely or in part for the trial of criminal cases, of the Superior Court of Burke County, the clerk of the court, with a committee of not more than three lawyers, appointed by the President of the Burke County Bar Association, shall make out a calendar of criminal cases in the following order: (1) cases in which defendants have been convicted at prior terms and are required to appear and show compliance with the court's orders, etc., cases in which the defendants have been bound over by inferior courts, and are in jail in default of bail; (2) all cases in which defendants are in jail; (3) all cases in which defendants are not in jail; (4) sci. fa. and forfeited recognizances; Provided, however, that the Solicitor of the district shall have
the right to set any case for a day certain if notice of his request is made to the Clerk of the Superior Court prior to the making of the calendar, giving the date when he desires such case or cases calendared.

Sec. 2. That the Clerk of any inferior court in Burke County and all Justices of the Peace in and for Burke County shall, ten days prior to Monday before the convening of any court as aforesaid, make out and deliver to the Clerk of the Superior Court of Burke County their returns and the papers in all cases in which the defendants have appealed from the judgments rendered in their respective courts, or have been recognized to appear at said term of the Superior Court of Burke County: and any clerk of any inferior court of Burke County or any Justice of the Peace in said county who shall wilfully fail to comply with the provisions of this section of this Act shall be guilty of malfeasance in office, and upon conviction shall be removed from office.

Sec. 3. That immediately upon completion of the calendar the clerk shall have the same printed, giving the names of the defendants, the offense charged, and the day of the week upon which each case is set for trial, and shall mail a copy of the printed calendar to the Solicitor of the district, and, upon request, shall deliver a copy to each officer of the court and to the attorneys practicing in the courts of Burke County.

Sec. 4. That it shall be the duty of the Solicitor of the district to have all bills for each day's calendar prepared and present the same to the grand jury on or before the opening of the court each day of the term except Monday of the first week of the term, when they shall be prepared and presented to the grand jury immediately upon the completion of the charge of the Court.

Sec. 5. That cases shall be tried in the order in which they are calendared. If for sufficient reason the state or defendant is not ready for trial at the time the case is reached, the same shall be continued for the term unless otherwise set for trial by the court.

Sec. 6. The defendants and witnesses recognized to appear at any term of any court, as hereinbefore defined, shall, in the recognition, be ordered to appear on the first day of the term, as now provided by law, but in fact shall not be required to appear until the day on which the case is set for trial, and no witness shall prove his attendance prior to the day on which the case is set on the calendar.

Sec. 7. That the provisions of this Act shall not apply to capital felonies.

Sec. 8. That cases docketed in the Superior Court after the formation of the calendar shall stand for trial, and shall be heard in the discretion of the court.

Appeal returns from inferior courts.
Penalty for failure to make appeal returns.
Completion of calendar and distribution of copies.
Presentation of bills to grand jury.
Order of trial.
Continuances.
Time of attendance of defendants and witnesses.
Capital cases excepted.
Trial in Superior Court.
Section 9. That the Board of Commissioners of Burke County shall pay all expenses incurred by the clerk in carrying out the provisions of this Act.

Section 10. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Section 11. That this Act shall be in force and effect from and after its ratification.

Ratified this the 25th day of February, A.D. 1935.

H. B. 388

CHAPTER 71

AN ACT TO AMEND CHAPTER FIVE HUNDRED AND THREE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND TWENTY-NINE, RELATING TO COMPENSATION OF COUNTY COMMISSIONERS OF DUPLIN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That Section five of chapter five hundred and three of the Public-Local Laws of one thousand nine hundred and twenty-nine be and the same is hereby amended by adding at the end of said section the following:

"Provided, however, the Board of Commissioners may increase said compensation to not exceeding ten dollars ($10.00) per day for each member, and mileage for each member as already provided by said chapter being amended."

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 25th day of February, A.D. 1935.

S. B. 148

CHAPTER 72

AN ACT TO AMEND THE RECORDER'S COURT ACT RELATING TO THE TOWN OF DUNN.

The General Assembly of North Carolina do enact:

Section 1. That paragraph one of Section seven of "The Recorder's Court Act as Amended, being Chapter five hundred and ninety-eight of the Public-Local Laws of one thousand nine hundred and eleven, and Chapters six hundred and twenty-six and eight hundred and thirteen of the Public-Local Laws of one thousand nine hundred and fifteen" be and the same is hereby amended by striking out the word "one" between the word
“within” and the word “mile” and by substituting in lieu thereof the words: “one and one-half.”

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

Sec. 3. This Act shall take effect on and from date of its ratification. Ratified this the 26th day of February, A.D. 1935.

H. B. 329

CHAPTER 73

AN ACT RELATING TO THE SETTLEMENT AND COLLECTION OF BACK TAXES IN THE COUNTY OF NEW HANOVER AND THE CITY OF WILMINGTON, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Section 1. That the County Commissioners of New Hanover County and the City Commissioners of the City of Wilmington be, and the said Boards are hereby, respectively, fully authorized, empowered and directed to collect, compromise, settle or adjust, from time to time, in the discretion of said respective Boards, any or all back taxes appearing upon the tax records as due the respective municipalities. Back taxes referred to in this section shall include all taxes due, or which may become due, said respective municipalities for years prior to the current year then due.

Sec. 2. The settlement, compromise or adjustment, from time to time, of back taxes by the respective Boards, as provided in Section one hereof, shall operate to fully settle, extinguish and discharge the debt and/or lien of said back taxes.

Sec. 3. All laws and parts of laws in conflict with this Act be and the same are hereby repealed.

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

Ratified this the 26th day of February, A.D. 1935.

H. B. 369

CHAPTER 74

AN ACT TO EXTEND THE TIME FOR TAX FORECLOSURE SUITS IN JACKSON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the time for instituting suits for foreclosure of all tax sale certificates for nineteen hundred and thirty-two taxes held by Jackson County or other purchaser for value is

Conflicting laws repealed.

Adjustment of back taxes in Wilmington and New Hanover County.

Adjustment operates as full settlement.

Conflicting laws repealed.

Tax foreclosure suit for 1932 extended in Jackson County.
S. B. 181

CHAPTER 75

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

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter twenty of the Public-Local Laws of one thousand nine hundred and thirty-three is hereby repealed.

SEC. 2. That there is hereby created a Civil Service Board for the county of Mecklenburg, to consist of three members to be appointed by the resident Judge of the Superior Court, said Commissioners to hold their office as provided in this Act.

SEC. 3. 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. One of the members of the said Civil Service Board shall be a citizen and resident of Charlotte Township, Mecklenburg County, the other two members of the said Board shall be residents of sections of Mecklenburg County other than Charlotte Township. The members of the said Board shall be subject to removal from office by the resident Judge of the Superior Court for malfeasance in office, or for neglect or violation of any official duty connected with the said Civil Service Board, or for any violation of the laws of the State of North Carolina, or for any cause which, in the discretion of the said Judge, makes such removal to the best interests of the public.

SEC. 4. That said Civil Service Board shall establish and fix requirements of applicants for employment in the rural police department of the county of Mecklenburg, and shall make all such general rules and regulations for requirements of applicants, the conduct and the services of the employees of the said department as it may consider advisable; said rules and regulations
shall be printed and made available for public inspection and for the use of the employees of, and the applicants for, employment in said department.

Sec. 5. That all applicants for positions on the rural police force of Mecklenburg County shall be subject to an examination by the said Civil Service Board, which examination shall be competitive and open to all white persons who are qualified voters of Mecklenburg County, subject to a reasonable limitation as to residence, age, health, moral character and general reputation, which said examinations shall relate to those matters which will fairly test the relative ability of the person examined to discharge in a proper fashion the duties of the position which he seeks to be appointed to, and shall include tests of physical, mental and moral qualifications, but no applicant shall be examined concerning his political opinions or affiliations. Due regard shall be given by said Civil Service Board in its examination of applicants for positions in the rural police force to the experience or training of any applicant which may fit him for the duties which he would be called upon to discharge as a member of the said department.

Sec. 6. That notice of the time and place of every examination shall be given by the Civil Service Board by public publication daily for one week immediately preceding such examination in some newspaper published in Mecklenburg County, State of North Carolina; said notice to set forth the number and kind of vacancies in the said department which shall be filled by the said Civil Service Board.

Sec. 7. That the said Civil Service Board shall prepare and keep a register of persons successfully passing examinations given by them, such persons to be graded according to their respective showing upon said examinations; and the said Civil Service Board shall make appointments to vacancies which occur in the said department on a basis of the grades made by the various applicants upon the examinations so given. All examinations given by the said Civil Service Board shall be made under the rules and regulations established by said Civil Service Board.

Sec. 8. The said Civil Service Board shall have 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 shall keep the minutes of the proceedings of the Civil Service Board and shall be the custodian of all the papers and records pertaining to the business of the said Board, and shall keep an accurate record of all examinations held and the results thereof, and shall perform such other duties as the said Board shall prescribe or direct. All of the records of the said Civil Service Board shall be open to the inspection of the public at all times.
SEC. 9. That the Chairman and members of the Board of County Commissioners of the County of Mecklenburg shall provide suitable rooms for the said Civil Service Board and shall allow such reasonable use of public buildings for the holding of examinations by the said Board as may be necessary for a proper conduct of the affairs of the said Board.

SEC. 10. That the members of the said Civil Service Board shall serve without pay or remuneration of whatever kind or nature.

SEC. 11. The rural police department shall consist of a chief, a desk sergeant, and such a number of rural policemen as the Board of County Commissioners shall in their discretion deem sufficient to patrol in a satisfactory manner the rural sections of Mecklenburg County. The compensation of the employees of the rural police department shall be in the discretion of the Board of County Commissioners: Provided, however, that the salary of the chief of the rural police department shall not exceed the sum of one hundred seventy-five dollars ($175.00) per month, and that the salary of the other members of the said department shall in no case exceed the sum of one hundred thirty dollars ($130.00) per month. The compensation of all of the employees of the rural police department of Mecklenburg County shall be paid by the Treasurer of the said county upon order from the Board of County Commissioners on the first and fifteenth of each month.

SEC. 12. That the chief of the rural police department shall be appointed by a majority vote of the Civil Service Board. The chief of the rural police department and the members of said department shall be under the direction and control of, and shall be directly responsible to, the Board of County Commissioners of Mecklenburg County for the proper enforcement of the laws of the State of North Carolina in the rural sections of Mecklenburg County. The said Board of County Commissioners of Mecklenburg County shall have the power in their discretion to suspend from office the chief of the rural police department for malfeasance in office, drunkenness, dishonesty, neglect of official duty, or for failure to obey the orders duly issued to him by the Chairman of the Board of County Commissioners. In case of such suspension of the chief of the rural police department by the Board of County Commissioners, as herein provided, the said Board of County Commissioners shall certify such action on their part in writing, together with a statement of the causes for the said suspension to the said Civil Service Board, which shall, within ten days from the receipt of such certificate, the said Civil Service Board shall overrule such suspension and restore said chief to duty or shall confirm such suspension, take such additional action as it seems fit, and proceed immediately to the election or appoint-
ment of a new chief of said department. It shall notify the Board of County Commissioners of the action taken.

Sec. 13. That all promotions within the rural police department in Mecklenburg County shall be made by the chief of the said department by and with the approval of the said Civil Service Board, and the members of the said department shall be under the control and direction of the said chief of the rural police, who shall be held responsible for the proper conduct of the various duties of his department; that the chief of the rural police department may suspend any employee of the said department for any misconduct in office, drunkenness, dishonesty, insubordination, or for the infraction of any rules laid down by the said Civil Service Board, pending an investigation by the said Civil Service Board, such suspension not to exceed fifteen days at one time. In case of suspension of any officer as provided in this Act, the Civil Service Board shall make a thorough investigation into the charges made against the said officer or employee, and shall hear any complaint which may be made against the said officer or employee by any citizen or official of Mecklenburg County, or member of the Civil Service Board; and the said Civil Service Board may dismiss, remove or discharge any officer or employee of the said department upon the conclusion of any such hearing for the causes hereinbefore set out, after first giving the accused employee ample opportunity to be heard in his own behalf.

Sec. 14. That on the first of each and every calendar month the chairman of the rural police department shall make out and certify to the Board of County Commissioners and to the Civil Service Board a statement of the conduct of the affairs of his department, which said report shall contain any suggestions for improvement in the service or the personnel of the said department. Said report shall be kept in the files of the Civil Service Board and in the files of the Board of County Commissioners and shall constitute an official record with the said bodies.

Sec. 15. That on the first of each year the Civil Service Board shall make an annual report of its actions for the preceding year, including the rules and regulations in force, to the resident Judge of the Superior Court. Said report may include any recommendations of the said Board as to the practical effects of the rules or system in use, together with any suggestions which the members of the said Board may deem proper for the improvement of the said department.

Sec. 16. That no officer or employee of the rural police department of Mecklenburg County shall take any part in any election or political function other than that of exercising his right of suffrage, and the said Civil Service Board is hereby empowered to summarily dismiss from the said department any officer or employee, or政党的活动禁止。
employee of the same who shall be guilty of conduct in violation of this section.

Sec. 17. That the Judge of the Superior Court shall appoint and qualify the three members who shall constitute the personnel of the Civil Service Board herein created on or before the fourth day of March, one thousand nine hundred and thirty-five. The term of one of the said members shall run from March fourth, one thousand nine hundred and thirty-five, to March fourth, one thousand nine hundred and thirty-seven; the term of another member of the said Board shall run from March fourth, one thousand nine hundred and thirty-five, until March fourth, one thousand nine hundred and thirty-eight; and the term of the third member of the said Board shall run from March fourth, one thousand nine hundred and thirty-five, until March fourth, one thousand nine hundred and thirty-nine. At the expiration of the term of each of the said members, whom the said resident Judge shall appoint, a successor shall be appointed by the resident Judge of the Superior Court for a term of two years. Any vacancy on the said Civil Service Board shall be filled by the said resident Judge as herein provided, and every member of said Board shall hold office until a successor has been appointed and has duly qualified. No member of the Civil Service Board shall be eligible at the end of a regular two-year term for re-appointment.

Sec. 18. On or before the first day of April, one thousand nine hundred and thirty-five, the Civil Service Board herein created shall investigate the moral character and the other qualifications of the present members of the rural police force, including the chief thereof, and shall retain as chief and members respectively all present members found to qualify under the standards which such Civil Service Board will maintain, and to declare vacant the positions of all present members (including the chief, if so found) found to be below such standards, and to proceed to hold examinations and make appointments to fill such vacancies in the manner herein provided.

Sec. 19. That it shall be the duty of the Board of County Commissioners of Mecklenburg County to furnish to the chief of the rural police department and to the officers and employees thereof all equipment and supplies, including wireless telephone and/or radio broadcasting and receiving equipment and/or to contract with City of Charlotte, North Carolina, for joint use of its facilities, necessary and helpful to a proper performance of the duties of their office.

Sec. 20. That all laws or clauses of laws in conflict with the provisions of this Act are hereby repealed.

Sec. 21. That this Act shall be in full force and effect from and after March fourth, one thousand nine hundred and thirty-five.

Ratified this the 27th day of February, A.D. 1935.
CHAPTER 76

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 eight (8) cents on the one hundred ($100.00) dollars 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 Tuberculosis 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 27th day of February, A.D. 1935.

H. B. 422

CHAPTER 77

AN ACT TO APPROVE AND CONFIRM THE ACTS OF THE BOARD OF COUNTY COMMISSIONERS OF WILKES COUNTY, IN ACCEPTING AND APPROVING THE TAX SETTLEMENTS OF THE SHERIFF OF WILKES COUNTY FOR THE YEARS ONE THOUSAND NINE HUNDRED AND TWENTY-EIGHT TO ONE THOUSAND NINE HUNDRED AND THIRTY-FOUR, BOTH INCLUSIVE.

Whereas, the law fixing the fees and compensation of the Sheriff of Wilkes County is contained in several Public-Local and General Acts, until a dispute has arisen as to the true construction thereof; and

Whereas, all minutes relative to the settlement of taxes for the years one thousand nine hundred and twenty-eight to one thousand nine hundred and thirty-four were made by the Board of County Commissioners after careful study and construction of said acts fixing the fees of said Sheriff in collecting and settling the same: Now, therefore,

The General Assembly of North Carolina do enact:

Section 1. That all of said settlements and minutes of the Board of County Commissioners relating to the compensation approved.
and fees of the Sheriff of Wilkes County be and they are hereby approved and confirmed.

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. 1935.

H. B. 445  CHAPTER 78

AN ACT FIXING THE COMPENSATION OF REGISTRARS AND JUDGES OF ELECTION IN WAKE COUNTY AT FOUR DOLLARS PER DAY.

The General Assembly of North Carolina do enact:

SECTION 1. That the compensation of all registrars and judges of elections for all elections, including primary elections, hereafter to be held in the City of Raleigh and/or in Wake County be and the same is hereby fixed at four dollars ($4.00) per day. The Registrar shall receive the sum of four dollars per day for each Saturday during the period of registration that he attends at the polling place for the purpose of registering voters in addition to the four dollars allowed on election day.

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 February, A.D. 1935.

H. B. 277  CHAPTER 79

AN ACT TO DIVIDE EAST BANNER TOWNSHIP INTO TWO TOWNSHIPS TO BE KNOWN AS NORTH BANNER TOWNSHIP AND SOUTH BANNER TOWNSHIP.

The General Assembly of North Carolina do enact:

SECTION 1. That East Banner Township in Johnston County be and the same is hereby divided into two townships to be known as North Banner Township and South Banner Township; the boundary line between the said townships shall be State Highway, route two hundred twenty-one, beginning at the railroad on Main Street in the Town of Benson and continuing east along State Highway, route two hundred twenty-one, to the Meadow Township line, and all other boundary lines shall be and remain as at present.
Sec. 2. That there shall be a voting precinct for each of the three townships known as West Banner Township, North Banner Township and South Banner Township, situated in the Town of Benson, to be established by the County Board of Elections who shall provide for future elections held 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 28th day of February, A.D. 1935.

H. B. 281

CHAPTER 80

AN ACT TO REPEAL CHAPTER TWO HUNDRED FIFTY-THREE, PUBLIC-LOCAL LAWS ONE THOUSAND NINE HUNDRED AND TWENTY-THREE, RELATING TO EXHIBITION OF CARNIVALS IN MADISON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That Chapter two hundred and fifty-three, Public-Local Laws one thousand nine hundred and twenty-three, 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 28th day of February, A.D. 1935.

H. B. 317

CHAPTER 81

AN ACT FOR THE ADJUSTMENT OF THE BONDED INDEBTEDNESS AND RELIEF OF TAXPAYERS IN SWAIN COUNTY AND THE TOWN OF BRYSON CITY.

Whereas, owing to the existence of an economic depression in the entire United States for the past several years, which has resulted in unemployment and low prices for farm products, as well as non-employment of labor; and

Whereas, the County of Swain prior thereto, and prior to the taking over of the county roads and road construction by the State of North Carolina, incurred a heavy bonded indebtedness, principally for road construction, in the amount of one and one-half million dollars, and the Town of Bryson City incurred a heavy bonded indebtedness for street, water and light improvements; and
Whereas, the Federal Government, by and through the State of North Carolina, condemned, purchased and took over a large percentage of the taxable property in Swain County for the purpose of creating the "Great Smoky Mountains National Park," as well as taking off of the tax books the lands known as the "Cherokee Indian Reservation," and other lands in said county known as the "Nantahala Forest Preservation," amounting in all to around fifty-two per cent of the taxable acreage of the lands of said county and approximately forty per cent of the taxable value of said county; and

Whereas, there is now pending in Congress a bill for the payment of that portion of the bonded indebtedness on the real estate taken over by the Federal Government for the "Great Smoky Mountains National Park"; and

Whereas, during said period, the assessed value of the real estate in said county and Town of Bryson City, on account of said depression, has been greatly reduced in value, the citizens of said county and town have been unable to realize enough revenue to meet the bonded indebtedness as it became due and retain their homes and real estate; and

Whereas, there still remains unpaid and uncollected certain taxes for the year nineteen hundred and thirty-four and several years prior thereto, and the homes of the citizens of a large percentage of said county and town have already been sold for delinquent taxes, and tax notes and foreclosure proceedings are now pending against said delinquent taxpayers; and

Whereas, on account of said conditions now existing the citizens of said county and town, and especially home-owners and the owners of real property in said county and town, by reason of said conditions, will be unable to meet the payment of the interest and principal of the bonded indebtedness of said county and town and retain their homes, a considerable amount of said indebtedness already having fallen due and in default; and

Whereas, it is believed, and the Legislature of North Carolina declares that the conditions existing as hereinbefore set forth have created an economic condition of such nature as justifies and renders valid legislation for the purpose of adjusting and extending the time for the adjustment and payment of the bonded indebtedness of said county and town: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners of Swain County and the Board of Aldermen of the Town of Bryson City are hereby authorized and empowered to make such levies for necessary county and town expenses and debt service for said county and town for the years nineteen hundred and thirty-five and nineteen hundred and thirty-six, and, if necessary, extend
said levies to the succeeding years as in their opinion the taxpayers of said county and town are able to pay and retain their real estate and homes, said rate not to exceed the present rate levied and collected for the current year, which is hereby declared to be the maximum rate to be levied for any and all purposes.

Sec. 2. That the said Board of County Commissioners of Swain County and the Board of Aldermen of the Town of Bryson City, with the advice of the Local Government Commission of the State of North Carolina, are hereby authorized and empowered to make such settlement and adjustment of the bonded indebtedness of Swain County and the Town of Bryson City, both as to principal and interest, with the bondholders of said county and town as in their opinion the taxpayers of said county and town may be able to pay; and the said Board of County Commissioners of Swain County are hereby authorized and empowered to issue new bonds of the county in exchange for the settlement of the old bonds now existing against said county, and the Board of Aldermen of the Town of Bryson City are hereby authorized and empowered to issue new bonds of the town in exchange for the settlement of the old bonds now existing against said town, upon such terms and conditions as to payment of principal and rate of interest as the respective Boards may be able to agree upon with said bondholders.

Sec. 3. That the said Board of County Commissioners of Swain County, and the Board of Aldermen of the Town of Bryson City, are further authorized and empowered in making such settlement and adjustment to use any and all funds already collected and now on hand for debt service or otherwise, and all other funds that may be collected from delinquent taxpayers not otherwise appropriated, and in addition thereto the moneys to be collected for the current year nineteen hundred and thirty-four, and the succeeding years nineteen hundred and thirty-five, nineteen hundred and thirty-six and nineteen hundred and thirty-seven, as the same may become due and payable for the payment and adjustment of said bonded indebtedness; and the said Board of County Commissioners of Swain County are hereby authorized and empowered to use said funds collected by Swain County for the purpose of buying Swain County bonds on the open market; and the Board of Aldermen of Bryson City are likewise authorized and empowered to use the funds collected by the Town of Bryson City to purchase bonds existing against said town on the open market, and the said respective Boards are authorized to purchase said bonds at the market price, both as to bonds which are due and in default and bonds which are not due, on a part of which the interest is due and in default, and the said Boards are authorized and empowered to make such settlement and ad-

Maximum rate fixed.

Adjustment of bonds outstanding authorized.

Refunding authorized.

Allocation of funds now held for debt service.

Other funds.

Purchase of county bonds.

Likewise as to town.

Adjustment of principal and interest.
justment as to payment of both principal and interest as in the
judgment of said Boards may be just and equitable by agree-
ment with the said bondholders, and at such prices and terms as
the said Boards and said bondholders may be able to agree upon
for any and all of the said bonded indebtedness of Swain County
and the Town of Bryson City, and the respective Boards of Com-
misioners and Aldermen are hereby authorized and empowered
to employ counsel or any other expert service or advice as the
said Boards may deem necessary in order to carry out the pro-
visions of this Act, and the said Boards shall obtain such infor-
malion as shall enable them to adjust the bonded indebtedness in
accordance with the ability to pay so as to obtain as nearly as
possible the best price for the taxpayers and at the same time
to protect, as far as possible, the bondholders, and to give said
bondholders the opportunity to submit and offer their bonds for
sale so that satisfactory settlement and adjustment may be made
to both taxpayers and bondholders, the purpose of this Act being
to pay off and discharge and adjust all bonded indebtedness of
Swain County and the Town of Bryson City, whether the same
be due or to become due, either as to principal or interest, and
the said bondholders may submit their offer or offers to the
Chairman of the Board of County Commissioners of Swain
County, if county bonds, or to the Board of Aldermen of the Town
of Bryson City for the bonds held against said town, but no offer
or offers shall be binding upon said county and town until passed
upon by said Boards, either in regular or call session, and the
purchase and terms of the said bonds are approved and agreed
upon by the respective Boards.

Sec. 4. That the provisions of this Act shall be in addition to
any and all general or state-wide laws, except those laws and
clauses of laws which are in conflict with the provisions of this
Act, in which case said laws and clauses of laws are hereby
repealed.

Sec. 5. That the provisions of this Act shall be considered and
construed separately, and if any part, section, sentence, par-
graph, clause or phrase shall be declared unconstitutional by
final judgment in a court of competent jurisdiction it shall not
affect or be construed to nullify or void any other part, section,
sentence, paragraph, clause or phrase of this Act.

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

Ratified this the 28th day of February, A.D. 1935.
H. B. 322

CHAPTER 82

AN ACT CREATING THE OFFICE OF TAX COLLECTOR IN VANCE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the office of Sheriff and Tax Collector of Vance County, as now existing, may be separated by the Board of County Commissioners of Vance County as hereinafter provided.

Section 2. That the Board of Commissioners of Vance County may appoint a tax collector for Vance County, who shall qualify and shall be responsible for the collection and settlement as provided by law for all taxes, whether general, special or privilege taxes, together with all delinquent taxes which may be turned over to said Tax Collector by the Board of Commissioners of Vance County. The Tax Collector shall take oath of office and enter into his duties on the first day of July, one thousand nine hundred and thirty-five.

Section 3. That the Board of Commissioners for the County of Vance shall have complete control over the Tax Collector and his office, with power to discharge without notice, and shall fix his salary and pay therefor out of the general funds of the county, and shall provide the necessary office space, equipment and clerical assistance and pay therefor out of the general funds of the county. The salary so established shall be the full compensation of such Tax Collector, and any fees or commissions allowed such Sheriff or Tax Collector or arising to the Tax Collector hereunder shall be turned over by him to the general fund of the county.

Section 4. That the Tax Collector hereunder shall have all the powers heretofore conferred, 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 said Tax Collector, including the right to collect all past due or delinquent taxes which may be turned over to said Tax Collector by the Board of Commissioners, all of said duties to be exercised and performed by said Tax Collector.

Section 5. That said Tax Collector shall be required to execute such bond as is now required by law of the Sheriff in his capacity as Tax Collector, together with any additional bond that the Board of County Commissioners of Vance County may require, the premium of such bonds to be paid for by the county out of its general funds.

Section 6. That the Sheriff of Vance County shall continue to collect and account for all taxes for the year one thousand nine

Sheriff to collect 1934 taxes.
hundred thirty-four, and to make settlement therefor as is now provided by law.

Sec. 7. That the Board of Commissioners of the County of Vance may, in its discretion, combine the office of Tax Collector with any other elective or appointive office, and may, in its discretion, appoint such elective or appointive officer as Tax Collector, in addition to his other duties, and one such person may hold both offices.

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

Sec. 9. That this Act shall be in full force and effect from and after its ratification, except as otherwise specified in this Act.

Ratified this the 28th day of February, A.D. 1935.

H. B. 332

CHAPTER 83

AN ACT TO AMEND CHAPTER FIVE HUNDRED AND NINETY-EIGHT OF THE PUBLIC-LOCAL LAWS OF NINETEEN ELEVEN, SO AS TO TRANSFER DUKE TOWNSHIP FROM THE JURISDICTION OF THE RECORDER'S COURT OF DUNN TO THE RECORDER'S COURT OF HARNETT 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 eleven, entitled "An Act to Establish in the Town of Dunn a Special Court to be Called the Recorder's Court, and to Prescribe Its Jurisdiction," be and the same is hereby amended by striking out the words "or Duke" in sub-section two and sub-section three of section six and also in section twelve of the said Act and changing the plural word "townships" where it occurs in the said Act to the singular form of "township."

Sec. 2. That Chapter six hundred and two of the Public-Local Laws of session one thousand nine hundred and thirteen, entitled "An Act to Create a Recorder's Court in Harnett County and to Define the Jurisdiction Thereof," be and the same is hereby amended by striking out from the proviso at the end of section ten thereof the words "and Duke" and changing the plural form of the word "townships" in the said proviso to the singular form of "township."

Sec. 3. It is the intent and purpose of this Act to transfer Duke Township from the jurisdiction of the Recorder's Court of Dunn to the jurisdiction of the Recorder's Court of Harnett County.
Sec. 4. That all laws and clauses of laws in conflict with the provisions of this Act, to the extent of such conflict, be and the same are hereby repealed.

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

Ratified this the 28th day of February, A.D. 1935.

H. B. 387  CHAPTER 84
AN ACT PROHIBITING THE SALE OF FIREWORKS IN CHOWAN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. It shall be unlawful for any person to sell in Chowan County any explosive or pyrotechnical contrivance or contrivances commonly known as fireworks.

Sec. 2. Any person guilty of violating the provisions of this Act shall be punished by a fine of not exceeding fifty ($50.00) dollars or imprisonment for not exceeding thirty days.

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

Ratified this the 28th day of February, A.D. 1935.

H. B. 390  CHAPTER 85
AN ACT TO COMPEL ALL COUNTY OFFICERS TO MAKE PROMPTLY THE REPORTS REQUIRED OF THEM BY LAW, AND TO AFFIX PENALTIES AND FORFEITURES FOR FAILURE TO MAKE SAID REPORT.

The General Assembly of North Carolina do enact:

Section 1. That all Sheriffs, Clerks of Superior Courts, Registers of Deeds, Tax Collectors, Accountants and other officers whatsoever required by law to make reports to any person, board or authority shall make the same promptly, and in default thereof and in the event that the report required by law, and herein referred to, is not made when the same is due to be made, the said officer shall forfeit and pay as a penalty therefor the sum of two hundred ($200.00) dollars to any person who may sue for the same, and shall also be guilty of a misdemeanor and punished in the discretion of the court.

Sec. 2. No person occupying any of the above offices shall, upon re-election or re-appointment, be inducted into office or as-
As to Hyde County only.

Conflicting laws repealed.

same the duties of the same so long as he is in default in the making of any of the said reports, and shall not be so inducted into office or exercise the duties thereof until all the reports required of him have been duly made to the authority to whom the said report is required by law to be made and thereby approved.

SEC. 3. The provisions of this Act shall apply only to Hyde County.

SEC. 4. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 5. This Act shall be in full force and effect from and after its ratification.

Ratified this the 28th day of February, A.D. 1935.

H. B. 392

CHAPTER 86

AN ACT TO AMEND SECTION NINE OF CHAPTER TWO HUNDRED SEVENTY-SIX OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-THREE, RELATING TO THE OFFICE OF TREASURER-TAX COLLECTOR OF MECKLENBURG COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Section nine of Chapter two hundred and seventy-six of the Public-Local Laws of one thousand nine hundred and thirty-three be and the same is hereby stricken out and the following is substituted in lieu thereof:

“Sec. 9. That, beginning with the next regular term of office from and after the ratification of this Act, the said Treasurer-Tax Collector shall be paid a salary of three thousand dollars ($3,000.00) per annum. That from and after the date of the ratification of this Act the said Treasurer-Tax Collector shall select and appoint the deputies and clerks necessary to carry on properly the respective duties of his said office and fix their salaries, which said salaries and the number of deputies and clerks shall be in the discretion of and subject to approval by the County Board of Commissioners. 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. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed.

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

Ratified this the 28th day of February, A.D. 1935.
H. B. 416  CHAPTER 87
AN ACT RELATING TO SERVICE OF GRAND JURORS IN FRANKLIN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the first nine members of the grand jury chosen at the May term of the Superior Court of Franklin County for the trial of criminal cases in the year one thousand nine hundred thirty-five shall serve during the Spring and Fall terms, and at the first of such courts of the Fall and Spring terms thereafter nine additional jurors shall be chosen to serve for one year.

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

Ratified this the 28th day of February, A.D. 1935.

H. B. 427  CHAPTER 88
AN ACT TO AMEND CHAPTER ONE HUNDRED SIXTY-FIVE, PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND ELEVEN, RELATIVE TO PUBLIC DRUNKENNESS.

The General Assembly of North Carolina do enact:

Section 1. That Chapter one hundred and sixty-five of Public-Local Laws of nineteen hundred and eleven be, and the same is hereby, amended by striking out the word "Forsyth" in the title and in line two of said chapter.

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. 1935.

S. B. 152  CHAPTER 89
AN ACT TO PROVIDE FOR THE ELECTION OF THE RECORDER AND PROSECUTING ATTORNEY OF RECORDER'S COURT OF HAMLET DISTRICT OF RICHMOND COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That at the next general election to be held in November, one thousand nine hundred and thirty-six, and biennially thereafter, there shall be elected by the voters of Marks...
80

Creek Township, Richmond County, a Recorder and Prosecuting Attorney for Recorder's Court of Hamlet District in Richmond County instead of by the Board of County Commissioners of the county of Richmond. Said election shall be held under the same rules and regulations as now provided for the election of county officers 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 28th day of February, A.D. 1935.

S. B. 184  CHAPTER 90

AN ACT TO PERMIT MUNICIPALITIES IN COLUMBUS COUNTY TO TAX AMUSEMENTS OPERATING WITHIN ONE MILE OF THE CORPORATE LIMITS THEREOF.

The General Assembly of North Carolina do enact:

Section 1. That the governing body of any municipality in Columbus County is hereby authorized and empowered to tax amusements, including circuses and shows of any description, operating within one mile of the corporate limits of said municipality, in the same manner as if the said amusements were being operated within the corporate limits thereof.

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. 1935.

H. B. 318  CHAPTER 91

AN ACT TO RATIFY THE POSTPONEMENT OF SALES OF LAND FOR TAXES, TO AUTHORIZE THE ISSUING OF ALIAS SUMMONS, TO PERFECT FORECLOSURE PROCEEDINGS AND PUBLICATION OF PENDING SUITS, AND THE ADJUSTMENT AND PAYMENT OF DELINQUENT TAXES IN SWAIN COUNTY AND THE TOWN OF BRYSON CITY.

Whereas, on account of economic conditions existing in Swain County, which have existed for several years prior hereto, the Board of County Commissioners of Swain County, and the Board

Preamble: Failure to foreclose taxes in Swain County and Bryson City.
of Aldermen of the Town of Bryson City, have not persisted in closing out tax sale suits brought against the landowners of said county and town; and

Whereas, said Boards of County Commissioners and Aldermen have postponed the sale of lands of delinquent taxpayers in some instances, said sales not having been made at the time prescribed by the general law governing the sale of lands of delinquent taxpayers; and

Whereas, tax rates in said county and town for the years nineteen hundred and twenty-eight, nineteen hundred and twenty-nine, nineteen hundred and thirty, nineteen hundred and thirty-one, and nineteen hundred and thirty-two were extremely high, and in certain instances very difficult for the taxpayers to pay said taxes so levied for said years: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the sales of lands for taxes in Swain County and the Town of Bryson City for the years nineteen hundred and twenty-eight, nineteen hundred and twenty-nine, nineteen hundred and thirty, nineteen hundred and thirty-one, nineteen hundred and thirty-two, nineteen hundred and thirty-three, and nineteen hundred and thirty-four be, and the same are hereby validated, ratified, confirmed and declared legal and binding in all respects, and the land sale certificates now held by said county and said town against the taxpayers for the years herein enumerated are hereby declared legal, and the same are hereby ratified and declared to be legal and binding obligations against the said taxpayers regardless of the time or date on which the land was sold for the delinquent taxes for said years.

SEC. 2. That in all tax foreclosure suits heretofore instituted in Swain County and the Town of Bryson City, which have not been terminated by deed, and which, if terminated by deed, are in some respects irregular, and in which alias or pluries summons have not been regularly issued as prescribed by law, alias or pluries summons may issue at any time up to July first, nineteen hundred and thirty-five, and when said alias or pluries summons are issued, the chain of summons may be kept up as now prescribed by law. That the cost in said proceedings shall be the same as the cost prescribed by law at the time of the issuing of the original summons in the said proceedings, except as to advertising, which shall be done in the manner and at the price prescribed by law at the date on which said suits are advertised.

SEC. 3. That the cost in all tax foreclosure proceedings in Swain County and the Town of Bryson City instituted after the ratification of this Act shall be the same as prescribed by the state-wide law in force and effect at the time of bringing such suits, except attorneys' fees, which shall in no case exceed five
Provision for advertising.

Advertising declared legal.

Time for bringing foreclosure suits extended.

Closing out old suits authorized.

New parties.

Power of Superior Court Clerk.

Taxes not provided for taxpayers.

($5.00) dollars for each case, and shall be taxed in the bill of costs.

Sec. 4. That all tax foreclosure suits heretofore instituted and brought in Swain County and the Town of Bryson City, and in which a final deed has not been made therefor, and if deed has been made, there exists some irregularity, and which suits have not been published in a local newspaper, the Board of County Commissioners of Swain County and the Board of Aldermen of the Town of Bryson City are empowered and authorized to have same published for a period of four successive weeks in a local newspaper at any time up to and including July first, nineteen hundred and thirty-five, and when published shall be and constitute a legal advertisement, legal and binding upon both the taxpayer, Swain County and the Town of Bryson City, and said advertisements are hereby declared legal and binding to all intents and purposes to the end that said foreclosure suits may be advertised and closed out according to the state-wide law in force and effect for the foreclosure of land sale certificates under the terms of the foreclosure act for the purpose of closing out land sale certificates.

Sec. 5. That the time for bringing foreclosure suits for any and all delinquent taxes in Swain County and the Town of Bryson City for the year nineteen hundred and thirty-two and all prior years thereto is hereby extended to July first, nineteen hundred and thirty-five. In the discretion of the Board of County Commissioners of Swain County and the Board of Aldermen of the Town of Bryson City, said Boards are hereby authorized and empowered to close out any and all land sale suits on and after said date for the year nineteen hundred and thirty-two and all prior years thereto, and the time for bringing foreclosure suits for the year nineteen hundred and thirty-three and succeeding years shall be governed by the general or state-wide law for bringing and closing out land sale suits in the several counties of the State.

Sec. 6. That during the pendency of said land sale foreclosure suits the Court, at the request of the plaintiff or defendant, is hereby authorized and empowered to make new parties or additional parties at the request and on the recommendation of either parties plaintiff or defendant. The word "Court" as set out herein shall be construed to mean the Clerk of the Superior Court of Swain County, and for the purpose of making new or additional parties he shall have the same authority as now exercised by the Superior Court Judges of the State of North Carolina.

Sec. 7. That at any time before the final termination of said foreclosure proceedings, and before the deed is made to the purchaser of said lands, the delinquent taxpayer may execute a note
for said tax under the same terms and conditions provided for
in Chapter one hundred and eighty-one, Public Laws of nineteen
hundred and thirty-three, and all of the terms and conditions
set out in said chapter shall apply with full force and effect, and
said tax notes shall be and constitute a first lien on the real
estate set out in said notes and subject to be closed out under the
terms set out in Chapter one hundred and eighty-one, except the
time for the payment of said note shall not extend beyond two
years from the execution of said note.

Sec. 8. That the Board of County Commissioners of Swain
County and the Board of Aldermen of the Town of Bryson City
are hereby authorized, empowered and directed to receive from the
delinquent taxpayers of said county and said town as pay-
ment for taxes for the year nineteen hundred and thirty-two and
all prior years thereto, including the taxes upon which fore-
closure suits have been instituted and on a part of which deeds
have been executed therefor, and all other taxes for the year
nineteen hundred and thirty-two and all prior years thereto, in
full payment of said delinquent taxes, seventy-five per cent of the
principal or face value of said taxes, less all penalties and
interest accrued thereon, except said taxpayers shall pay all
accrued costs, attorneys' fees, advertising and other cost incurred
by Swain County and the Town of Bryson City, and said pay-
ments shall be in full settlement and discharge for said taxes so
held by Swain County and the Town of Bryson City against any
person or persons, firm or corporation which owe taxes to said
county and town for the year nineteen hundred and thirty-two
and all prior years thereto, and all taxpayers who have hereto-
fore made tax notes under the terms of Chapter one hundred and
eighty-one, Public Laws of nineteen hundred and thirty-three, for
the payment of their taxes shall have the same right and shall
receive all the benefits and discounts set out in this paragraph as
allowed the taxpayers who have not made such notes, and in
addition thereto may make their payments yearly as specified in
the notes so executed by the said taxpayers.

Sec. 9. That the Board of County Commissioners of Swain
County and the Board of Aldermen of the Town of Bryson City
are hereby authorized and empowered to use said money so col-
lected, after apportioning the general county and town expenses,
for the purpose of paying off and discharging the bonded in-
debtedness of said county and town, and to this end the said
Boards of said county and town are to make known personally
to each taxpayer in every case possible the advantages of the pro-
visions of this Act so that the proceeds may be made immediately
available for the payment and discharge of the bonded indebted-
ness against said county and town.
Valid parts of Act upheld.

Additional authority.

SEC. 10. That the provisions of this Act shall be considered and construed separately, and if any part, section, sentence, paragraph, clause or phrase shall be declared unconstitutional by final judgment in a court of competent jurisdiction it shall not be construed to nullify or void any other part, section, sentence, paragraph, clause or phrase of this Act.

SEC. 11. That the provisions of this Act shall be in addition to any and all general or state-wide laws relating to land sales or tax foreclosure suits as set out in the general law of the State of North Carolina for the sale and foreclosure of real estate for delinquent taxes in the several counties of the State.

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

Ratified this the 1st day of March, A.D. 1935.

H. B. 419  CHAPTER 92

AN ACT TO REGULATE THE OPERATION OF FILLING STATIONS IN BLADEN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That no filling station in the County of Bladen within one-half mile of any church shall remain open or engage in the transaction of any business during church services or during a period of one-half hour prior to the beginning of such services and one-half hour after the conclusion of same.

SEC. 2. The violation of the provisions of this Act shall be punishable by a fine of not less than ten dollars ($10.00) or more than fifty dollars ($50.00), or by imprisonment for a period of not more than thirty (30) days.

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 1st day of March, A.D. 1935.

H. B. 500  CHAPTER 93

AN ACT TO FIX THE SALARY OF THE REGISTER OF DEEDS OF MITCHELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Register of Deeds of Mitchell County shall receive as his compensation for services as Register of Deeds of said county a salary of one hundred dollars per month,
payable out of the general county fund, and payable on the first Monday in each month for the preceding month.

Sec. 2. That said Register of Deeds shall keep a separate and accurate account, in a book provided for that purpose, of all fees, commissions and emoluments of his office as now provided by law, and account for and pay over on the first Monday in each month to the Treasurer all fees, commissions and emoluments received during the preceding month, rendering to the Board of County Commissioners duplicate statements of such account, taking receipt of the Treasurer therefor, which shall be a voucher in the hands of such Register of Deeds in future settlements with the Board of County Commissioners, and shall, on the first Monday in June and December of each year, render a true and correct statement and account to the Board of County Commissioners of all fees, commissions and emoluments received by him from said office during the period ending on such dates; and the said Register of Deeds shall make bond and be liable for the faithful performance and payment, according to the provisions of this Act, of all fees, commissions and emoluments of the office of said Register of Deeds. The said Register of Deeds shall collect all fees and commissions which, under the general law of the State, he is entitled to, keeping an itemized account of the same, which shall be filed by him with the Board of County Commissioners on the first Monday in each month. If it shall appear to the satisfaction of the County Commissioners that the said Register of Deeds has neglected to collect any fee or commission that he should have collected, the said sum shall by the County Commissioners be deducted from his salary.

Sec. 3. That the Register of Deeds of Mitchell County shall be allowed, while and when acting as clerk to the Board of County Commissioners, the sum of four dollars per diem, not to exceed two days per month, which shall be in addition to all other compensation now allowed to said Register of Deeds.

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 March first, one thousand nine hundred and thirty-five.

Ratified this the 1st day of March, A.D. 1935.
CHAPTER 94

AN ACT FOR THE PROTECTION OF GAME ON THE ROANOKE RIVER IN BERTIE, HALIFAX, NORTHAMPTON, MARTIN AND WASHINGTON COUNTIES DURING FRESHETS.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person or persons to hunt, with gun and/or dog any deer, squirrel, rabbit, raccoon, o'possum, wild turkey, quail, or any other game or fur-bearing animals or birds on the lowlands of the Roanoke River in Bertie, Halifax, Northampton, Martin and Washington Counties during a freshet, when the water is out of the banks of the river and the animals have no means of escape.

SEC. 2. That if any person or persons are found with gun and/or dog on said lowlands of the Roanoke River at such time it shall be prima facie evidence of hunting, and they shall be guilty of a misdemeanor, and upon conviction shall be fined not less than twenty-five dollars and not more than fifty dollars, or confined in prison not more than thirty days, in the discretion of the Court, for each offense.

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 1st day of March, A.D. 1935.

CHAPTER 95

AN ACT AUTHORIZING AND EMPOWERING THE COMMISSIONERS OF GASTON COUNTY TO ACCEPT COMPROMISE SETTLEMENTS OF SINKING FUND LOANS DUE GASTON COUNTY, WHEN, IN THE OPINION OF THE COMMISSIONERS, IT IS FOR THE BEST INTEREST OF THE COUNTY TO ACCEPT SAID COMPROMISE SETTLEMENTS, AND TO ACCEPT CERTAIN BONDS IN PAYMENT OF SINKING FUND LOANS.

Whereas, certain properties on which the County of Gaston holds deeds of trust as security for sinking fund loans are and/or may be eligible for loans from the Home Owners' Loan Corporation or other Federal or private loan agencies, and in some instances it may be for the best interest of Gaston County to accept a settlement of said loan or loans for less than the full amount due on said loan or loans without foreclosure of the
properties, and thereby permit the owner or owners to refinance said loan or loans; 

Section 1. That the Board of Commissioners of Gaston County be and it is hereby authorized to compromise and settle obligations of the sinking funds of said County without foreclosing the deeds of trust held as security for said loans, when the compromise offered is, in the opinion of said Board, as much or more than the Board could reasonably expect to obtain from the foreclosure and sale of said properties; Provided the Board shall find and so record its finding in the minutes of the Board, that it is the opinion of the Board that the amount offered is as much as the Board could obtain by the foreclosure and sale of said properties. And the Board of Commissioners of Gaston County is further authorized, in the discretion of said Board, to accept the bonds issued by the Home Owners' Loan Corporation, Federal Land Banks, bonds of Gaston County, school districts of Gaston County or municipalities of Gaston County that are eligible for the investment of sinking funds under the general law of the State at the time of investment of such sinking funds, in payment of indebtedness to the sinking funds of Gaston County; Provided, further, that nothing contained herein shall be construed as a limitation upon the right of Gaston County to foreclose any deeds of trust held as collateral to sinking fund loans and to obtain a deficiency judgment, if, in the opinion of the Board, such action is proper.

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

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

Ratified this the 1st day of March, A.D. 1935.

S. B. 85

CHAPTER 96

AN ACT RELATING TO THE FEES FOR THE CAPTURE OF STILLs IN McDOWELL COUNTY.

Section 1. That the Sheriff of McDowell County shall be paid four dollars for each copper still and two dollars for any other kind of still destroyed. He shall also be paid the sum of twenty dollars for each person arrested by him who is found guilty of illicit distilling and is fined one hundred dollars or more or is sentenced to the roads for four months or more by the court. The County Commissioners may require the still or any part
S. B. 120

CHAPTER 97

AN ACT RELATING TO THE ORGANIZATION OF THE CLEVELAND COUNTY BOARD OF HEALTH.

The General Assembly of North Carolina do enact:

SECTION 1. That the Cleveland County Board of Health; organization; term of members; and chairman be as follows: The Chairman of the Board of County Commissioners, the Mayor of Shelby, and the County Superintendent of Schools shall compose three members of said board. That the Cleveland County Medical Society shall on the fourth Monday of November, one thousand nine hundred thirty-six, elect two physicians as members of said Cleveland County Board of Health, for a term of two years, said term to begin on the first Monday of January, one thousand nine hundred thirty-seven; that said Cleveland County Medical Society shall on the fourth Monday of November, one thousand nine hundred thirty-eight, and every two years thereafter, elect two physicians as members of said Cleveland County Board of Health who shall take office the first Monday of January following their election. The five members above stated shall at their first meeting following their election elect one regularly registered dentist who shall serve for two years. These six members shall constitute the Cleveland County Board of Health, that three members at any regular or call meeting shall constitute a quorum, provided that one member present is a physician. That the entire membership shall elect the county physician and county health officer.

SEC. 2. That any 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 March, A.D. 1935.
CHAPTER 98

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 other 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-seven.

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

Ratified this the 5th day of March, A.D. 1935.

S. B. 222

CHAPTER 99

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF DURHAM COUNTY TO REMAIN IN SESSION EACH MONTH FOR SUCH TIME AS MAY BE NECESSARY TO PROPERLY TRANSACT THE BUSINESS OF SAID COUNTY AND TO RECEIVE COMPENSATION THEREFOR.

The General Assembly of North Carolina do enact:

Section 1. That the Board of County Commissioners of Durham County be, and they are hereby authorized to remain in session a sufficient number of days each month to enable them to properly transact the business of said County.

Sec. 2. That the per diem received by each member of the Board of County Commissioners of Durham County shall be seven dollars and fifty cents ($7.50) per day and mileage as now provided by law; Provided, however, no member of the Board of County Commissioners shall collect in excess of three hundred and fifty dollars ($350.00) per annum for services rendered by him as such Commissioner.
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. This Act shall be in full force and effect from and after its ratification.

Ratified this the 5th day of March, A.D. 1935.

H. B. 224  CHAPTER 100

AN ACT TO REPEAL CHAPTER FOUR HUNDRED AND SIXTY-SEVEN PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-THREE RELATING TO 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 chapter four hundred sixty-seven of Public-Local Laws of one thousand nine hundred thirty-three be and the same is hereby repealed; that this Act shall only apply to Richmond County.

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

Ratified this the 5th day of March, A.D. 1935.

H. B. 334  CHAPTER 101

AN ACT PROVIDING FOR ROTATING GRAND JURIES, AND FOR PURGING THE JURY BOXES, AND RELATING TO THE SUPERIOR COURTS APPLICABLE TO BLADEN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. At the March Term, one thousand nine hundred and thirty-five, of Superior Court for the trial of criminal cases there shall be chosen a grand jury as now provided by law and the first nine members of the grand jury chosen at said term shall serve for two years and the second nine members shall serve for a term of one year, and thereafter at the March Term of criminal court of each year there shall be chosen nine members of said grand jury to serve for a term of two years.

Sec. 2. At the first meeting of the County Commissioners in March, one thousand nine hundred and thirty-five, the jury box and jury list in Bladen County shall be purged of the names of all justices of the peace and other county officials; and no justice of the peace or other county official shall be eligible to serve on
any jury, grand or petit, in Bladen County, and their names shall not be placed in the jury boxes. At said time an entirely new jury list shall be made in accordance with law and agreeable to this statute, and their names placed in the box. No person shall be allowed to serve any term on the grand jury except for one term in each five-year period, and shall not serve on a petit jury oftener than once in each three-year period.

SEC. 3. All terms of the Superior Court held in the County of Bladen shall be mixed terms, that is to say, for the trial of both civil and criminal cases. The cases to be tried at said terms of court, both criminal and civil, shall be calendared for trial at a meeting held for said purpose by the Clerk of the Court, the Solicitor of the district and such members of the bar as have cases for trial. In the absence of such meeting, the Clerk of the Court is hereby empowered to calendar the said cases.

SEC. 4. All laws and clauses of laws in conflict herewith are hereby repealed.

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

Ratified this the 5th day of March, A.D. 1935.

H. B. 230

CHAPTER 102

AN ACT TO AUTHORIZE THE LOSING PARTY IN LAND LITIGATIONS TO RECOVER TAXES PAID BY HIM OR HIS PREDECESSORS IN TITLE FROM THE WINNING PARTY IN SAID LITIGATION WHO HAS NOT PAID TAXES.

Whereas, in many cases involving the title to real estate in North Carolina, title is lost by the bona fide claimant, who has returned and paid taxes on same, by reason of a technicality in registration or loss of evidence from lapse of time, to one who has not asserted claim or paid taxes for a number of years; and

Whereas, it is just and equitable for the party who has not paid taxes to reimburse the party who has paid taxes; Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That in all actions involving the title to real estate, either in ejectment or otherwise, where the party recovering in said action, or his predecessors in title, have failed to pay taxes thereon for any year or years, which taxes have been paid by the losing party or his predecessors in title, for any year or years, the losing party shall be authorized to recover taxes so paid, and same shall be and constitute a lien on the land and

New jury list.

Jury service regulated.

All courts to be mixed terms.

Calendars.

Conflicting laws repealed.

Preamble: Payment of taxes on litigated lands by losing party.

Reimbursement just.

Losing party who has paid taxes entitled to recover same from winning party.

Declared lien.
shall be so adjudged in the Judgment: Provided, said recovery shall not exceed the taxes for twenty years and Provided further any recovery of rents and profits shall constitute an offset against said recovery of taxes.

Sec. 2. That said lien, if not satisfied within three months from the date of judgment, shall be enforced by execution or ven-ex.

Sec. 3. This Act shall not apply to pending litigation.

Sec. 4. That the provisions of this Act shall apply only to the Counties of Clay, Graham, Haywood, Jackson, Macon and Transylvania and Guilford.

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

Ratified this the 7th day of March, A.D. 1935.

H. B. 495    CHAPTER 103

AN ACT TO REPEAL SECTION SEVEN, CHAPTER THREE EIGHTY-SIX, PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-THREE, AND TO RE-ESTABLISH THE OFFICE OF COUNTY ACCOUNTANT FOR TRANSYLVANIA COUNTY AND TO FIX THE SALARY AND DEFINE THE DUTIES THEREOF.

The General Assembly of North Carolina do enact:

Section 1. That Section seven of Chapter three eighty-six, Public-Local Laws of one thousand nine hundred thirty-three, be, and the same is, hereby repealed.

Sec. 2. That Ralph Lyday be, and he is, hereby appointed County Accountant for Transylvania County for a term ending on the first Monday in December, one thousand nine hundred thirty-six, and that thereafter his successor shall be appointed by the Board of County Commissioners as provided by law.

Sec. 3. That the said County Accountant shall receive for his services a salary of sixteen hundred dollars ($1600.00) per annum, to be paid to him in monthly installments by the Board of County Commissioners out of the general fund of Transylvania County.

Sec. 4. That in addition to the duties now prescribed by law, the County Accountant is hereby appointed Tax Supervisor for Transylvania County and in addition to the duties now prescribed or which may be prescribed by the general laws for tax supervisors, he shall have general supervision of the listing and assessment of all real and personal property for taxation in the county, shall visit the list-takers and assessors in each township
while they are engaged in listing and assessing property for taxation, and shall advise and confer with such list-takers and assessors to the end that all property subject to taxation shall be listed and that the assessed valuation of all property shall be fair and uniform. He shall also be required to accurately prepare the scrolls, tax lists and receipt books for each year and shall constantly examine the tax books for any property in the county which is not listed for taxation and shall enter and charge any property for taxation which is not listed; he shall attend to removing from the tax books, in accordance with law, any errors by reason of double listing or duplication of the listing of property and shall report his findings in writing to the Board of County Commissioners at their regular monthly meetings.

Sec. 5. That the actual and necessary traveling expenses of said County Accountant, incurred while engaged in his duties as tax supervisor, shall be provided for and paid by the Board of County Commissioners.

Sec. 6. That the said County Accountant shall give bond in some surety company authorized to do business in the State of North Carolina, as required by law.

Sec. 7. That all laws or clauses of laws in conflict with the provisions of this Act are hereby repealed.

Sec. 8. That this Act shall be in force from and after March fifteenth, one thousand nine hundred and thirty-five.

Ratified this the 7th day of March, A.D. 1935.

H. B. 306  CHAPTER 104

AN ACT RELATING TO THE APPOINTMENT OF A COURT REPORTER FOR THE SUPERIOR COURTS OF AVERY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Court Reporter for the Superior Courts of Avery County shall be appointed by the resident judge of the Seventeenth Judicial District of North Carolina upon the recommendation of the Avery County Bar Association, to serve for terms of two years each; the first such term beginning April first, one thousand nine hundred and thirty-five.

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 from and after its ratification.

Ratified this the 7th day of March, A.D. 1935.
H. B. 526  CHAPTER 105

AN ACT TO PROVIDE A TWELVE MONTHS GRAND JURY IN SAMPSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. At the first term of court for the trial of criminal cases in Sampson County after the first day of July, one thousand nine hundred and thirty-five, 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 the Fall Term of one thousand nine hundred and thirty-five, and the second nine members of said grand jury so chosen shall serve for a term of one year, and thereafter at the first term of the criminal court after the first days of January and July of each year there shall be chosen nine members of said grand jury in the manner now provided by law to serve for a term of one year to succeed the members whose terms have expired; Provided, said jurors shall only receive compensation for the days actually in session.

SEC. 2. That the judge of the Superior Court presiding over the first terms of criminal court after the first days of July and January of each year shall appoint a foreman of the grand jury to serve for a term of six months: Provided that at the expiration of said term, if the said foreman is one of the remaining members of the grand jury, he may be re-appointed for an additional term of six months in the discretion of the presiding judge.

SEC. 3. That the judge of the Superior Court presiding over the first term of criminal court after the first days of January and July of each year shall charge the grand jury as provided by law; and at any time the judge of the Superior Court presiding over the criminal court of Sampson County may call said grand jury to assemble and may deliver unto said jury an additional charge.

SEC. 4. That in the event of any vacancy occurring in the grand jury of Sampson County, the presiding judge shall order such vacancy or vacancies filled by drawing sufficient jurors to fill said vacancy or vacancies from the jury box, as provided by law, and said juror or jurors so drawn shall take the oath prescribed by law and shall fill out the unexpired term of the juror or jurors whose place they were drawn to fill.

SEC. 5. That for the first week of the first term of court for the trial of criminal cases after the first day of July, one thousand nine hundred and thirty-five, the Board of Commissioners shall cause to be drawn from the jury box thirty-six scrolls as now provided by law. For the first week of the criminal terms thereafter at which grand jurors are to be selected, the Board of
Commissioners need not cause to be drawn more than twenty-seven scrolls from the jury box; and for the first week of the criminal terms at which grand jurors are not to be selected, the Board of Commissioners need not cause to be drawn more than eighteen scrolls.

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 7th day of March, A.D. 1935.

H. B. 573 CHAPTER 106
AN ACT TO AUTHORIZE THE BOARD OF EDUCATION OF ONslow COUNTY TO DISPOSE OF LOT TO TOWN OF RIchLANDS BY PRIVATE SALE.

Whereas, the Onslow County Board of Education is the owner of the tract of land hereinafter described, said tract of land being a portion of the abandoned school house site in the town of Richlands, North Carolina, which is no longer used for school purposes or for any purpose by said Board of Education.

And Whereas, the town of Richlands, North Carolina, with the aid of Public Works Administration Funds, is installing a water system for the use of said town and its citizens;

And Whereas, the land hereinafter described has been selected as a proper location for the construction of a water tank, and it is the desire of the said town of Richlands, North Carolina, to purchase said lot and it has been agreed by the said town of Richlands, North Carolina, and the said Board of Education that the fair market value of said lot is two hundred and fifty ($250.00) dollars;

And Whereas, the law provides that the real estate belonging to a Board of Education can be sold only at public auction after advertisement;

And Whereas, advertisement and sale at public auction would delay the erection of said water tank and increase the expense of the work now in progress, Now Therefore,

The General Assembly of North Carolina do enact:

Section 1. That the Onslow County Board of Education be and it is hereby authorized to sell and convey to the town of Richlands, North Carolina, without advertisement and at a private sale, upon the payment of two hundred and fifty ($250.00) dol-
lars, the following described tract of land in the town of Rich-
lands, North Carolina:

Beginning at W. R. Humphrey's corner on the Northwest side
of Academy Street, said corner being the Southwest corner of a
portion of the old school house site sold by the Board of Educa-
tion to W. R. Humphrey; and running thence with W. R. Hum-
phrey's line North fifty-two degrees West one hundred and eighty-
seven feet; thence South thirty-eight degrees West two hundred
and twenty-three feet; thence South fifty-two degrees East one
hundred and eighty-seven feet; thence North thirty-eight degrees
East two hundred and twenty-three feet to the beginning.

Sec. 2. That all laws and clauses of laws prescribing and di-
recting a public sale of the lands hereinbefore described, insofar
as said laws apply to and affect the sale of the lands hereinabove
described, are hereby repealed.

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

Ratified this the 7th day of March, A.D. 1935.

S. B. 103

CHAPTER 107

AN ACT CREATING FIVE DISTRICTS IN PITT COUNTY FOR
THE ELECTION OF COUNTY COMMISSIONERS.

The General Assembly of North Carolina do enact:

SECTION 1. That there shall be, and the same are hereby
created, five districts in Pitt County for the election of County
Commissioners.

Sec. 2. There shall be one Commissioner from District Num-
ber One; one Commissioner from District Number Two; one Com-
missioner from District Number Three; one Commissioner from
District Number Four; and one Commissioner from District Num-
ber Five; and the said Districts shall comprise the following
townships:

(a) District One shall be composed of Greenville Township.
(b) District Two shall be composed of Belvoir Township,
Bethel Township, Carolina Township and Pactolus Township.
(c) District Three shall be composed of Beaver Dam Town-
ship, Faulkland Township, Farmville Township and Fountain
Township.
(d) District Four shall be composed of Winterville Township
and Chocow Township.
(e) District Five shall be composed of Ayden Township, Grif-
ton Township and Swift Creek Township.
Sec. 3. That there shall be nominated, by the electors of the County at large of each and every political party, one Commissioner from District Number One; one Commissioner from District Number Two; one Commissioner from District Number Three; one Commissioner from District Number Four and one Commissioner from District Number Five; and the one candidate from each of the said Five Districts receiving the majority of votes cast in the said Primary in the said County at large shall be declared the nominee of his respective party for Member of the Board of County Commissioners from Pitt County for election at the next General Election.

Sec. 4. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

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

Ratified this the 8th day of March, A.D. 1935.

S. B. 220

CHAPTER 108

AN ACT TO VALIDATE CERTAIN PROBATES AND ACKNOWLEDGMENTS OF CHARLES R. DANIEL, RECORDER OF HALIFAX COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That all acknowledgments and probates of Charles R. Daniel, Recorder of Halifax County, he and the same are hereby validated confirmed and made legal, binding and regular.

Sec. 2. All laws and clauses of laws in conflict with this Act are hereby repealed: Provided, however, this Act shall not affect or apply to any pending litigation.

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. 1935.

H. B. 310

CHAPTER 109

AN ACT TO INCREASE THE SALARIES OF THE OFFICERS OF GRAHAM COUNTY TWENTY PER CENT.

The General Assembly of North Carolina do enact:

Section 1. That the salaries of the Clerk of the Court, the Register of Deeds, the County Accountant, the Tax Collector and the per diem of the members of the Board of County Commission-
ers shall be increased by twenty per cent of the present salary of per diem received by said officers.

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. 1935.

S. B. 275  CHAPTER 110

AN ACT TO AMEND CHAPTER TWO HUNDRED ELEVEN OF PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-THREE RELATIVE TO THE SALARY OF THE TAX COLLECTOR AND EXPENSE OF COLLECTING TAXES IN FRANKLIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter two hundred eleven of Public-Local Laws of one thousand nine hundred thirty-three be amended by striking out the word “fifteen” in line three of Section two and inserting the word “eighteen” in lieu thereof and that Section eight of said chapter be amended by striking out the word “twelve” in line three and inserting in lieu thereof the word “fourteen”; both of these amendments being effective as of the first day of February, one thousand nine hundred and thirty-five.

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

Ratified this the 8th day of March, A.D. 1935.

S. B. 276  CHAPTER 111

AN ACT TO AMEND CHAPTER TWO HUNDRED AND FIFTEEN OF PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-THREE INCREASING 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 fifteen of Public-Local Laws of one thousand nine hundred thirty-three be amended by striking out the word “eighteen” in line five thereof and inserting the words “twenty-two” and that Section three of said chapter be amended by striking out all after the
word "effect" in line one and inserting in lieu thereof the following: "as of February the first, one thousand nine hundred and thirty-five."

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

Ratified this the 8th day of March, A.D. 1935.

H. B. 493  CHAPTER 112

AN ACT FOR THE RELIEF OF ROBESON COUNTY DRAINAGE DISTRICT NUMBER TWO.

Whereas, Robeson County Drainage District Number Two has certain bonds outstanding; and,

Whereas, taxes levied against the lands in said drainage district for the year one thousand nine hundred and thirty-four, and years prior thereto, will be sufficient, when paid, to retire the outstanding bonds against said drainage district; and,

Whereas, an agreement has been entered into between the Commissioners of said drainage district and the holders of said bonds with reference to the payment thereof; Now, therefore,

The General Assembly of North Carolina do enact:

Section 1. That no further taxes shall be levied upon the lands situate within the boundaries of Robeson County Drainage District Number Two for the purpose of funding the outstanding bonds of said drainage district.

Sec. 2. That whenever any taxpayer shall pay the taxes herefore assessed and levied for the year one thousand nine hundred and thirty-four, and years prior thereto, on the lands situate in Robeson County Drainage District Number Two, for the purpose of paying the bonds issued by said drainage district, the lands of such taxpayer in said drainage district shall be relieved of any further tax on account of said bonds.

Sec. 3. That the tax governing authorities of Robeson County and Robeson County Drainage District Number Two are hereby authorized, empowered and directed to enter into agreements with the owners of lands situate in said drainage district and upon which the taxes levied for the purpose of retiring the outstanding bonds of said district have not been paid, whereby said taxes, or sales tax certificates, may be paid in installments covering a period not to exceed five years from January first, one thousand nine hundred and thirty-five, and bearing interest from said date at the rate of six per cent per annum, payable annually.
Time limit. on the first day of November of each year during the five-year period: Provided, the owners of any such land upon which taxes, aforesaid, are due, take advantage of the provisions of this Act on or before June first, one thousand nine hundred and thirty-five.

Penalties remitted in certain cases. Sec. 4. Any land owner who shall pay, in cash, taxes assessed against the lands situate in Robeson County Drainage District Number Two, for the payment of bonds issued against said district, on or before June first, one thousand nine hundred and thirty-five, may, in the discretion of the Commissioners of said drainage district, be relieved of any penalties on account of the non-payment of said taxes, and any such land owner who shall pay ten per cent of said taxes, in cash, and give notes for the balance, as provided for in this Act, on or before June first, one thousand nine hundred and thirty-five, may, in the discretion of the Commissioners of said drainage district, also be relieved of the payment of penalties then accrued on account of the non-payment of such taxes. In case notes are given for the full amount of past due taxes, in lieu of penalties, as prescribed by law, interest, at the rate of six per cent per annum, shall be charged on such past due taxes from January first succeeding the date of levy.

Form of notes. Sec. 5. In case notes are given for taxes due, as provided for in this Act, the said notes shall be in form substantially as provided in Section two, Chapter one hundred and eighty-one, Public Laws of North Carolina Session one thousand nine hundred and thirty-three; said notes, however, to bear interest from January 1, 1935, and payable annually on November first of each year for five years.

Interest on notes. Sec. 6. That the said note or notes, when given and received as above set out, shall constitute a first lien on the lands described, superior to all other liens, except other taxes due or assessed against said lands, 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 of the taxes for which they are given first attached against said land, and shall not be considered a novation, and the tax governing authority or other governing agency taking said note or notes shall have the right to foreclose on said lands under the law governing foreclosure, or 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 tax governing authority or other governing agency shall have the right, at its option, to foreclose, upon 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. 7. 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. 8. The provisions of Chapter one hundred eighty-one, Public Laws of North Carolina, Session of one thousand nine hundred thirty-three, with reference to the record to be kept, the method of collection, and the lien on the land of the notes provided for in said chapter, shall be applicable to notes given under the provisions of this Act.

SEC. 9. The Commissioners of Robeson County Drainage District Number Two are hereby authorized and empowered to purchase any outstanding bonds of said drainage district by transferring and assigning to the holder, or holders of said bonds, notes, given for money borrowed, and now held by the Commissioners of said drainage district: Provided, however, that bonds, with interest, exchanged for notes, as provided in this section, shall be discounted twenty-five per cent, and such notes accepted at their face value.

SEC. 10. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 11. That this Act shall be in force and effect from and after its ratification.

Ratified this the 8th day of March, A.D. 1935.

H. B. 503

CHAPTER 113

AN ACT TO DISCOURAGE DISTILLING IN FRANKLIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That for every distillery seized in Franklin County under the Turlington Act, the Sheriff or other duly constituted officer of said county making such seizure shall receive the sum of ten dollars and for every person captured and convicted of manufacturing, the Sheriff or other duly constituted officer of Franklin County making said capture shall receive the sum of ten dollars, said sum or sums to be allowed by the Commissioners of Franklin County: Provided, that the said Commissioners shall not pay the sum or sums above provided if they are satisfied, after due investigation, that such seizure or capture was not made in good faith for the purpose of enforcing the said

Officers' fees for capturing stills in Franklin County.

Restrictions.
Turlington Act; and Provided further, that only one officer shall receive the sum or sums above provided for in each case.

Sec. 2. That the sum paid for the capture and conviction as provided in section one of this Act may in the discretion of the court be taxed as part of the costs against the person convicted as provided in section one of this Act: Provided, that in all cases when the said sum of ten dollars is charged in said bill of cost, it appears that the same cannot for any reason he collected out of the person or persons convicted of distilling, then the County of Franklin shall not be liable or required to pay said sum of ten 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 the provisions of this Act are hereby repealed insofar as they affect this act.

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. 1935.

H. B. 515

CHAPTER 114

AN ACT TO PROHIBIT THE WRONGFUL HOARDING AND/ OR SELLING OF MILK BOTTLES, CRATES, CANS AND OTHER CONTAINERS OF DAIRY PRODUCTS IN WAKE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person, firm or corporation in Wake County knowingly to hoard, harbor and/or keep any milk bottles, cans, crates or other containers for milk or milk products which have the name, label, trade mark or inscription of any other firm, person, or corporation, blown, embossed or marked thereon. Any bonded peace officer of Wake County is hereby given the power to search the premises of any person, firm or corporation in Wake County and arrest any person engaged in the unlawful hoarding of milk bottles, cans, crates or other containers for milk, or milk bottles, in violation of this section, and such officer may seize and confiscate the bottles, cans, crates and containers which are being hoarded in violation of this Act, and return the same to the lawful owner thereof: Provided, however, that no such bonded or other peace officer shall search the premises of any person, firm, or corporation suspected of unlawfully hoarding milk bottles or containers, except after the issuance of a valid warrant therefor by a court of competent jurisdiction.
Sec. 2. It shall be unlawful for any person, firm or corporation to remove from Wake County any milk bottles, cans, crates, or other containers for milk or milk products which have the name, label, trade mark or inscription of any other person, firm or corporation blown, embossed or marked thereon; Provided, that the name, label, trade mark or inscription on the said bottles, cans, crates, or containers shall be the name, label, trade mark or inscription of a resident of Wake County.

Sec. 3. Any person violating the provisions of this Act shall be guilty of a misdemeanor, and upon conviction shall be subject to a fine of not more than fifty dollars, nor less than ten dollars, or imprisonment for a period of not more than thirty days within the discretion of the court.

Sec. 4. This Act shall only apply to Wake County.

Sec. 5. All laws and clauses of laws in conflict herewith are hereby repealed.

Sec. 6. In case any section or clause of this Act is declared unconstitutional by a court of competent jurisdiction, such decision shall not affect the legality of any other section or clause of this Act.

Sec. 7. This Act shall be in force and effect from and after the date of its ratification.

Ratified this the 8th day of March, A.D. 1935.

H. B. 465
CHAPTER 115

AN ACT REGULATING FILING FEES FOR COUNTY OFFICERS IN PRIMARIES IN WAKE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That at the time of filing a notice of candidacy for nomination for State Senator, member of the House of Representatives, Clerk of the Superior Court, Register of Deeds, Sheriff, Auditor, Treasurer of Wake County and any other county officer who is on a salary shall pay to the County Board of Elections of Wake County a filing fee of one per cent of the annual salary of such office.

Sec. 2. That this Act shall apply to Wake 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 it ratification.

Ratified this the 8th day of March, A.D. 1935.
S. B. 172  CHAPTER 116
AN ACT TO VALIDATE EXTENSION OF TIME FOR TAX SALES IN YADKIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. All counties, municipalities or other governing agencies holding tax sales certificates for lands for the years one thousand nine hundred twenty-eight, one thousand nine hundred twenty-nine, one thousand nine hundred thirty, one thousand nine hundred thirty-one, one thousand nine hundred thirty-two, whether foreclosure proceedings have been instituted or not, are hereby given until November first, one thousand nine hundred thirty-five, 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 granted.

Sec. 2. That this Act shall apply only to Yadkin 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 effect from and after its ratification.

Ratified this the 11th day of March, A.D. 1935.

S. B. 267  CHAPTER 117
AN ACT TO REGULATE THE TIME OF AN APPEAL FROM THE JUSTICE OF PEACE COURTS IN FORSYTH COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That in a civil action tried before a Justice of the Peace wherein the losing party desires to appeal to the Superior Court, he shall give notice of appeal in open court or in writing within ten days from and after the rendition of the final judgment.

Sec. 2. The party giving notice of appeal as herein provided shall cause to be docketed with the Clerk of the Superior Court of the county where such action is tried his appeal which appeal must be docketed within thirty days from the date of the rendition of the final judgment.

Sec. 3. That all laws and clauses of laws in conflict with this Act are hereby repealed.
SEC. 4. That this Act shall apply to Forsyth County only.
SEC. 5. That this Act shall be in full force and effect from and after its ratification.

Ratified this the 11th day of March, A.D. 1935.

H. B. 137 CHAPTER 118

AN ACT REQUIRING THE SOLICITOR OF THE THIRTEENTH JUDICIAL DISTRICT TO MAKE A CALENDAR FOR THE CRIMINAL TERMS OF THE SUPERIOR COURT OF MOORE COUNTY AND REGULATING THE PRACTICE OF SAID COURT.

The General Assembly of North Carolina do enact:

SECTION 1. That the Solicitor of the Thirteenth Judicial District be and he is hereby directed to prepare, or have prepared under his supervision by the Clerk of the Superior Court of Moore County, a calendar for the trial of criminal cases at the regular terms of the Superior Courts of said county for the trial of criminal cases held in January, May and August of each year.

SEC. 2. That no defendants, who are at liberty under bond, nor any witness for the State or the defendants, shall be required to attend said courts except on the dates when such cases are calendared for trial. Any witness, either for the State or defendant, who shall attend said Court prior to the day on which said cause is calendared for trial, shall neither prove his attendance nor collect pay for such attendance.

SEC. 3. That the Clerk of the Superior Court of Moore County shall be, and he is hereby, directed and authorized to charge in the bill of costs in each criminal case so tried and disposed of in said Court a fee of twenty-five cents for the purpose of defraying the expenses of printing and mailing said calendars, and such calendar when printed and mailed to any defendant, or his attorney of record, at his last known address, shall be a sufficient notice to such defendant as to the time when his cause is calendared for trial.

SEC. 4. That when any defendant is held to bail in said Court and has attended three successive terms in said Court, excluding the term to which the bail was returnable, and has not, at any of such terms, moved for a continuance of said cause against said defendant, such charges against said defendant shall be nol prossed and he shall be forever discharged from further prosecution on such charges: Provided, this section shall not apply to defendants charged with felonies.

Provision for criminal calendar in Moore County Superior Court.

Attendance required only on day set.

Provision for expenses.

Distribution of calendar.

Nol prossing cases after three appearances by defendants.

Exception.
Sec. 5. That this Act shall apply exclusively to Moore County.
Sec. 6. This Act shall be in full force and effect from and after the date of its ratification.
Ratified this the 11th day of March, A.D. 1935.

H. B. 188

CHAPTER 119

AN ACT TO AMEND CHAPTER THIRTY-FIVE, PUBLIC-LOCAL LAWS ONE THOUSAND NINE HUNDRED AND THIRTY-THREE, RELATING TO FEES OF DEPUTY SHERIFFS IN CURRITUCK COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That Section two, Chapter thirty-five, Public-Local Laws, one thousand nine hundred and thirty-three, be and the same hereby amended to read as follows:

"Sec. 2. That the Deputy Sheriffs of Currituck County shall be allowed only such fees as are now provided by law; Provided no fees shall be allowed any Deputy Sheriff receiving a salary of over five hundred ($500.00) 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 11th day of March, A.D. 1935.

H. B. 210

CHAPTER 120

AN ACT TO INCREASE THE MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF HAYWOOD COUNTY FROM THREE TO SEVEN.

The General Assembly of North Carolina do enact:

Section 1. That the Board of County Commissioners of Haywood County is hereby increased from three to seven members.
Sec. 2. That Edwin Fincher, Wilfred Ray, J. E. Henderson and Albert McCracken be, and they are hereby appointed members of the Board of County Commissioners of Haywood County to serve until the first Monday in December, one thousand nine hundred thirty-six, and until their successors are elected and qualified. The compensation of the additional members hereby appointed and their successors shall be the same as that received by members of the present Board.
Sec. 3. That at the next general election to be held in November, one thousand nine hundred thirty-six, and biennially thereafter, there shall be elected seven members of the Board of County Commissioners of Haywood County.

Sec. 3 (a). That Haywood County be, and the same is hereby, divided into five districts, for the purpose of electing the County Commissioners for Haywood County, as follows: District Number One is composed of Beaverdam and Clyde Townships; District Number Two is composed of Pigeon, East Fork and Cecil Townships; District Number Three is composed of Waynesville and Ivy Hill Townships; District Number Four is composed of Jonathon Creek, White Oak and Cattaloochee Townships; District Number Five is composed of Crabtree, Fines Creek and Iron Duff Townships.

Sec. 3 (b). That two members shall be residents of District Number One, composed of Beaverdam and Clyde Townships; that one member shall be a resident of District Number Two, composed of Pigeon, East Fork and Cecil Townships; that two members shall be residents of District Number Three, composed of Waynesville and Ivy Hill Townships; that one member shall be a resident of District Number Four, composed of Jonathon Creek, White Oak and Cattaloochee Townships; that one member shall be a resident of District Number Five, composed of Crabtree, Fines Creek and Iron Duff Townships. That no person shall be eligible as a member of the Board of County Commissioners of Haywood County unless he has resided in the District from which he is to be elected for a period of one year next immediately preceding the day of the general election at which he is a candidate, and if any person nominated as a member of the Board of County Commissioners at a Primary election removes from the District prior to the election there shall be a vacancy for said office, and the Executive Committee of the Political Party with which the candidate was affiliated shall name a nominee for said office; and if any Commissioner, after having been elected from any District, shall during the term of office remove from said District there shall be a vacancy in said office, and a successor shall be appointed, as provided by law.

Sec. 3 (c). That at the first meeting of the Board of County Commissioners of Haywood County after the general election in November, one thousand nine hundred and thirty-six, and biennially thereafter, the members shall elect one of their number to act as Chairman of the Board of Commissioners, who shall serve as such during his term of office, and until his successor is qualified. The compensation for the Chairman shall be the same as that received by the present Chairman.
Sec. 3 (d). That it shall be the duty of the Board of Elections of Haywood County to prepare the ballots for the Primary election in said County in such a manner and form as to show and set forth the names of the candidates from the respective districts, as set forth in this Act, and state on said ballot the number of Commissioners to be voted for from each district, and the candidate from each respective district receiving the highest vote of the entire County, or the two candidates receiving the highest vote where there are two candidates, allowed from the same district, shall be declared to be the nominees for members of the Board of Commissioners of Haywood County, subject to the rights of candidates in the respective districts to call a second primary.

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

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

Ratified this the 11th day of March, A.D. 1935.

H. B. 304

CHAPTER 121

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF AVERY COUNTY TO FIX, RAISE, LOWER OR ADJUST THE "TURNKEY" FEES PAID THE JAILER FOR PRISONERS OF AVERY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. All laws or parts of laws fixing or prescribing the "turnkey" fees paid the jailer of Avery County for placing in the jail or releasing each prisoner therefrom of said county be and the same are hereby repealed.

SEC. 2. The Board of Commissioners of said county are hereby authorized, empowered and directed to fix the total "turnkey" fee to be paid the jailer of said county at not more than one dollar for each prisoner, regardless of the number of times any one prisoner is taken out or returned to the common jail in said county, until his or her final release from said jail.

SEC. 3. Within one week after fixing the total "turnkey" fee to be paid the jailer of said county the said Board of County Commissioners may cause to be delivered in writing to some newspaper published in said county for publication its reason or reasons for making such change or changes or adjustment, together with any figures, indices, numbers or other data which the Board may have used as a basis for making or determining the
changes or adjustments, in order that the taxpayers of said county may be fully informed as to the cost before and after such change or changes.

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

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

Ratified this the 11th day of March, A.D. 1935.

H. B. 237  CHAPTER 122

AN ACT FIXING THE PAY OF THE COMMISSIONERS OF CALDWELL COUNTY AT FIVE DOLLARS PER DAY.

The General Assembly of North Carolina do enact:

SECTION 1. That the compensation of the members of the Board of County Commissioners of Caldwell County is hereby fixed at Five Dollars per day each when in session or engaged in business for the County, not exceeding five days in any calendar month.

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 March, A.D. 1935.

H. B. 248  CHAPTER 123

AN ACT TO AMEND CHAPTER EIGHTY-FOUR, PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND TWENTY-ONE, RELATING TO THE SALARY OF THE DEPUTY SHERIFF OF DAVIE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Section seven of Chapter eighty-four of the Public-Local Laws of one thousand nine hundred and twenty-one be amended by striking out in line seven of said (section) the words "eight hundred dollars per annum" and inserting in lieu thereof the words "twelve hundred dollars per annum": Provided, however, that said deputy shall be required to own and operate his own car.
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 11th day of March, A.D. 1935.

H. B. 307  
CHAPTER 124

AN ACT TO REQUIRE ALL FUNDS OF AVERY COUNTY TO BE DEPOSITED IN SOME BANK IN AVERY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners of Avery County are hereby authorized, empowered and directed to deposit all and every the funds of Avery County in some bank or banks doing a banking business in Avery County, so long as such bank or banks shall secure against loss any and all of said funds as by law required.

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 from and after its ratification.

Ratified this the 11th day of March, A.D. 1935.

H. B. 319  
CHAPTER 125

AN ACT TO REPEAL CHAPTER FIVE HUNDRED AND EIGHTY-FOUR, PUBLIC-LOCAL LAWS ONE THOUSAND NINE HUNDRED AND THIRTY-THREE, AUTHORIZING THE COUNTY COMMISSIONERS OF COLUMBUS COUNTY TO CONVEY TO A TRUSTEE REAL PROPERTY BOUGHT BY SAID COUNTY UNDER TAX FORECLOSURE PROCEEDINGS.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter five hundred and eighty-four of the Public-Local Laws of one thousand nine hundred and thirty-three 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 11th day of March, A.D. 1935.
H. B. 321  CHAPTER 126

AN ACT TO REPEAL CHAPTERS TWO HUNDRED AND SIXTY-TWO AND FOUR HUNDRED AND TWENTY-EIGHT OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-THREE RELATING TO RENEWAL OF NOTES AND MORTGAGES DUE COLUMBUS COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapters two hundred and sixty-two and four hundred and twenty-eight of the Public-Local Laws one thousand nine hundred and thirty-three, relating to renewal of notes and mortgages due Columbus County, be and the same are hereby repealed.

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

Ratified this the 11th day of March, A.D. 1935.

H. B. 355  CHAPTER 127

AN ACT TO ELIMINATE PENALTIES AND INTEREST UPON CERTAIN TAX SALE CERTIFICATES AND TAX LIEN NOTES IN CLAY COUNTY AND THE TOWN OF HAYESVILLE, TO AUTHORIZE THE ISSUING OF ALIAS SUMMONS, TO VALIDATE TAX LIEN NOTES AND RELATING TO TAX SUITS PENDING AND OTHERWISE GIVE TAX RELIEF IN CLAY COUNTY.

Whereas, Clay County is purely an agricultural county with no money crops, pay roll or manufacturing enterprises; and

Whereas, the tax rate in said county ranged from three dollars and ten cents ($3.10) on the hundred in one thousand nine hundred and twenty-seven and two dollars and twenty-six cents ($2.26) in one thousand nine hundred and thirty-two, not including school specials, revaluation not being made until one thousand nine hundred and thirty-three when lower and more equitable values were assessed and rates reduced; and

Whereas, a similar tax situation exists in the Town of Hayesville, located in Clay County; and

Whereas, on account of the above and the economic conditions existing in Clay County the taxpayers of Clay County and the Town of Hayesville have found it extremely difficult to pay said taxes so levied for said years until now approximately three-fourths of the farms and homes in Clay County are covered by tax sale certificates which are, or soon will be, subject to foreclosure; and

Preamble: Clay County is agricultural county. High tax rate.

Same situation as to Hayesville.
Loss of homes through tax sales likely.
Postponement of tax sales.

Whereas, as a consequence thereof the Board of Commissioners of Clay County has not persisted in bringing and closing out the tax sale suits brought against the landowners in said county: Now, therefore,

The General Assembly of North Carolina do enact:

Section 1. That all penalties and interest included in, charged and accrued, subject to be now charged and collected, together with all future interest upon tax sale certificates and tax lien notes owned and held for collection by the County of Clay and Town of Hayesville for the years one thousand nine hundred and twenty-seven, one thousand nine hundred and twenty-eight, one thousand nine hundred and twenty-nine, one thousand nine hundred and thirty, one thousand nine hundred and thirty-one and one thousand nine hundred and thirty-two be and the same are hereby eliminated from and upon said tax sale certificates and tax lien notes, and the collection of all interest and penalties upon said tax sale certificates and tax lien notes is hereby barred. That the provisions of this section shall apply to tax suits pending wherein final judgment has not been entered: Provided, that nothing in this section shall be construed to eliminate any cost of advertising or cost of foreclosure, it being the purpose and intention to only eliminate penalties and interest.

Sec. 2. That all tax notes taken and accepted by the County of Clay and Town of Hayesville to prevent foreclosure suits on any day subsequent to that fixed by law are hereby approved, confirmed, validated and declared to be proper, valid and legal tax lien notes and binding in all respects in accordance with Chapter one hundred and eighty-one of the Public Laws of one thousand nine hundred and thirty-three and amendments thereto in the same manner as if executed prior to March thirty-first, one thousand nine hundred and thirty-three, even though taken or accepted after March thirty-first, one thousand nine hundred and thirty-three.

Sec. 3. That in all tax foreclosure suits hereafter instituted in the County of Clay and which have not been terminated by final judgment in which alias or pluries summons may issue at any time within two years from the ratification of this Act, and when said alias or pluries summons are issued the chain of summons may be kept up as now prescribed by law. That the cost in said proceedings shall be the same as the cost prescribed by law at the time of the issuing of the original summons in said proceeding, except as to attorney's fees, which shall in no case exceed the sum of ten dollars in each case. That the cost in all tax foreclosure proceedings in the County of Clay instituted after the ratification of this Act shall be the same as now prescribed by law, except attorney's fees, which shall in no case exceed ten dollars, which shall be taxed in the costs.
Sec. 4. That the time for bringing foreclosure suits for any and all taxes for the year one thousand nine hundred and thirty-two and all prior years thereto is hereby extended to November first, one thousand nine hundred and thirty-five. That the postponement of the bringing of tax suits and the postponement of the final termination of tax suits pending is hereby ratified and confirmed, and that the Board of County Commissioners of Clay County is hereby authorized and empowered to bring action upon such tax sale certificates for the years one thousand nine hundred and twenty-seven to one thousand nine hundred and thirty-two, inclusive, as have not been sued upon or absorbed by tax lien note, or to sue upon general tax lien to recover taxes for any years hereinbefore mentioned where same has not been paid. Said Board of County Commissioners is hereby authorized to proceed to the final termination of such tax suits as are now pending in which final judgment or proceedings have not been taken. That where notes have been accepted covering tax sale certificates upon which action had already been instituted at the time of the taking of said notes thereon upon default in any said note, the County of Clay is hereby authorized to proceed to the final termination of said original tax suit therein, which shall be binding upon the taxpayer in all respects.

Sec. 5. That the Board of County Commissioners is hereby authorized in its discretion to not cause tax foreclosure suits to be instituted upon certificates, notes and tax liens where the small amount of the tax involved and the value of the property as compared to the costs incurred by the county in bringing the suit does not justify incurring cost necessary to prosecute the suit to final termination, and that where the said Board has heretofore desisted in bringing suits in such cases said action is hereby ratified and confirmed.

Sec. 6. That during the pendency of said tax foreclosure suits the Court, at the request of the plaintiff or defendant, is hereby authorized and empowered to make new parties or additional parties at the request of either party plaintiff or defendant. The word “Court” as set out herein shall be construed to mean the Clerk of the Superior Court of Clay County, and for the purpose of making new or additional parties he shall have the same authority as now exercised by the Superior Court Judges of the State of North Carolina.

Sec. 7. That at any time before the final termination of said foreclosure proceedings and before the deed is made to the purchaser of said lands, and upon certificates outstanding where proceedings have not been instituted or tax lien notes already taken, the taxpayer, by the payment of one-third of the total tax due for one thousand nine hundred and thirty-two or prior years, may give a note for said tax and costs under the same terms and

Extension of time for foreclosure.

Postponement ratified.

Uncompleted suits may be terminated.

Foreclosure in suits involving small amounts may be suspended.

Additional parties.

Clerk may make new parties.

New tax notes permitted upon payment of 1/3 of taxes due.
conditions now provided for by Chapter one hundred and eighty-one, Public Laws, one thousand nine hundred and thirty-three; and all the terms and conditions set out in said chapter relative to the taking, lien and effect of tax lien notes shall apply with full force and effect, and said chapter pertaining to tax lien notes is hereby re-enacted as to Clay County, and said tax notes so taken shall constitute a first lien on the real estate set out therein and subject to be closed out as provided in said chapter referred to, except the time for the payment of said notes shall not extend beyond two years from the execution of said notes, and same shall be paid in two equal annual installments due one and two years after date, and that default in the first installment shall have the effect to render the whole of said note immediately due and payable.

Sec. 8. That the collection of eight per cent interest upon all tax sale certificates held by Clay County from the respective dates for the respective years since the passage of tax legislation relating to the same by the General Assembly of one thousand nine hundred and thirty-three is hereby ratified and confirmed. That the expenses of collection for all delinquent taxes, including commissions, court costs, attorney's fees and otherwise, paid by Clay County, be charged pro rata to all funds in accordance with the manner in which taxes collected be prorated to each fund for the respective tax years, or that same be deducted from taxes collected upon the approval of the Board of County Commissioners, and that where such commissions, costs and expenses have been heretofore deducted from and charged pro rata to all funds, same is hereby ratified and confirmed.

Sec. 9. That the tax sale certificates of the County of Clay and Town of Hayesville outstanding and to be issued for the years one thousand nine hundred and thirty-three and one thousand nine hundred and thirty-four shall bear interest at the rate of six per centum per annum upon the entire amount of taxes, penalties and sheriff's costs until collected. That this section shall apply to the one thousand nine hundred and thirty-three tax sale certificates from the date of issue.

Sec. 10. That the Board of Commissioners of Clay County is hereby authorized and empowered to sell and convey (at public or private sale) any land which the county may have acquired, or may hereafter acquire under foreclosure of tax liens or otherwise, at such price and upon such terms as it may see fit: Provided, that this section shall not apply to property held for county purposes; and, Provided further, that upon any private sale full particulars thereof be entered upon the minutes of said Board for public inspection.

Sec. 11. That the provisions of this Act shall be considered and construed separately, and if any section, paragraph or sen-
tence shall be declared unconstitutional it shall not be construed to nullify the other parts of this Act.

Sec. 12. That the provisions of this Act shall be in addition to any and all general or State laws relating to land sales or tax foreclosure suits, and repeal all laws or clauses of laws in conflict with this Act in so far as same relates to or affects Clay County.

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

Ratified this the 11th day of March, A.D. 1935.

H. B. 381

CHAPTER 128

AN ACT TO AMEND CHAPTER ONE HUNDRED THIRTY-FOUR, PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-ONE, RELATING TO THE OFFICES OF TAX COLLECTOR AND SHERIFF FOR CARTERET COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Section three of Chapter one hundred and thirty-four, Public-Local Laws of one thousand nine hundred and thirty-one, be, and the same is hereby, repealed and the following substituted in lieu thereof:

"Sec. 3. For compensation for such services said tax collector shall be paid a salary of two thousand ($2,000.00) dollars per annum, payable monthly, and, in addition to the other regular and necessary expenses of the office, he shall be allowed the sum of seven hundred and eighty ($780.00) dollars per annum, or fifteen ($15.00) dollars per week, for an assistant or clerk.

"Sec. 3a. Delinquent taxes evidenced by outstanding tax certificates, and delinquent poll and personal property taxes, in the discretion of the Board of Commissioners, may be placed with said tax collector from time to time for collection; and it shall be his duty, without additional compensation, to proceed to the collection of the same, and when authorized by the Board of Commissioners so to do he shall call upon the county attorney to institute in the name of the county foreclosure proceedings for the enforcement, by usual legal remedies, of payment of such delinquent tax items."

Sec. 2. That Section five of Chapter one hundred and thirty-four, Public-Local Laws of one thousand nine hundred and thirty-one, be, and the same is hereby, amended by striking out in line two of said section the words "twenty-five hundred dollars" and inserting in lieu thereof the words "two thousand dollars," and by striking out in line three of said section the word "thirty" and inserting in lieu thereof the words "thirty-six."
Conflicting laws 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 11th day of March, A.D. 1935.

H. B. 402  
CHAPTER 129

AN ACT TO VALIDATE ALL SALES FOR TAXES MADE BY THE SHERIFF OF WILSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That all sales of property made by the Sheriff of Wilson County, pursuant to an order of the Board of Commissioners of Wilson County, for the purpose of collecting taxes for the years one thousand nine hundred thirty-four, one thousand nine hundred thirty-three, one thousand nine hundred thirty-two, one thousand nine hundred thirty-one, one thousand nine hundred thirty, or any other years, are hereby validated, whether the said sales were made upon the days prescribed by the statute or any other day, and all acts of the Board of Commissioners of the County of Wilson, postponing the sales of property for the purpose of collecting taxes for the above enumerated years, are hereby validated.

SEC. 2. This Act shall be in force from and after the date of its ratification.

Ratified this the 11th day of March, A.D. 1935.

H. B. 423  
CHAPTER 130

AN ACT TO RATIFY SALES OF LAND FOR TAXES IN WILKES COUNTY.

That, whereas, the sale of lands for taxes in the County of Wilkes for the year of one thousand nine hundred thirty-three was not had at the time required by law, but was subsequently made: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the sale of lands for taxes for the year one thousand nine hundred thirty-three in Wilkes County be and the same is hereby in all respects confirmed.

SEC. 2. That in the sale of lands for taxes in Wilkes County the following fees shall be allowed the Sheriff for making each
sale: fifty cents for levying, twenty cents for advertising and fifty cents for certificate of sale, thirty-five cents for recording sale and fifty cents for the auctioneer.

Sec. 3. That this Act shall apply to Wilkes County 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 11th day of March, A.D. 1935.

H. B. 436

CHAPTER 131

AN ACT TO AMEND CHAPTERS TWO HUNDRED TWENTY AND TWO HUNDRED THIRTY-SIX OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-THREE, RELATIVE TO SALARIES OF SUPERIOR COURT REPORTERS IN LINCOLN AND CATAWBA COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter two hundred twenty and Chapter two hundred thirty-six of the Public-Local Laws of one thousand nine hundred and thirty-three, fixing the salary of the Superior Court Reporter in Lincoln and Catawba Counties, are hereby repealed.

Sec. 2. That the salary of the Superior Court Reporter in Lincoln and Catawba Counties is hereby fixed at forty dollars per week for each week of every term of the Superior Court in said counties which he or she is required to attend, plus two and fifty one-hundredths dollars ($2.50) per day expenses for each day actually in attendance at such terms of said courts.

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

Ratified this the 11th day of March, A.D. 1935.

H. B. 448

CHAPTER 132

AN ACT RELATING TO THE FEES OF THE CLERK OF THE COURT OF CURRITUCK COUNTY.

Whereas, the Congress may by legislation provide for a closed season for wild fowl hunting in Currituck County; and

Whereas, the Clerk of the Court of said county receives certain fees for issuing licenses for wild fowl hunting, which fees will be greatly lessened or entirely cut off by such legislation: Now, therefore,
In event of closed season Clerk to receive salary.

Conflicting laws repealed.

The General Assembly of North Carolina do enact:

SECTION 1. That in the event of the passage of an act providing for a closed season for hunting wild fowl in Currituck County, or for any other reason by which the Clerk of Court would not receive certain fees now provided by law for issuing licenses for wild fowl hunting, the Commissioners of said county may pay the Clerk of the Court a salary not to exceed fifty dollars per month in lieu of the fees he has heretofore received for issuing license for wild fowl hunting 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 11th day of March, A.D. 1935.

H. B. 454  CHAPTER 133

AN ACT TO REPEAL CHAPTER FIFTY-FIVE OF PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND TWENTY-NINE, REQUIRING THE COMMISSIONERS OF MITCHELL COUNTY TO PAY FOR THE RETURN OF FUGITIVES.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter fifty-five of the Public-Local Laws of one thousand nine hundred 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 11th day of March, A.D. 1935.

H. B. 438  CHAPTER 134

AN ACT TO AMEND CHAPTER ONE HUNDRED AND FORTY-SIX OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND TWENTY-THREE, RELATIVE TO THE SALARY OF THE TREASURER OF CABARRUS COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Section two of Chapter one hundred and forty-six of the Public-Local Laws of nineteen hundred and twenty-three be, and the same is hereby, repealed and the following inserted in lieu thereof:
"Sec. 2. That the Treasurer of Cabarrus County shall receive a salary of twelve hundred ($1,200.00) dollars per annum, payable monthly on an order of the Board of Commissioners of said county, in lieu of all other compensation whatever. That said amount shall be deducted by the Board of Commissioners pro rata from the various funds and credited to the county funds."

Sec. 2. That all laws and clauses of laws in conflict herewith be, and the same are hereby, repealed.

Sec. 3. That this Act shall be in full force and effect from and after July first, nineteen hundred and thirty-five.

Ratified this the 11th day of March, A.D., 1935.

H. B. 478

CHAPTER 135

AN ACT TO VALIDATE CERTAIN SALES OF LAND FOR TAXES IN ORANGE COUNTY AND CERTIFICATES ISSUED IN PURSUANCE THEREOF, AND JUDICIAL PROCEEDINGS HAD IN SAID COUNTY IN CONNECTION WITH COLLECTION OF DELINQUENT TAXES.

The General Assembly of North Carolina do enact:

Section 1. That all sales of land in Orange County for failure to pay taxes, held or conducted by the Sheriff or other tax collector of said Orange County, or any city, town or other municipality in said county, during the years one thousand nine hundred thirty-three and one thousand nine hundred thirty-four on any day subsequent to or other than the first Monday in September of 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 said first Mondays of September, one thousand nine hundred thirty-three, and one thousand nine hundred thirty-four.

Sec. 2. That all judicial proceedings had in Orange County in which either Orange County, or any city or town therein, has been the plaintiff, said judicial actions being for the purpose of enforcing the collection of delinquent taxes and the sale of land to make assets with which to pay said taxes during the years one thousand nine hundred thirty-one, one thousand nine hundred thirty-two, one thousand nine hundred thirty-three, and one thousand nine hundred thirty-four are hereby approved, confirmed, validated, and declared to be in all respects proper, valid, and
Deeds by commissioners validated.

Conflicting laws repealed.

Chapter 135—136

Conflicting laws repealed.

legal sales of such land, regardless of the day of the week on which said sales were held, Provided only that said sales have been duly approved by the Clerk of the Superior Court of said county. That where deeds have been issued by a Commissioner of the Superior Court of Orange County for the conveyance of said lands which were being sold for the collection of delinquent taxes during said years, the same are now hereby in all respects approved, confirmed, and declared to be legal conveyance of the title to the lands described in said Commissioner's Deeds.

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

Sec. 4. That all laws and clauses of laws in conflict with this Act, either public or public-local or private, are hereby repealed to the extent that same may conflict with the provisions of this Act.

Ratified this the 11th day of March, A.D. 1935.

H. B. 479

CHAPTER 136

AN ACT TO AMEND CHAPTER ONE HUNDRED FIFTY-FIVE OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA SESSION ONE THOUSAND NINE HUNDRED TWENTY-FIVE, AND CHAPTER TWO HUNDRED SEVENTY-FIVE OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA SESSION ONE THOUSAND NINE HUNDRED TWENTY-NINE, RELATING TO THE SALARIES OF PUBLIC OFFICERS IN ORANGE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That Section four of Chapter one hundred fifty-five of the Public-Local Laws of North Carolina session one thousand nine hundred twenty-five be, and the same is hereby amended by striking out the word "fifty" in line seventeen of said section, and inserting in lieu thereof the words "one hundred."

Sec. 2. That the provisions of this Act shall be applicable and apply to the salary of the Deputy Sheriff of Chapel Hill Township, Orange County, from and after January first, one thousand nine hundred thirty-five, as same may be determined by the Board of County Commissioners of said Orange County.

Sec. 3. That the Board of County Commissioners of Orange County are hereby authorized and empowered to make such an allowance to the Sheriff, or any Deputy Sheriff, of Orange County by way of expenses for transportation and automobile facilities

Ch. 155, Public-Local Laws 1925, and ch. 275, Public-Local Laws 1929, amended, as to salaries of Orange County officers.

Salary of Deputy Sheriff of Chapel Hill Township.

Transportation expenses allowed Sheriff and deputies.
as said board may deem necessary, said amount, however, not to exceed for all purposes the amount of seven hundred fifty and no/100 ($750.00) dollars in any fiscal year. That this section shall be known and designated as Section four and one-half of Chapter one hundred fifty-five of the Public-Local Laws of the Session of one thousand nine hundred twenty-five.

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 March, A.D. 1935.

H. B. 521  CHAPTER 137


The General Assembly of North Carolina do enact:

SECTION 1. That Section two of Chapter two hundred fourteen Public-Local Laws of one thousand nine hundred thirty-three, as amended by Chapter four hundred fifty-seven, Public-Local Laws of one thousand nine hundred thirty-three, relating to the salary of the Clerk of the Superior Court in Franklin County be amended by striking out in line eight thereof the words and figures “two thousand seven hundred fifty dollars ($2,750.00)” and inserting in lieu thereof the words and figures “two thousand dollars ($2,000.00)”, and amend further by striking out the second paragraph of Section two and inserting in lieu thereof 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 such assistant or Deputy Clerk shall be paid an annual salary of twelve hundred dollars ($1,200.00) out of the general fund of the county as provided by law; that said Clerk shall be allowed an additional sum not in excess of two hundred dollars ($200.00) per year for the purpose of employing such additional clerical or stenographic help as may be necessary to the proper and efficient maintenance and operation of his office, said sum to be paid from the general county fund as provided by law, and to be drawn only as actually used by said Clerk for the purpose expressly set forth herein.”
Sec. 2. That this Act shall be effective as of February first, one thousand nine hundred thirty-five.

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

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

Ratified this the 11th day of March, A.D. 1935.

H. B. 520  CHAPTER 138
AN ACT TO EXTEND THE TIME FOR TAX FORECLOSURE SUITS IN MACON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the time for instituting suits for foreclosure of all tax sale certificates for one thousand nine hundred thirty-two taxes held by Macon County or other purchaser for value is hereby extended to October first, one thousand nine hundred thirty-five.

Sec. 2. That the time for instituting suits for the foreclosure of all tax sale certificates for one thousand nine hundred thirty-three taxes held by Macon County or other purchaser for value is hereby extended to October first, one thousand nine hundred thirty-six.

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

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

Ratified this the 11th day of March, A.D. 1935.

H. B. 522  CHAPTER 139
AN ACT TO AMEND CHAPTER TWO HUNDRED AND FOURTEEN OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-THREE FIXING THE SALARY OF THE REGISTER OF DEEDS AND DEPUTY REGISTER OF DEEDS OF FRANKLIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Section one of Chapter two hundred fourteen of the Public-Local Laws of one thousand nine hundred thirty-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 line seven thereof the words and figures "twenty-three hundred dollars ($2,300.00)" and inserting in lieu thereof the words and figures "two thousand dollars ($2,000.00)", and further amend said section by striking out the second paragraph and inserting in lieu thereof 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 receive an annual salary of nine hundred dollars, to be paid from the funds of said county as provided by law."

Sec. 2. That this Act shall be effective as of February first, one thousand nine hundred thirty-five.

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

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

Ratified this the 11th day of March, A.D. 1935.

H. B. 560  Chapter 140

An Act Requiring the Solicitor of the Fifth Judicial District to Make a Calendar for the Criminal Terms of the Superior Court of Craven County and Regulating the Practice in Said Court.

The General Assembly of North Carolina do enact:

Section 1. That the Solicitor of the Fifth Judicial District be and he is hereby directed to prepare, or have prepared under his supervision, by the Clerk of the Superior Court of Craven County, a calendar for the trial of criminal cases at the regular terms of the Superior Courts of said county for the trial of criminal cases.

Sec. 2. That no defendants, who are at liberty under bond, nor any witness for the State or the defendants, shall be required to attend said courts except on the dates when such cases are calendared for trial. Any witness, either for the State or defendant, who shall attend said court prior to the day on which said cause is calendared for trial, shall neither prove his attendance nor collect pay for such attendance.

Sec. 3. That the Clerk of the Superior Court of Craven County shall be, and he is hereby directed and authorized to charge in the bill of costs in each criminal case so tried and disposed of in said court a fee of twenty-five cents for the purpose of defraying the expenses of printing and mailing said calendars, and such
calendar when printed and mailed to any defendant, or his attorney of record, at his last known address shall be a sufficient notice to such defendant as to the time when his cause is calendared for trial.

Sec. 4. That when any defendant is held to bail in said court and has attended three successive terms of said court, excluding the term to which the bail was returnable, and has not, at any of such terms, moved for a continuance of said cause against said defendant, such charges against said defendant shall be nol prossed and he shall be forever discharged from further prosecution on such charges: Provided, this section shall not apply to defendants charged with felonies.

Sec. 5. This Act shall be in full force and effect from and after the date of its ratification.

Ratified this the 11th day of March, A.D. 1935.

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H. B. 579

CHAPTER 141

AN ACT TO AMEND CHAPTER FIVE OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-THREE RELATING TO THE OFFICE OF TAX COLLECTOR, TAX FORECLOSURE SUITS, VALIDATING SALES OF LANDS FOR TAXES AND ALLOCATION OF CERTAIN FUNDS IN WAYNE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter five of the Public-Local Laws of one thousand nine hundred and thirty-three be, and the same is hereby amended, as follows:

Sec. 2. That immediately after the last word "commissioners" in Section one of said chapter the following be added, "Provided, said tax collector may appoint or employ one or more of the deputy sheriffs or constables, or any suitable person or persons in Wayne County to assist him in the collection of taxes, and whose compensation shall be determined by the Board of Commissioners of said county, but whose duties and responsibilities shall be under and responsive to said Wayne County tax collector."

Sec. 3. That immediately after the word "office" in the last line of Section two of said chapter, add the following: "Provided, however, that the Board of Commissioners of Wayne County, may in its discretion, appoint one or more tax collectors in each township or tax collecting district in said county, as designated by said Board, for such period of time as said Board may elect, and fix and provide for the salaries or compensation and ex-
penses connected therewith, and prescribe the amount of bond or bonds to be given by said tax collectors for the faithful discharge of the duties thereof."

Sec. 4. That said Chapter five of the Public-Local Laws of one thousand nine hundred and thirty-three be further amended by adding the three following sub-sections immediately after Section eleven thereof and designated as Sub-sections eleven A, eleven B and eleven C, as follows:

Sub-sec. 11-A. That the sale of lands for taxes by the tax collector of Wayne County held on October twenty-second, one thousand nine hundred and thirty-four, be and the same hereby are validated.

Sub-sec. 11-B. That in the discretion of the Board of Commissioners of Wayne County all proceeds from tax suits and tax foreclosure sales of lands for taxes in Wayne County for one thousand nine hundred and twenty-eight and prior years may be turned into the General Fund.

Sub-sec. 11-C. That actions to foreclosure certificates of sales of lands for taxes for the year one thousand nine hundred and twenty-nine and subsequent years by Wayne County and in municipalities situated therein may be instituted at any time prior to December first, one thousand nine hundred and thirty-seven.

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 the date of its ratification.

Ratified this the 11th day of March. A.D. 1935.

H. B. 567  CHAPTER 142
AN ACT RELATING TO THE SUPERINTENDENT OF THE COUNTY HOME OF HERTFORD COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the County Commissioners of Hertford County be and they are hereby authorized and empowered, in their discretion, to appoint a member of said Board as Superintendent of the County home at a salary not to exceed fifty dollars ($50.00) per annum.

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

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

Ratified this the 11th day of March. A.D. 1935.
H. B. 594  
CHAPTER 143

AN ACT AUTHORIZING THE BOARD OF EDUCATION OF NORTHAMPTON COUNTY TO USE PART OF THE UNENCUMBERED BALANCE OF THE DEBT SERVICE FUND OF THE RICH SQUARE SPECIAL SCHOOL DISTRICT FOR COMPLETION OF A GYMNASIUM IN SAID SCHOOL DISTRICT.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Education of Northampton County, by and with the approval of the Board of County Commissioners of said county, be and they are hereby authorized and empowered to use any portion of the unencumbered balance of the debt service fund of the Rich Square Special School District that may be necessary in order to complete a PWA Gymnasium Project in the said Rich Square Special School District.

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 March, A.D. 1935.

H. B. 420  
CHAPTER 144

AN ACT TO VALIDATE CERTAIN OUTSTANDING NOTES OF THE COUNTY OF CALDWELL AND TO PROVIDE FOR THE ISSUANCE OF BONDS TO FUND SAID NOTES.

The General Assembly of North Carolina do enact:

SECTION 1. The notes of the County of Caldwell of the aggregate face amount of eighty thousand dollars, consisting of one note for twenty-five thousand dollars and one note for thirty-five thousand dollars, dated the twenty-second day of March, one thousand nine hundred and thirty-four, payable on or before the twenty-first day of May, one thousand nine hundred and thirty-four, and one note for twenty thousand dollars, dated the twenty-fifth day of January, one thousand nine hundred and thirty-four, payable on or before the twenty-fifth day of April, one thousand nine hundred and thirty-four, heretofore issued by said county and now outstanding, are hereby legalized and validated.

Sec. 2. The County of Caldwell is hereby authorized to issue bonds of said county for the purpose of funding or paying all or any part of the principal of said notes. Any bonds issued for
such purpose shall be issued in conformity with the provisions
of the County Finance Act and of the Local Government Act,
as heretofore or hereafter amended, relating to the issuance of
bonds described in said acts as funding bonds.

Sec. 3. The Board of Commissioners of said county is hereby
further authorized to levy annually a special tax ad valorem on
all taxable property in said county for the special purpose of pay-
ing the principal and interest of all bonds issued under this Act
as such principal and interest become due, which tax shall be in
addition to all other taxes authorized by law to be levied in
said county.

Sec. 4. This Act shall be in force from and after its ratifi-
cation.

Ratified this the 12th day of March, A.D. 1935.

H. B. 610   CHAPTER 145

AN ACT TO VALIDATE CERTAIN SALES OF LAND FOR
TAXES AND CERTIFICATES ISSUED IN PURSUANCE
THEREOF IN NORTHAMPTON 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 the Sheriff or Tax Collector of Northampton
County during the year one thousand nine hundred and thirty-
three and one thousand nine hundred and thirty-four, on any day
subsequent to or other than the first Monday in June of 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 said first Monday of June, one thousand
nine hundred and thirty-three and one thousand nine hundred
and thirty-four.

Sec. 2. That this Act shall apply to Northampton 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 12th day of March, A.D. 1935.
CHAPTER 146

AN ACT TO VALIDATE CERTAIN SCHOOL BUILDING BONDS BY THE COUNTY OF CALDWELL, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Section 1. That the order of the Board of Commissioners of Caldwell County authorizing the issuance of one hundred forty-five thousand dollars ($145,000) of school bonds of said county and finally passed by said board on July twenty-third, one thousand nine hundred and thirty-four, and any and all bonds issued pursuant thereto be and the same are hereby validated, ratified, approved and confirmed notwithstanding any want of power of the said Board of County Commissioners of Caldwell County to issue said bonds and notwithstanding any defects or irregularities in the proceedings authorizing the said bonds or in the sale, execution or delivery thereof and the said bonds are hereby declared to be legal, valid and enforceable obligations of the County of Caldwell.

Sec. 2. That all laws, parts of laws, in conflict with the provisions of this Act be and the same are hereby repealed.

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

Ratified this the 12th day of March, A.D. 1935.

CHAPTER 147

AN ACT TO AMEND CHAPTER FOUR HUNDRED AND TWENTY-NINE OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND TWENTY-NINE ENTITLED "AN ACT TO EMPOWER THE BOARD OF COUNTY COMMISSIONERS OF DURHAM COUNTY TO ESTABLISH AN ELECTRICAL INSPECTION OFFICE FOR SAID COUNTY AND TO EMPLOY A COMPETENT ELECTRICIAN TO ACT AS INSPECTOR FOR SAID COUNTY."

The General Assembly of North Carolina do enact:

Section 1. That Section two of Chapter four hundred and twenty-nine of the Public-Local Laws of one thousand nine hundred and twenty-nine be, and the same is hereby amended by striking out all of said Section two and inserting in lieu thereof the following: "That the compensation of said electrical inspector shall be derived from inspection fees collected by him as herein provided for."
SEC. 2. That Section four of said Act be amended by striking out the comma after the word “Durham” in line two of said section and inserting in lieu thereof a period. That the remaining words after the period after the word “Durham” in line two of said Section four be stricken out.

SEC. 3. That Section five of said Act be and the same is hereby repealed and the following inserted in lieu thereof: “That all fees collected by said electrical inspector may be retained by him for services rendered, as provided in this Act.”

SEC. 4. That Section forty-nine of said Act be amended by striking out all the words between the period after the word “Durham” in line three of said section and the period after the word “prescribed” in line four of said section.

SEC. 5. That in addition to the fees provided for in said Act, said Electrical Inspector may be permitted to charge the following fees:

For inspection of “roughing in” — one dollar ($1.00).
For inspection of “finishing” — one dollar ($1.00).

SEC. 6. That 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 13th day of March, A.D. 1935.

S. B. 257

CHAPTER 148

AN ACT TO AMEND CHAPTER ONE HUNDRED NINE OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-ONE RELATING TO JURY COMMISSION OF CHEROKEE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter one hundred nine, Public-Local Laws of one thousand nine hundred thirty-one, as amended by Chapter two hundred four, Public-Local Laws of one thousand nine hundred thirty-three, except as herein amended, be, and the same is hereby, re-enacted.

SEC. 2. That Section four of said Act be, and the same is hereby amended by striking therefrom the word “forty” after the word “of” and before the word “qualified” in line five of said section, and inserting in lieu thereof the words “forty-six.”

SEC. 3. That Section seven of said Act be amended to read as follows: “That Harve Whitaker, of Andrews, North Carolina, Tom King, of Ranger, North Carolina, and Bascomb Carroll, of Murphy, North Carolina, be, and they are hereby, appointed and

Jury Commission named for Cherokee County.
continued in office as the Jury Commission for Cherokee County for a period of two years from and after the expiration of their present term of office, that is to say, for a period of two years from and after the tenth day of March, one thousand nine hundred and thirty-five.

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 the date of its ratification.

Ratified this the 13th day of March, A.D. 1935.

S. B. 217

CHAPTER 149

AN ACT FIXING THE FEES TO BE COLLECTED BY THE CLERK OF THE SUPERIOR COURT OF YADKIN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the fees of the Clerk of the Superior Court of Yadkin County shall be the following and no other; which said fees shall be collected by the said Clerk:

Affidavit .......................................................... $ .25
Appeal from Justice of the Peace .................................... .50
Appeal from the Clerk to the Judge ................................ .50
Appeal to the Supreme Court ...................................... 2.00
Appointing and qualifying Justice of the Peace ................... .25
Apprenticing infant, including indenture .......................... 1.25
Attachment, order in ............................................... .75

Auditing account of receiver, executor, administrator, guardian or other trustee, required to render accounts if not over three hundred dollars, seventy cents; if over three hundred dollars and not exceeding one thousand dollars, one dollar............................ 1.00
If over one thousand dollars........................................ 1.25

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 exceeding two thousand dollars; and for all sums over two thousand dollars, one tenth of one per cent on such excess; but such fees shall not exceed fifteen dollars unless there be a contest, when the Clerk shall have one per cent on the said excess over one thousand dollars; but in no instance shall his fees exceed twenty-five dollars.
Auditing and recording the final accounts of commissioners appointed to sell real estate, one-half of the fees allowed for auditing and recording final accounts of executors.

<table>
<thead>
<tr>
<th>Service Description</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bill of cost, preparing same</td>
<td>.50</td>
</tr>
<tr>
<td>Bond or undertaking, including justifications</td>
<td>.75</td>
</tr>
<tr>
<td>Cancelling notice of lis pendens</td>
<td>.25</td>
</tr>
<tr>
<td>Capias, each defendant</td>
<td>1.50</td>
</tr>
<tr>
<td>Capias, when the defendant is not arrested thereunder,</td>
<td></td>
</tr>
<tr>
<td>shall be such sum as the Commissioners of his County may allow.</td>
<td></td>
</tr>
<tr>
<td>Caveat to a will, entering and docketing same for trial</td>
<td>1.50</td>
</tr>
<tr>
<td>Certificate, except where it is a charge against the County</td>
<td>.50</td>
</tr>
<tr>
<td>and where it is a charge against the County, the fee shall be such sum not exceeding twenty-five cents as the Board of Commissioners may allow.</td>
<td></td>
</tr>
<tr>
<td>Commission, issuing</td>
<td>1.00</td>
</tr>
<tr>
<td>Continuance</td>
<td>.50</td>
</tr>
<tr>
<td>Docketing ex parte proceedings</td>
<td>.75</td>
</tr>
<tr>
<td>Docketing indictments</td>
<td>.35</td>
</tr>
<tr>
<td>Docketing liens</td>
<td>.35</td>
</tr>
<tr>
<td>Docketing judgments</td>
<td>.50</td>
</tr>
<tr>
<td>Docketing summonses</td>
<td>.50</td>
</tr>
<tr>
<td>Execution and return thereon, including docketing</td>
<td>1.00</td>
</tr>
<tr>
<td>and certifying return to Clerk of any County where</td>
<td></td>
</tr>
<tr>
<td>judgment is docketed</td>
<td>.25</td>
</tr>
<tr>
<td>Filing all papers</td>
<td>.15</td>
</tr>
<tr>
<td>Guardian, appointment of, including taking bond and</td>
<td></td>
</tr>
<tr>
<td>Justification</td>
<td>1.50</td>
</tr>
<tr>
<td>Impaneling jury</td>
<td>.10</td>
</tr>
<tr>
<td>Indexing judgment on cross-index book</td>
<td>.10</td>
</tr>
<tr>
<td>Indexing liens on lien book</td>
<td>.10</td>
</tr>
<tr>
<td>Indictment, each defendant in the bill</td>
<td>1.00</td>
</tr>
<tr>
<td>Injunction, order for, including taking bond or undertaking</td>
<td>1.00</td>
</tr>
<tr>
<td>Judgment, final, in term-time, civil action</td>
<td>1.25</td>
</tr>
<tr>
<td>Judgment, final, against each defendant, in criminal</td>
<td>1.25</td>
</tr>
<tr>
<td>actions</td>
<td></td>
</tr>
<tr>
<td>Judgment, final, before the Clerk</td>
<td>1.00</td>
</tr>
<tr>
<td>Judgment by confession, without notice, all services</td>
<td>3.00</td>
</tr>
<tr>
<td>Judgment in favor of widow for year's support</td>
<td>.75</td>
</tr>
<tr>
<td>Judgment nisi, entering against a defaulting witness or</td>
<td></td>
</tr>
<tr>
<td>juror on bail bond or recognizance</td>
<td>.50</td>
</tr>
<tr>
<td>Juror ticket, including jurat</td>
<td>.10</td>
</tr>
<tr>
<td>Justification of sureties on any bond or undertaking,</td>
<td></td>
</tr>
<tr>
<td>except as otherwise provided</td>
<td>.50</td>
</tr>
<tr>
<td>Letters of administration, including bond and justification of parties</td>
<td>2.00</td>
</tr>
</tbody>
</table>
### 1935—Chapter 149

<table>
<thead>
<tr>
<th>Service Description</th>
<th>Fee ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Motions, entry of record of</td>
<td>0.50</td>
</tr>
<tr>
<td>Notices</td>
<td>0.35</td>
</tr>
<tr>
<td>and for each name over one, in same paper additional</td>
<td>0.10</td>
</tr>
<tr>
<td>Notifying Solicitors of removal of guardian</td>
<td>1.00</td>
</tr>
<tr>
<td>Order enlarging time for pleading, and all interlocutory orders, in special proceeding and civil actions</td>
<td>0.50</td>
</tr>
<tr>
<td>Order of arrest</td>
<td>1.00</td>
</tr>
<tr>
<td>Order for appearance of apprentice, on complaint of master</td>
<td>1.00</td>
</tr>
<tr>
<td>for appearance of master on complaint of apprentice</td>
<td>1.00</td>
</tr>
<tr>
<td>Order for the registration of a deed or other writing, which has been proved or acknowledged in another County, or before a judge, justice, notary or other officer, except a chattel mortgage</td>
<td>0.25</td>
</tr>
<tr>
<td>Postage, actual amount necessarily expended.</td>
<td></td>
</tr>
<tr>
<td>Presentment, each person presented</td>
<td>0.15</td>
</tr>
<tr>
<td>Probate of a deed or other writing, proved by a witness, including the certificate</td>
<td>0.25</td>
</tr>
<tr>
<td>Probate of a deed or other writing, acknowledged by the signers or makers, including all except married women who acknowledge at the same time, with the certificate thereof</td>
<td>0.25</td>
</tr>
<tr>
<td>Probate of a deed, or other writing, executed by a married woman, for her acknowledgment and private examination with the certificate thereof</td>
<td>0.25</td>
</tr>
<tr>
<td>Probate of a chattel mortgage, including the certificate</td>
<td>0.10</td>
</tr>
<tr>
<td>Probate of limited partnership</td>
<td>0.50</td>
</tr>
<tr>
<td>Probate of will in common form and letters testamentary</td>
<td>2.00</td>
</tr>
<tr>
<td>Qualifying Justice of the Peace, to be paid by the Justice</td>
<td>0.25</td>
</tr>
<tr>
<td>Qualifying members of the Board of Commissioners, to be paid by the Commissioners</td>
<td>0.25</td>
</tr>
<tr>
<td>Recognizance, each party where no bond is taken</td>
<td>0.25</td>
</tr>
<tr>
<td>Recording and copying papers, per copy-sheet</td>
<td>0.15</td>
</tr>
<tr>
<td>Recording names, qualification, and expiration of term of office of Justice of the Peace, each name</td>
<td>0.05</td>
</tr>
<tr>
<td>Registering trained nurses, including certificate of registration</td>
<td>1.00</td>
</tr>
<tr>
<td>Recording certificates of incorporation of corporations</td>
<td>5.00</td>
</tr>
<tr>
<td>Recording names of jurors as required by law each</td>
<td>0.10</td>
</tr>
<tr>
<td>Resignation of guardian, relinquishment of right to administer, or to qualify as executor, receiving, filing and noting same</td>
<td>0.50</td>
</tr>
<tr>
<td>Seal of office when necessary</td>
<td>0.25</td>
</tr>
<tr>
<td>Subpoena, each name</td>
<td>0.20</td>
</tr>
<tr>
<td>Summons, in civil actions or special proceedings including all the names therein</td>
<td>1.25</td>
</tr>
<tr>
<td>and for every copy thereof</td>
<td>0.25</td>
</tr>
</tbody>
</table>
Transcript of Judgment ................................................................. .45
Transcript of any matter of record or papers on file per copy-sheet ......................................................... .20
Trial of any cause or stating an account, as referee, pursuant to order of the Judge, such allowance as the Judge may make.
Witness tickets, including jurat .................................................. .10
Five per cent commissions shall be allowed the clerk on all fines, penalties, amerceements and taxes paid the clerk by virtue of his office;
and three per cent on all sums of money not exceeding five hundred dollars placed in his hands by virtue of his office except on judgments, decrees, and executions;
and upon the excess over five hundred dollars of such sums two per cent.
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 March, A.D. 1935.

H. B. 361 CHAPTER 150

AN ACT TO PROVIDE A DEPUTY SHERIFF FOR GRAHAM COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the Board of County Commissioners of Graham County is hereby authorized and empowered, only upon recommendation of the Sheriff, to employ a special Deputy Sheriff for Graham County whose duties shall be such as are regularly performed by Deputy Sheriffs. The deputy herein provided for shall receive a salary not to exceed fifty dollars per month in addition to the fees now allowed by law, said salary to be paid out of the general county funds. The said deputy shall serve until the first Monday in December, one thousand nine hundred and thirty-seven, at which time, and biennially thereafter the Board of Commissioners may in its discretion, fill said office for the next two 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 14th day of March, A.D. 1935.
CHAPTER 151

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 year one thousand nine hundred and thirty-five, and each year thereafter, prepare the tax list of said County, as provided by law, and as directed by and under supervision of the Board of Commissioners of said County, and shall receive for making out the original list and the copies required to be made such compensation as the Board of Commissioners of said County shall determine, to be paid by the Board of Commissioners of said County: Provided, that in no one year shall said compensation exceed the sum of seven hundred ($700.00) 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 14th day of March, A.D. 1935.

CHAPTER 152

AN ACT REGULATING THE SALARIES OF CERTAIN OFFICERS OF WAKE COUNTY, ALSO PROVIDING FOR THE DESIGNATION OF A CHIEF CLERK IN THE OFFICE OF THE AUDITOR OF WAKE COUNTY AND FIXING THE SALARY OF SUCH CHIEF CLERK.

The General Assembly of North Carolina do enact:

SECTION 1. That the Clerk of the Superior Court, the Sheriff, the Register of Deeds, the Treasurer, and Auditor of the County of Wake shall each receive a salary at the rate of Three Thousand Three Hundred Seventy-Five and No/100 Dollars per annum, payable in equally 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 any other source.

Sec. 2. That the Coroner of the County of Wake shall receive a salary at the rate of One Thousand Three Hundred Fifty and No/100 Dollars per annum, payable in equal monthly installments in full for his services as such officer.

Sec. 3. That a Chief Clerk shall be appointed by the Auditor of Wake County for the office of such County Auditor to hold
such position during the pleasure of the Auditor and to perform the work and duties incident to the position of Chief Clerk in such office, said Chief Clerk to be paid a salary by Wake County at the rate of One Thousand Eight Hundred and No/100 Dollars per annum, payable in equal monthly installments in full for his services as such Chief Clerk to the Auditor of the County of Wake: Provided that nothing herein shall be construed to increase the number of employees now allowed for the office of the Auditor of Wake 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 effect from and after April first, one thousand nine hundred and thirty-five.

Ratified this the 14th day of March, A.D. 1935.

H. B. 489  CHAPTER 153

AN ACT TO CREATE THE OFFICE OF TAX COLLECTOR FOR THE COUNTY OF BEAUFORT.

The General Assembly of North Carolina do enact:

Section 1. That the Board of Commissioners of the County of Beaufort is hereby authorized and empowered in its discretion to create the office of tax collector or tax collectors, and to appropriate money for its maintenance, and said Board is hereby authorized to appoint a tax collector or tax collectors, whose compensation and term of office shall be fixed by the said Board and said Commissioners, in their discretion, are authorized to divide said county in such number of tax collecting districts as they deem for the best interest of the county, and said tax collector or tax collectors, shall be responsible for the collection and settlement, as provided by law, for all taxes in their respective districts whether general, special or privilege taxes.

And said tax collector or tax collectors, herein provided for, shall be vested with the same power and authority, and subject to the same penalties and conditions as are now or may hereafter be given by the state to sheriffs in the collection of taxes, licenses, fees, penalties and other revenue.

That in addition to the foregoing duties, the Board of Commissioners are hereby authorized, in its discretion, to confer upon said tax collector or tax collectors 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. 2. The Board of Commissioners shall have complete control over said tax collector or tax collectors with power to dis-
1935—Chapter 153—154

Pay of office.

Treasurer's office abolished in Beaufort County.

charge without notice and shall fix his compensation and pay therefor out of the general funds of said County. Said Commissioners are authorized to pay said tax collector or tax collectors a salary or commissions or pay part salary and part commission as, in their judgment, is for the best interest of the County.

Said Commissioners shall provide the necessary office space, equipment and clerical assistance, and pay therefor out of the general funds of the county.

Any fees or commissions allowed the Sheriff or tax collector or tax collectors, under the laws now in force or hereinafter enacted, shall be turned over to the general funds of the county.

Sec. 3. That said Board of Commissioners shall require of such tax collector or tax collectors bonds conditioned as now required by law of the Sheriff in his capacity as tax collector; the amount of said bonds to be fixed by the Board of Commissioners and the premiums on said bonds to be paid by the county out of its general funds.

Sec. 4. The Board of Commissioners may, in its discretion, combine the office of tax collector with any other elective or appointive office, and may, in its discretion, appoint such elective or appointive officer as tax collector in addition to his other duties, and one such person may hold both offices.

Sec. 5. That upon the creation of the aforementioned office of tax collector and the appointment of tax collector or tax collectors, and upon their qualifying and assuming the duties of said office, the Sheriff of Beaufort County shall thereupon be relieved from any and all duties devolving upon him in the collection of taxes, fees, licenses and other revenue; but the Sheriff of Beaufort County shall continue to collect and account for all taxes for the year one thousand nine hundred thirty-four, as the law now provides.

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, except as herein otherwise specified.

Ratified this the 14th day of March, A.D. 1935.

H. B. 488

CHAPTER 154

AN ACT TO ABOLISH THE POSITION OF COUNTY TREASURER FOR THE COUNTY OF BEAUFORT.

The General Assembly of North Carolina do enact:

Section 1. That from and after the first Monday in December, one thousand nine hundred and thirty-six, the office of treasurer of Beaufort County be and the same is hereby abolished.
Sec. 2. That the duties of treasurer as now or hereafter provided by law shall thereafter be combined by the Board of Commissioners with any other elective or appointive office, and said Board may, in its discretion, appoint such elective or appointive officer as treasurer in addition to his other duties, and one such person may hold both offices.

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

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

Ratified this the 14th day of March, A.D. 1935.

H. B. 538    CHAPTER 155

AN ACT TO AMEND CHAPTER ONE HUNDRED NINETY-EIGHT, PUBLIC-LOCAL LAWS ONE THOUSAND NINE HUNDRED AND THIRTY-THREE, EXTENDING THE TIME FOR BEGINNING ACTIONS AGAINST A. J. FAGG, FORMER CLERK OF SUPERIOR COURT OF STOKES COUNTY, AND HIS OFFICIAL BOND.

The General Assembly of North Carolina do enact:

Section 1. That Section one, Chapter one hundred ninety-eight, Public-Local Laws, one thousand nine hundred and thirty-three, be and the same is hereby amended by striking out the words "thirty-five" in line five of said section and inserting in lieu thereof the words "thirty-seven."

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 March, A.D. 1935.

H. B. 494    CHAPTER 156

AN ACT TO AUTHORIZE THE CLERK OF THE SUPERIOR COURT OF VANCE COUNTY TO EMPLOY A DEPUTY OR ASSISTANT CLERK.

The General Assembly of North Carolina do enact:

Section 1. That the Clerk of the Superior Court of Vance County is hereby authorized to employ a full time deputy clerk or assistant clerk, who shall be appointed by said clerk for the purpose of assisting in the duties devolving upon the office of the Clerk of the Superior Court of Vance County.
SEC. 2. That said Deputy Clerk or Assistant Clerk of the Superior Court, if appointed and employed by the Clerk of said Court, shall be paid an annual salary not to exceed twelve hundred ($1,200.00) dollars, payable monthly by the Board of County Commissioners of Vance County out of the general county fund.

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 14th day of March, A.D. 1935.

H. B. 566       CHAPTER 157

AN ACT TO PROVIDE FOR REGISTRATION OF PISTOLS
AND SIMILAR FIREARMS BY OWNERS THEREOF IN
DURHAM COUNTY,

The General Assembly of North Carolina do enact:

SECTION 1. That any person owning or possessing a pistol, revolver or short-arm machine gun or sub-machine gun, or having such pistol, revolver, short-arm machine gun or sub-machine gun under his control or custody or upon his premises, shall within sixty days of the ratification of this Act, come to the office of the Clerk of the Superior Court of the County, and register the same in the manner hereinafter provided. Where ownership or possession of a pistol, revolver or short-arm is acquired subsequent to the passage of this Act, the person so acquiring ownership or possession shall, within ten days after the purchase or transfer thereof, register the same in the manner hereinafter provided. Upon a subsequent sale or transfer of any registered pistol, revolver, short-arm machine gun or sub-machine gun the purchaser thereof shall within five days, report the same to the office of the Clerk of the Superior Court and cause such pistol, revolver or short-arm machine gun or sub-machine gun to be registered in the name of the new owner. The Clerk of the Superior Court may in his discretion require that the pistol, revolver, short-arm machine gun or sub-machine gun be presented to him for registration, such request to be made in written form.

SEC. 2. (a) That the Clerk of the Superior Court shall keep a book to be provided by the Board of County Commissioners, in which he is to keep a record of all registrations of pistols, revolvers or short-arm machine guns or sub-machine guns made under this Act. The record in such books shall include the name of the owner, place of residence, age, date of registration, date
and place of purchase, and description of the pistol, revolver, short-arm machine gun or sub-machine gun including the name of the make, model, manufacturer's number or other mark of identification.

(b) That the Clerk of the Superior Court shall issue to each owner so registering a pistol, revolver or short-arm machine gun or sub-machine gun a certificate of registration in the following form:

North Carolina

County

I, .................................. Clerk of the Superior Court of said County, do hereby certify that .................................. whose place of residence is .................................. Street in ........................ or in ........................ township, ........................ County, North Carolina, has registered the following described pistol, revolver, short-arm machine gun or sub-machine gun ..................................

.................................................................

This the ............... day of ............... 19.............

.................................................................

Clerk Superior Court

The Clerk of the Superior Court shall make no charge for such registration and issuance of such certificate.

Sec. 3. (a) Failure to register any pistol, revolver, short-arm machine gun or sub-machine gun in accordance with the provisions of this Act is hereby declared to be a misdemeanor and the owner thereof upon conviction may be punished by fine or imprisonment at the discretion of the court.

(b) Failure to report or make new registration of any pistol, revolver, short-arm machine gun or sub-machine gun pledged, deposited or mortgaged for the purpose of securing a loan or any gift of a pistol, revolver, short-arm machine gun or sub-machine gun within five days after making such mortgage, deposit, pledge, or gift shall be a misdemeanor.

Sec. 4. That all pistols, revolvers, short-arm machine guns or sub-machine guns not registered in the manner provided by this Act are subject to confiscation, and when such pistol, revolver, short-arm machine gun or sub-machine gun is found by any peace officer he shall impound it and hold the same for a period of ten days. If the owner shall appear and show a proper registration for said pistol, revolver, short-arm machine gun or sub-machine gun within the said ten days, such shall be returned to the owner. Otherwise, the Sheriff of the County shall destroy the same within the year.

Sec. 5. That upon arraignment for trial of any person for committing or attempting to commit a felony, any pistol, revolver,
short-arm machine gun or sub-machine gun found in his possession, custody or control shall be impounded by the peace officer and upon conviction, the pistol, revolver, short-arm machine gun or sub-machine gun so impounded, whether registered or unregistered, shall upon order of the court be confiscated and destroyed and the Sheriff of the County shall destroy the same within the year.

SEC. 6. (a) That it shall be a misdemeanor for any person to change, alter or obliterate the name of the make, model, manufacturer's number or any other mark of identification on any pistol, revolver, short-arm machine gun or sub-machine gun and upon conviction may be punished by fine or imprisonment at the discretion of the court.

(b) That any pistol, revolver, short-arm machine gun or sub-machine gun found to have been so changed or altered shall be subject to confiscation, and shall be destroyed as heretofore provided.

SEC. 7. That this Act shall not apply to antique firearms unsuitable for use and possessed solely as curiosities or ornaments.

SEC. 8. That the word "person" as used in this Act, includes firm, partnership, association or corporation, and the masculine shall include the feminine and the neuter. If any part of this Act is for any reason declared void such invalidity shall not affect the remaining portions of the Act.

SEC. 9. That the provisions of this Act shall apply only to the County of Durham.

SEC. 10. That this Act shall be in full force and effect from and after its ratification.

Ratified this the 15th day of March, A.D. 1935.
The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of Surry County shall be, and said Board is authorized and empowered to adjust, fund and refund the bonded indebtedness of said County of Surry, other than school bonds, in the manner hereinafter set forth.

Sec. 2. That the Board of Commissioners of Surry County be and it is hereby authorized and empowered, as may be from time to time agreed between the said County of Surry and holders of any bonds hereinbefore mentioned, and as the said Board of Commissioners may determine, to issue bonds of the County of Surry maturing as follows: Five hundred fifty thousand dollars ($550,000.00) in fifteen years from date of issue; eight hundred thousand dollars ($800,000.00) maturing in thirty years from date of issue. That out and from said bonds, whether sold or exchanged, bonds now outstanding, other than school bonds, shall be retired. That the rate of interest authorized herein shall not exceed in any event four and one-fourth per cent (4 1/4%).

Sec. 3. That the Board of Commissioners of Surry County upon issuing bonds as herein authorized shall, for the purposes herein set out, levy a tax sufficient to yield ninety thousand dollars ($90,000) net per year, and from the taxes so collected shall pay the interest on bonds issued by authority of this Act, and the remainder of said taxes annually collected the said Commissioners shall place in a sinking fund, which sinking fund may be invested in government, State of North Carolina or Surry County bonds of following maturities.

Sec. 4. That in the event the said Board of Commissioners shall be unable to negotiate and adjust with bondholders for the full amount of one million three hundred and fifty thousand dollars ($1,350,000), the said Board of Commissioners shall adjust such bonds thereof as it may be able, and in which event there shall be levied annually for debt service a proportionate tax levy so as to pay interest at a rate not exceeding four and one-fourth per cent (4 1/4%), and create a sinking fund in the same proportion as the levy of ninety thousand dollars ($90,000) bears to one million three hundred and fifty thousand dollars ($1,350,000).

Sec. 5. That bonds issued under authority herein and for the purpose of adjusting and retiring the now outstanding bonds of the County of Surry, other than school bonds, when executed by authority of the Board of Commissioners, signed by the chairman, as well as interest coupons attached thereto, shall become and be a valid and binding obligation of the County of Surry.

Sec. 6. That as bonds now outstanding are retired by issue and delivery of bonds hereby and herein authorized, such retired bonds shall be taken up and by the Board of Commissioners cancelled.
Sec. 7. That it is the intent and purpose of this Act, and it shall be so liberally construed, that the Board of Commissioners of the County of Surry be authorized and empowered to adjust and retire outstanding bonds of the County of Surry, regardless of maturities, but other than school bonds, by the substitution or issuance of new bonds maturing fifteen and thirty years, as hereinbefore provided, and at a rate of interest not exceeding four and one-fourth per cent (4 1/4 %), and to the end that a sinking fund may be provided and shall be provided for the retiring of said newly issued bonds promptly upon maturity.

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

Ratified this the 15th day of March, A.D. 1935.

S. B. 29

CHAPTER 159

AN ACT TO PROVIDE A CLOSED SEASON FOR HUNTING FOXES IN MONTGOMERY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful to hunt for or kill foxes in Montgomery County from March first to September first.

Sec. 2. That any one 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 15th day of March, A.D. 1935.

S. B. 229

CHAPTER 160

AN ACT VALIDATING TAX SALES IN SURRY COUNTY AND IN INCORPORATED TOWNS WITHIN SURRY COUNTY, AND FOR OTHER PURPOSES.

The General Assembly of North Carolina do enact:

SECTION 1. That all tax sales heretofore had and held by any sheriff or tax collector of the County of Surry and the municipalities therein, whether had on dates provided heretofore by law, be and the same are hereby validated and declared to be
valid as if the same had been held at such time as the law or Acts of the General Assembly may have heretofore provided.

Sec. 2. That all actions and proceedings in foreclosure of tax certificates in those cases where lands have been purchased by the County of Surry or any of its municipalities, commenced by the issuing of summons or otherwise, are declared pending and it is further declared and provided that alias summons may issue in every case where service has not been actually obtained: and the same shall be valid and binding and in full force and effect.

Sec. 3. That the time for beginning foreclosure proceedings, where such proceedings have not actually been commenced, on tax sales certificates for the year one thousand nine hundred and thirty-three and former years, shall be and the same is extended until December first, one thousand nine hundred and thirty-five, within which time and at any time prior to that date actions may be brought to foreclose on said certificates of sale, and no statute of limitations shall bar the right and authority to foreclose under the said certificates.

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

Ratified this the 15th day of March, A.D. 1935.

S. B. 248

CHAPTER 161

AN ACT TO AMEND CHAPTER ONE HUNDRED FORTY-ONE OF PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED TWENTY-FIVE RELATING TO THE OFFICE OF PURCHASING AGENT, TAX SUPERVISOR, AND BOOKKEEPER FOR SURRY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Section nine of Chapter one hundred and forty-one of the Public-Local Laws of one thousand nine hundred and twenty-five be stricken out, and the following substituted in lieu therefor: "That said officer is hereby appointed and constituted county accountant for Surry County as fully as if such appointment were made under the provisions of the general law relating to county accountants, and no additional salary shall be paid purchasing agent, tax supervisor, and bookkeeper to that provided for in said Chapter one hundred and forty-one of the Public-Local Laws of one thousand nine hundred and twenty-five."

Sec. 2. That the Board of Commissioners of Surry County is hereby empowered to designate and appoint one or more banks
within the County of Surry as treasurer of said County of Surry, which shall be clothed with all the power and authority and charged with the performance of all duties and subject to all liabilities and penalties as are provided for in Chapter two hundred and sixty of the Consolidated Statutes of North Carolina. That said bank or banks so designated or appointed treasurer as aforesaid shall execute or provide such bonds as are required by law of banks acting as treasurer of counties within the State of North Carolina.

SEC. 3. That the said bank or banks so designated as treasurer of Surry County shall furnish to the county accountant daily a duplicate deposit slip of all monies received by said treasurer, and shall monthly make its report, and the county accountant shall make his report to the Board of Commissioners of Surry County.

SEC. 4. That the bank or banks so designated as Treasurer shall enter upon its or their duties as Treasurer within sixty days from the ratification of this Act, and shall hold office until December first, one thousand nine hundred and thirty-six, and thereafter until a successor shall have been appointed as Treasurer.

SEC. 5. That the bond of the tax supervisor, purchasing agent, bookkeeper, and county accountant shall be ten thousand dollars ($10,000) 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 15th day of March, A.D. 1935.

S. B. 253  CHAPTER 162

AN ACT TO PERMIT THE BOARD OF COUNTY COMMISSIONERS OF UNION COUNTY TO PROVIDE RULES AND REGULATIONS FOR THE PAYMENT OF TAXES BY INSTALLMENTS.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners of Union County is authorized and empowered to make such reasonable rules and regulations providing for the payment of taxes in installments as in its discretion may be deemed expedient for the efficient collection thereof, provided any such rules and regulations shall not be in conflict with the general State law relating to collection of past due taxes.
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 15th day of March, A.D. 1935.

S. B. 301  \hspace{1cm} \text{CHAPTER 163}

AN ACT TO AMEND CHAPTER TWO HUNDRED THIRTY-NINE PUBLIC-LOCAL LAWS OF THE SESSION OF ONE THOUSAND NINE HUNDRED AND THIRTY-THREE RELATING TO TAX COMMISSION FOR CHEROKEE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Section eight, Chapter two hundred and thirty-nine of Public-Local Laws of the session one thousand nine hundred and thirty-three, be amended so as to read as follows: That W. T. Moore under the appointment of the original Act shall continue to serve the remainder of his unexpired term there designated, and that J. W. McMillan, of Murphy, North Carolina, and W. W. Barton, of Letitia, North Carolina, be, and they are hereby appointed members of the said Cherokee County Tax Commission for the regular term of four years from and after the first day of December, one thousand nine hundred and thirty-five, and Walter Anderson, the member appointed by the original Act, having resigned, the said W. W. Barton is hereby appointed to fill out the unexpired term of Walter Anderson, that is to say, from the date of the ratification of this Act until the first day of December, one thousand nine hundred and thirty-five.

Sec. 2. That the tax abstracts and tax receipt books of Cherokee County shall be made up by the person now designated by law for such person, to-wit, the Register of Deeds of Cherokee County, North Carolina, and he shall receive as compensation for receiving the lists from the list-takers and Board of Equalization and Review when their work is completed, checking and correcting said lists, preparing the abstracts and making out the tax receipts and the performance of any and all duties in connection therewith a reasonable compensation, to be fixed by the Board of County Commissioners of Cherokee County, North Carolina, but in no event to exceed the sum of one thousand ($1,000.00) dollars per 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 the date of its ratification.

Ratified this the 18th day of March, A.D. 1935.
H. B. 395  

CHAPTER 164

AN ACT TO AMEND CHAPTER SIX HUNDRED AND FOURTY-SEVEN OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND ELEVEN, RELATING TO THE RECORDER’S COURT OF THOMASVILLE.

The General Assembly of North Carolina do enact:

SECTION 1. That Section two of Chapter six hundred and forty-seven of the Public-Local Laws of the session of one thousand nine hundred and eleven be, and the same is hereby amended by striking out in lines two and three thereof the following: “The Town of Thomasville,” and inserting in lieu thereof, “Thomasville Township.”

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

Ratified this the 18th day of March, A.D. 1935.

H. B. 336  

CHAPTER 165

AN ACT TO REPEAL CHAPTERS SIX HUNDRED AND ELEVEN AND SIX HUNDRED AND FIFTY-SIX, PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND TWENTY-SEVEN; CHAPTERS THIRTY-FIVE AND TWO HUNDRED AND THIRTY-FIVE, PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND TWENTY-NINE; CHAPTER TWO HUNDRED AND SEVENTEEN, PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-ONE; AND CHAPTER FIVE HUNDRED AND THIRTY-FOUR, PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-THREE, RELATING TO SHOOTING MIGRATORY WATER FOWLS IN HYDE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. The following laws and all amendments thereof are hereby expressly repealed, to-wit: Chapters six hundred and eleven and six hundred and fifty-six, Public-Local Laws of nineteen hundred and twenty-seven; Chapters thirty-five and two hundred and thirty-five, Public-Local Laws of nineteen hundred and twenty-nine; Chapter two hundred and seventeen, Public-Local Laws of nineteen hundred and thirty-one; and Chapter five hundred and thirty-four, Public-Local Laws of nineteen hundred and thirty-three; and all other laws and parts of laws inconsistent with the provisions of this Act are hereby repealed.
SEC. 2. If any portion of this Act be held invalid, it is the legislative intent that the remainder shall be deemed separable therefrom, and shall remain in effect.

SEC. 3. That this Act shall apply only to Hyde County.

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

Ratified this the 18th day of March, A.D. 1935.

H. B. 384

CHAPTER 166


The General Assembly of North Carolina do enact:

SECTION 1. That Chapter five hundred and seventy-three of the Public-Local Laws of North Carolina, session one thousand nine hundred and twenty-five, be and the same is hereby repealed, and the Game Commission of Cabarrus County, created by said Act, is hereby abolished.

SEC. 2. That said Game Commission of said county created by said Act is hereby directed to surrender and turn over all funds now in its treasury to the Game Commission of said Cabarrus County provided and created in and by the general State-wide Game Laws of North Carolina, to be appropriated and used by said County Game Commission for the propagation of game birds and animals in said Cabarrus County in the discretion of said Commission.

SEC. 3. That from and after the ratification of this Act Cabarrus County shall come under and be subject to the General Game Laws of North Carolina, as provided in Chapter fifty-one of the Public Laws of one thousand nine hundred and twenty-seven, as amended by Chapter four hundred and twenty-two of the Public Laws of one thousand nine hundred and thirty-three; and a Game Commission as therein provided shall become and be the Game Commission for Cabarrus County.

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

Ratified this the 18th day of March, A.D. 1935.
H. B. 571  CHAPTER 167

AN ACT TO AMEND CHAPTER THREE HUNDRED NINETY-FIVE PUBLIC-LOCAL LAWS OF NORTH CAROLINA OF ONE THOUSAND NINE HUNDRED AND THIRTY-THREE SO AS TO ADD SOLICITOR'S FEES TO THE COST BILLS IN CERTAIN CRIMINAL ACTIONS TRIED IN THE GENERAL COUNTY COURT OF WILSON COUNTY, TO AUTHORIZE THE JUDGE OF SAID COURT TO EXERCISE HIS DISCRETION IN REMITTING SAID FEES IN CASES OF CONVICTIONS FOR VIOLATING TOWN ORDINANCES, TO PROVIDE FOR THE PAYMENT OF CERTAIN ITEMS IN THE BILLS OF COST INTO THE GENERAL COUNTY FUND OF WILSON COUNTY, AND TO FURTHER AUTHORIZ'E THE JUDGE OF SAID COUNTY COURT TO HAVE THE ASSISTANCE OF A JURY IN CERTAIN CRIMINAL CASES WHEN IN HIS OPINION THE ENDS OF JUSTICE WILL BE BETTER MET THEREBY.

The General Assembly of North Carolina do enact:

SECTION 1. That Section two of Chapter three hundred and ninety-five of the Public-Local Laws of North Carolina of one thousand nine hundred and thirty-three be, and the same is hereby amended as follows: by inserting after the word jury in the second line of said section the following: "except as hereinafter provided" and by adding to said section two and at the end thereof the following: "Provided further that the Judge may, in his discretion and when, in his opinion the ends of justice will be better met thereby, set any criminal case for trial at a time when there will be a jury functioning in said County Court at which time said case may be tried by a jury in the same manner, and with the same right of appeal as is now provided in Chapter two hundred and sixteen of the Public Laws of North Carolina of one thousand nine hundred and twenty-three."

SEC. 2. That said Chapter three hundred and ninety-five of the Public-Local Laws of North Carolina, one thousand nine hundred and twenty-three, be and the same is hereby amended by striking out Section four thereof and inserting in lieu thereof the following: "That there shall not be a jury tax or fee charged in the trial of criminal cases in the General County Court of Wilson County, except in cases where the Judge, in the exercise of his discretion shall order a jury as above provided, in Section one hereof, but there shall be a Solicitor's fee of six dollars taxed against each defendant, in each warrant where such defendant is convicted, provided however, the Judge of said Court, in his discretion may remit said Solicitor's fee in cases where the charge is only a violation of a town ordinance."
Sec. 3. That said Chapter three hundred ninety-five Public-
Local Laws of North Carolina, one thousand nine hundred and
thirty-three, be and the same is hereby amended by striking out
Section eight thereof and inserting in lieu thereof the following:
"Section 8. That the usual witness fees of all salaried officers
of the City of Wilson and the County of Wilson shall be included
by the Clerk in the bills of cost whether proved by said officers
or not, and when collected, said fees, together with all Solicitor's
fees and Stenographer's fees in criminal actions, 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 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. 4. That all laws and clauses of laws in conflict with the
provisions of this Act are hereby repealed.

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

Ratified this the 18th day of March, A.D. 1935.

H. B. 533    CHAPTER 168

AN ACT TO VALIDATE SALES OF REAL ESTATE FOR
TAXES IN PITT COUNTY AND MUNICIPALITIES THERE-
IN, AND TO FIX THE DATE FOR ADVERTISING AND
SELLING REAL ESTATE FOR TAXES.

The General Assembly of North Carolina do enact:

SECTION I. That the sales of real estate for taxes in Pitt
County and all municipalities therein for the years one thousand
nine hundred thirty-one, one thousand nine hundred and thirty-two
and one thousand nine hundred thirty-three are hereby validated,
confirmed and approved, and are hereby declared to be in all
respects in full force and effect.

Sec. 2. The sale of real estate for taxes shall be made at the
courthouse door in Pitt County between the hours of ten o'clock
in the forenoon and four o'clock in the afternoon of the first Mon-
day in November of the year next succeeding the year for which
the taxes are unpaid, or upon the first Monday of any subsequent
month, and the sales of lands for taxes by municipalities in Pitt
County shall be held on the second Monday in November of the
year next succeeding the year for which the taxes are unpaid,
after giving the required notice of sale, but, if necessary, the sale
may be continued from day to day until all the property adver-
As to Pitt County only.
Conflicting laws repealed.

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tised shall be disposed of. If for any reason, the sale is not
made on the day prescribed, another day may be set by the Coun-
ty Commissioners or the governing body of said municipalities
at a regular meeting, and the sale shall be held on such day,
after giving the required notice of sale.

Sec. 3. That this Act shall apply only to Pitt County.

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 18th day of March, A.D. 1935.

H. B. 578

CHAPTER 169

AN ACT TO REPEAL CHAPTER FIVE HUNDRED TWENTY-
SIX PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE
HUNDRED TWENTY-THREE RELATIVE TO PAYMENT OF
INSOLVENT COURT COST IN CUMBERLAND COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That Chapter five hundred and twenty-six Public-
Local Laws of one thousand nine hundred and twenty-three be,
and the same is hereby in all respects repealed.

Sec. 2. That the payment of insolvent court cost by the Coun-
ty of Cumberland shall be made in accordance with and under
the general laws of the State for the payment of said insolvents.

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 18th day of March, A.D. 1935.

H. B. 588

CHAPTER 170

AN ACT TO CREATE AND ESTABLISH A BUREAU OF IDENT-
IFICATION FOR THE COUNTY OF NEW HANOVER.

The General Assembly of North Carolina do enact:

Section 1. That in order to provide for the performance of
the duties hereinafter designated and defined, there is hereby
created and established a Bureau of Identification for the Coun-
ty of New Hanover.
Sec. 2. That on the first Monday in May, one thousand nine hundred and thirty-six, and every two years thereafter, there shall be appointed by the County Commissioners of New Hanover County and the City Commissioners of the City of Wilmington an Identification Expert who shall be in charge of the herein created Bureau of Identification to be under the supervision of the governing bodies of the County of New Hanover and the City of Wilmington. In case the two bodies disagree as to the naming of the Identification Expert, then, in that event, the Clerk of the Superior Court of New Hanover County shall cast the deciding ballot. The salary of the said Identification Expert shall be fixed by the County Commissioners of New Hanover County and the City Commissioners of the City of Wilmington and shall be paid in equal monthly installments, the said salary to be paid jointly by the County of New Hanover and the City of Wilmington.

Sec. 3. That it shall be the duty of the Identification Expert to finger print and photograph such persons arrested in New Hanover County, for any offense, when in his opinion, or the opinion of the governing bodies of the City of Wilmington and the County of New Hanover, the crime with which said person is charged or suspected warrants the finger printing or photographing of such person.

Sec. 4. That it shall also be the duty of the Identification Expert to make photographs of the scene of all homicides and to assist the Sheriff of New Hanover County and the police of the City of Wilmington in all matters for the apprehension of criminals, and the said Identification Expert shall be vested with the authority of a Deputy Sheriff of New Hanover County.

Sec. 5. That the County of New Hanover and the City of Wilmington shall provide suitable office space, including one room for a reception room and another for a photographing room, and shall also provide the necessary filing cabinets and such other equipment as may be requested by the Identification Expert for the proper performance of the duties of his office, said equipment not to exceed in cost the sum of one thousand dollars which shall be borne jointly by the City of Wilmington and the County of New Hanover.

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 18th day of March, A.D. 1935.
H. B. 621  
CHAPTER 171

AN ACT TO REPEAL CHAPTER ONE HUNDRED AND THREE OF PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-ONE, RELATIVE TO EXCLUSIVE STOCK LAW IN JACKSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter one hundred and three of the Public-Local Laws of one thousand nine hundred and thirty-one be, and the same is hereby repealed insofar as it relates to Canada Township in Jackson County.

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

Ratified this the 18th day of March, A.D. 1935.

H. B. 589  
CHAPTER 172

AN ACT TO VALIDATE SALES OF REAL ESTATE FOR TAXES IN PITT COUNTY DRAINAGE DISTRICT NUMBER ONE AND PITT COUNTY DRAINAGE DISTRICT NUMBER TWO, AND TO FIX THE DATE FOR ADVERTISING AND SELLING REAL ESTATE FOR TAXES.

The General Assembly of North Carolina do enact:

SECTION 1. That the sales of real estate for taxes by Pitt County Drainage District Number One and Pitt County Drainage District Number Two for the years nineteen hundred and thirty-one, nineteen hundred and thirty-two and nineteen hundred and thirty-three are hereby validated, confirmed and approved, and are hereby declared to be in all respects in full force and effect.

SEC. 2. That sale of real estate for taxes by Pitt County Drainage District Number One and Pitt County Drainage District Number Two shall be made at the courthouse door in Pitt County between the hours of ten o'clock in the forenoon and four o'clock in the afternoon of the first Monday in November of the year next succeeding the year for which the taxes due and unpaid, or on the first Monday in any subsequent month, after giving the required notice of sale; but if necessary, the sale may be continued from day to day until all of the property advertised shall be sold. If for any reason, the sale is not made on the day prescribed, another day may be set by the Board of Commissioners of said drainage districts, and the sale shall be held on such day, after giving the required notice of sale.
Sec. 3. That this Act shall apply only to the following drainage districts: Pitt County Drainage District Number One and Pitt County Drainage District Number Two.

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 18th day of March, A.D. 1935.

H. B. 662

CHAPTER 173

AN ACT TO AMEND SENATE BILL NUMBER ONE HUNDRED EIGHTY-ONE OF THE ONE THOUSAND NINE HUNDRED AND THIRTY-FIVE SESSION OF THE GENERAL ASSEMBLY OF NORTH CAROLINA, THE SAME BEING AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A CIVIL SERVICE BOARD FOR THE RURAL POLICE SYSTEM OF MECKLENBURG COUNTY, TO CORRECT A TYPOGRAPHICAL ERROR WHICH APPEARS THEREIN.

The General Assembly of North Carolina do enact:

Section 1. That Senate Bill number one hundred eighty-one of the session of one thousand nine hundred thirty-five of the General Assembly of North Carolina, which was duly ratified on the twenty-seventh day of February, one thousand nine hundred thirty-five, be and the same is hereby amended by striking out in the last sentence of Section twelve of said bill after the word "certificate" and before the word "overruled" the words "the said Civil Service Board shall."

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

Ratified this the 18th day of March, A.D. 1935.

H. B. 678

CHAPTER 174

AN ACT RELATIVE TO THE SALARIES OF OFFICERS OF NASH COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That Section one, Chapter one hundred and seventy-six, Public-Local Laws of one thousand nine hundred and thirty-three, be amended by striking out all of said section after the colon, between the words "following" and "the", in line twenty-two, and inserting in lieu thereof the following: "That from and after the first Monday in December, one thousand nine hun-
Mileage allowance.

Ch. 443, Public-
Local Laws 1923, amended.

Allowance for
School Supervisor.

Conflicting laws
repealed.

Effective date.

dred and thirty-four, the members of the Board of County Commissioners of Nash County, other than the Chairman, shall receive a salary of three hundred dollars ($300.00) per annum, and the Chairman of the Board of County Commissioners shall receive a salary of three hundred and fifty dollars ($350.00) per annum, and each member of the board, including the Chairman, shall be allowed mileage to and from the respective places of meeting or otherwise discharging their official duties, not to exceed five cents per mile. All of said salaries shall be paid monthly out of the county funds."

SEC. 2. That Section four, Chapter four hundred and thirteen, Public-Local Laws of one thousand nine hundred and twenty-three, be amended by striking out between the word "allowed" in line three and the word "to" in line four the words "the sum of five hundred dollars ($500.00) per annum," and inserting in lieu thereof "annually such sum as the County Commissioners of Nash County shall fix." The County Commissioners of Nash County are further authorized and empowered to fix and pay such amount as said board and the County Board of Education of Nash County may agree upon for services heretofore rendered by the former Supervisor of Schools of Nash County.

SEC. 3. That all laws and clauses of laws, insofar as they duplicate the salaries herein fixed or conflict with this Act, are hereby repealed.

SEC. 4. That this Act shall be in full force as of the first Monday in December, one thousand nine hundred and thirty-four.

Ratified this the 18th day of March, A.D. 1935.

H. B. 216

CHAPTER 175

AN ACT TO VALIDATE THE ACTS OF BOARD OF COUNTY COMMISSIONERS OF HENDERSON COUNTY RELATIVE TO THE ACCEPTANCE OF CERTAIN BONDS FOR TAXES.

The General Assembly of North Carolina do enact:

SECTION 1. That the acts on the part of the Board of County Commissioners of Henderson County and the tax collector of said County in accepting bonds and interest coupons of the County at par in the payment of taxes and in the sale of tax sale certificates be, and the same are hereby ratified and validated.

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 March, A.D. 1935.
CHAPTER 176

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF HENDERSON COUNTY TO ACCEPT BONDS AND COUPONS IN PAYMENT OF CERTAIN TAXES.

The General Assembly of North Carolina do enact:

Section 1. That the Board of Commissioners and tax collectors of Henderson County are hereby authorized, empowered and directed to accept outstanding bonds of any maturity and/or due coupons of the County at par in settlement of any taxes owing to the County for the year one thousand nine hundred and thirty-two and prior years: Provided, that when the taxes are paid in bonds or past due coupons for the years one thousand nine hundred and thirty-one, or one thousand nine hundred and thirty-two, the taxpayer shall pay in cash the state levy for schools of fifteen cents.

Sec. 2. That when such bond and/or coupons have been so accepted, the tax collector of Henderson County shall be allowed full credit therefor in his settlement with the Board of County Commissioners on such taxes.

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 19th day of March, A.D. 1935.

CHAPTER 177

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF HENDERSON COUNTY TO ACCEPT TITLE TO REAL PROPERTY ON WHICH IS DUE DELINQUENT TAXES.

The General Assembly of North Carolina do enact:

Section 1. That when it shall appear to the satisfaction of the Board of Commissioners of Henderson County that taxes are owing on any particular lot or tract of land in said county, and that the amount of tax owing is substantially equivalent to the value of the property, the said Commissioners are hereby authorized and empowered, in their discretion, to accept from the owner or owners of said property a deed conveying to Henderson County a fee simple title to said property, subject to said taxes.

Sec. 2. That if any such property shall be encumbered by paying assessment and/or municipal tax of any city or town

Ratified this the 19th day of March, A.D. 1935.
located within said County, the interest of such city or town shall be unaffected by such conveyance; *Provided, however,* in the event of a foreclosure of such lien by any town or city after the acceptance of a deed, the county and town or city shall share ratably in the proceeds of sale and according to their respective interest in said property, to be determined by the amount of outstanding tax due the county and such town or city. In such event, all unpaid taxes that would have accumulated had such property continued to be owned by an individual, both before and after the acceptance of a deed, shall also be considered in arriving at the interest of said County.

Sec. 3. That after the acceptance of title to real property as provided in this Act the Board of Commissioners of Henderson County are authorized and empowered, in their discretion, to sell, convey, lease or otherwise dispose of said property or any particular part thereof, upon such terms and such price or conditions as in their discretion will best subserve the interest of the County.

Sec. 4. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

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

Ratified this the 19th day of March, A.D. 1935.

H. B. 297

CHAPTER 178

AN ACT TO AID THE COLLECTION OF BACK TAXES IN THE CITY OF HENDERSONVILLE.

The General Assembly of North Carolina do enact:

Section 1. That the Board of Commissioners of the City of Hendersonville is hereby authorized and empowered and directed to allow any uncollected back taxes owing to said city for the year nineteen hundred and thirty-two and previous years to be paid, in whole or in part, with bonds and/or notes of said city of any issue or series, whether matured or unmatured, and/or with matured coupons of such bonds, such order to apply not only as to all of the property assessed against any taxpayer, but also as to any one or more parcels of real estate so assessed; and the tax collector of said city shall accept such bonds and/or notes and/or coupons at par, plus accrued interest, if any, on such bonds and notes, to apply on such taxes: *Provided,* that such bonds, notes or coupons shall not be accepted in payment of taxes on any property unless there shall be paid in cash at the same
time all of the taxes on such property for the year nineteen hundred and thirty-four: Provided further, that such bonds, notes or coupons shall not be accepted in part payment unless there shall be paid in cash at the same time the balance of the tax for any year or years on which such bonds, notes or coupons are applied.

Sec. 2. The tax against any one or more pieces of real estate assessed against any taxpayer may be paid under the provisions of this Act, and such piece or pieces of real estate redeemed: Provided, the proportionate part of the tax charged and assessed against the personal property of the party in whose name such piece or pieces of land is assessed shall also be paid.

Sec. 3. That no interest or penalties shall be added to the taxes for the year nineteen hundred and thirty-two and previous years paid under the provisions of Sections one and two of this Act, but the sum of six dollars for court costs and attorneys' fees be added and paid in cash in all cases where tax foreclosure suits shall have been already instituted. Any discount allowed under the general law for payment of back taxes shall not apply as to taxes paid with bonds, notes or coupons of the City of Hendersonville.

Sec. 4. That any uncollected street paving assessments or other special assessments owing to the City of Hendersonville for any year or years, past or future, may be paid in whole or in part with bonds or notes of the City of Hendersonville of any issue or series, whether matured or unmatured, and/or matured coupons of such bonds and the Tax Collector of the City of Hendersonville shall accept such bonds and/or notes, and/or coupons at par, plus accrued interest, if any, on such bonds and notes, to apply on such assessments and/or the interest, costs and penalties thereon.

Sec. 5. That the Board of Commissioners of the City of Hendersonville is hereby authorized and empowered to sell and convey (at public or private sale) any land which the city may have acquired, or may hereafter acquire, under foreclosure of tax liens or otherwise, at such price and on such terms as it may see fit, and may accept any outstanding bonds and/or notes of said city of any issue or series, whether matured or unmatured, and/or matured coupons of such bonds, plus accrued interest, if any, on such bonds and notes, to apply in payment, or part payment, of the purchase price of such land: Provided, that this section shall not apply to land held or used for municipal purposes.

Sec. 6. That nothing herein contained shall be construed to require the City of Hendersonville to accept its bonds or notes for any other purpose than herein provided, nor to pay any cash if bonds or notes are presented in a greater amount than the taxes or assessments to be paid thereby.
Sec. 7. That in all cases where the City of Hendersonville has heretofore accepted bonds and/or notes and/or coupons of said city in payment, or part payment, of taxes and/or assessments, the same is hereby ratified and approved.

Sec. 8. That the City of Hendersonville shall not be liable to Henderson County, or to any official of said county, for any costs incurred in tax foreclosure suits instituted by said city in cases where the taxpayer was relieved from the payment of such costs under the provisions of Chapter one hundred and eighty-two of the Private Laws of nineteen hundred and thirty-three, nor in cases where the city has failed to collect the costs from the taxpayer in foreclosure suits instituted for the collection of the taxes for the year nineteen hundred and twenty-nine and years prior thereto.

Sec. 9. That the time within which tax foreclosure suits may be instituted by the City of Hendersonville for taxes for the year nineteen hundred and thirty-two is hereby extended to the first day of November, nineteen hundred and thirty-five.

Sec. 10. That all laws, or clauses of laws, whether general or special, in conflict with this Act are hereby repealed insofar as they apply to the City of Hendersonville.

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

Ratified this the 19th day of March, A.D. 1935.

H. B. 541 CHAPTER 179

AN ACT TO PROVIDE FOR A SPECIAL TAX COLLECTOR FOR THE COLLECTION OF INSOLVENT TAXES IN MITCHELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of Mitchell County be and they are hereby authorized and empowered to appoint an officer to be designated as Special Tax Collector of Mitchell County, to hold office at the pleasure of the Board. The said Special Tax Collector shall qualify for office by executing a bond in the sum of one thousand dollars ($1,000.00), conditioned for the faithful performance of the duties herein set forth, which bond shall be substantially in the form required of the County Accountant of Mitchell County, the premium on said bond to be paid by the Board of Commissioners. The Special Tax Collector herein provided for shall receive such compensation as shall be fixed by the Board, not exceeding twenty per cent of the amount of taxes collected by him.
Sec. 2. That the said Special Tax Collector shall collect all insolvent taxes for the years one thousand nine hundred twenty-eight to one thousand nine hundred and thirty-three, inclusive, and such other insolvent taxes as may be allowed the tax collector in settlement of taxes from year to year, and shall have the same duties, powers and liabilities in reference to the collection of said insolvent taxes as are now or may hereafter be possessed by the Tax Collector of Mitchell County under the laws of the State.

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 19th day of March, A.D. 1935.

H. B. 315

CHAPTER 180

AN ACT FOR THE RELIEF OF HAYWOOD COUNTY, AND TO PROVIDE FOR A BETTER SYSTEM FOR THE COLLECTION OF DELINQUENT TAXES IN SAID COUNTY, AND FOR THE MUNICIPAL CORPORATIONS THEREIN.

The General Assembly of North Carolina do enact:

Section 1. That the sale of all lands for taxes and tax sales certificates issued pursuant thereto, for the years prior to one thousand nine hundred and thirty-four of the County of Haywood, or any municipal corporations therein, be and the same are each expressly validated as if the same had been sold in accordance with all statutory provisions.

Sec. 2. That the delinquent tax collector of Haywood County, and the delinquent tax collectors of any municipal corporations therein, or other person executing the duties of that office, be and they are hereby authorized and directed to sell for taxes, on the first Monday of any month hereafter, any and all lands which for any reason have not heretofore been sold prior to the year one thousand nine hundred thirty-four, on or before September, first, one thousand nine hundred thirty-five, and after due advertisement and sale to issue tax sales certificates therefor, in accordance with the general laws applicable thereto.

Sec. 3. That all tax lien notes executed by the tax payers of Haywood County to said County and to any municipal corporations therein be and the same are hereby expressly validated.

Sec. 4. That before the tax collector of Haywood County or the tax collectors of any municipal corporations therein shall be allowed credit in his settlement for the taxes of any insolvent
person, he shall file an affidavit with the Board of Commissioners of Haywood County or the governing board of any municipal corporations thereof, that he or his deputy has personally visited the residence of said insolvent taxpayer in an effort to collect the taxes due to the said County or municipal corporation thereof.

Sec. 5. That this Act shall not be construed to relieve any former tax collector or surety company on the bond of any tax collector for any default or error relating to any taxes heretofore placed in the hands of such tax collector.

Sec. 6. That no tax collector of the County of Haywood, or of any municipal corporation therein, shall be entitled to any fees or other compensation other than the salary or commissions of such tax collectors.

Sec. 7. That that part of Section two of Chapter two hundred twenty-eight of the Public-Local Laws of one thousand nine hundred thirty-three, beginning with the word, "and" in line thirteen thereof, and ending with the word "taxes" in line fifteen thereof, be and the same is hereby expressly repealed.

Sec. 8. That the Board of Commissioners of Haywood County be, and they are hereby authorized, if in their discretion it is advisable, to employ such assistants as in their judgment may be deemed to be necessary to assist the tax supervisor and delinquent tax collector of said County in the performance of his duties, and to pay such assistants out of the general fund of said County.

Sec. 9. That all laws and clauses of laws in conflict with this Act are hereby repealed.

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

Ratified this the 19th day of March, A.D. 1935.

H. B. 563  CHAPTER 181

AN ACT TO AMEND CHAPTER THREE HUNDRED FIFTY-THREE OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-THREE RELATING TO THE SALARIES OF OFFICERS IN HARNETT COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter three hundred fifty-three of the Public-Local Laws of one thousand nine hundred thirty-three be amended by adding a new section, number eight, and changing Sections eight and nine to be nine and ten respectively, the said new Section eight to read as follows:
"Sec. 8. That effective March first, one thousand nine hundred thirty-five, the Board of Commissioners of Harnett County shall increase the salaries of the Clerk of the Superior Court, the Judge of the Recorder's Court, the Solicitor of the Recorder's Court, and the Register of Deeds, as provided for in this section, and the existing salaries of the County Auditor, the Sheriff of the County and the County Tax Collector, each by the sum of fifteen per cent, and may at any time the Board of Commissioners shall find that the income produced by the particular office or the work required of the particular office shall justify it, further increase any of the said salaries an additional ten per cent."

Sec. 2. That all laws or 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 19th day of March, A.D. 1935.

S. B. 237

CHAPTER 182

AN ACT RELATING TO FEES OF JUSTICES OF THE PEACE OF PITTC COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That Section one of Chapter two hundred twenty-seven of the Public-Local Laws of one thousand nine hundred thirty-three be and the same is hereby amended by striking out all of said Section one and insert in lieu thereof the following:

"Section 1. That justices of the peace shall receive the following fees:

For warrant of attachment with one defendant, seventy-five cents, and if more than one defendant, twenty-five cents for each additional defendant.

For application of attachment, twenty-five cents.

For each copy of attachment papers, including summons, application, affidavit, bond and warrant of attachment, twenty cents.

For taking affidavit, including jurat and certificate, forty cents, and fifteen cents for copy thereof.

For return to notice of appeal, in both civil and criminal actions, fifty cents.

For return to Court, twenty-five cents.

For making out itemized bill of costs, twenty-five cents.

For taking bond, or any undertaking, in both civil and criminal actions, forty cents, including justification.

Increase in salaries of Harnett County officers provided.

Conflicting laws repealed.

Ch. 227, Public-
Local Laws 1933,
amended.

Fees of Pitt County J. P.'s enumerated.
For capias and order, each defendant, one dollar.
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,
two dollars, and if more than one defendant in the action, fifty
cents for each additional defendant, and fifteen cents for each
additional copy.
For commitment, each defendant, fifty cents.
For continuance, twenty-five cents.
For taking depositions on order or commission, one hundred
words per copy sheet, twenty-five cents.
For execution, fifty 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, fifty
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, one dollar, where there is one owner,
and if more than one owner, twenty-five cents for each additional
owner.
Impaneling jury, twenty-five cents.
Drawing jury from jury box, fifty 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,
one dollar in civil actions.
Trial and judgment, each defendant, seventy-five cents in
criminal actions.
Jury trial, entering verdict and judgment, each defendant one
dollar 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 rec-
ognizance, fifty cents.
Witness or jury ticket, including jurat, ten cents.
For notices, twenty-five cents.
For removal of a cause, fifty cents, in both civil and criminal
actions, including affidavit.
For writ of ejectment, seventy-five cents.
For issuing marriage certificate, one dollar.
For order of publication, fifty 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 action, fifty cents.

For recognizance, each defendant, twenty-five cents.

For recognizing witnesses, fifteen cents for each witness for appearance at any court.

For subpoena for each witness, fifteen cents.

Summons in civil actions, fifty cents where there is one defendant, twenty-five cents for each additional defendant, and for each copy thereof, twenty cents.

Transcript of judgment, forty cents, and twenty-five cents for copy thereof.

Warrant of arrest in criminal and bastardy cases, seventy-five 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. 2. That the County of Pitt shall not be liable for any costs in cases appealed to Recorder’s or Superior Court, wherein the State takes a Nol Pros, or there is a directed verdict of not guilty.

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. 1935.
H. B. 581  

CHAPTER 183

AN ACT TO AMEND HOUSE BILL NUMBER THREE HUNDRED AND THIRTY-FOUR, RATIFIED THE FIFTH DAY OF MARCH, ONE THOUSAND NINE HUNDRED AND THIRTY-FIVE, RELATING TO SUPERIOR COURTS AND SELECTION OF GRAND JURIES IN BLADEN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Section first of House Bill number three hundred and thirty-four, relating to the Superior Courts of Bladen County and providing for the selection of rotating grand juries therein, be and the same is hereby amended by inserting after the words "March Term" in Section first, line first, and before the words "one thousand" in the same line, the following: "Or at the first term of the said Superior Court following."

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

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

Ratified this the 20th day of March, A.D. 1935.

H. B. 598  

CHAPTER 184

AN ACT TO AMEND CHAPTER TWO HUNDRED AND FORTY-ONE OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND TWENTY-SEVEN BY EXEMPTING AND EXCLUDING HIGH POINT TOWNSHIP, IN GUILFORD COUNTY, FROM THE OPERATION THEREOF.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter two hundred forty-one of the Public-Local Laws of one thousand nine hundred twenty-seven be, and the same is hereby amended by changing the period at the end of Section seventeen of said chapter to a comma and by adding the following words at the end of said section seventeen: "Provided, that this Act shall not apply to High Point Township, in Guilford County."

SEC. 2. That all laws and clauses of laws in conflict with, or repugnant to, 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. 1935.
S. B. 289  

CHAPTER 185

AN ACT SUPPLEMENTAL TO AN ACT, ENTITLED “AN ACT AUTHORIZING THE CITY OF SOUTHPORT AND THE COUNTY OF BRUNSWICK TO ESTABLISH A PORT COMMISSION FOR THE SAID CITY AND COUNTY, TO PRESCRIBE THE DUTIES OF THE SAID COMMISSION AND TO AUTHORIZE THE SAID CITY AND COUNTY TO COOPERATE WITH THE SAID COMMISSION IN CARRYING OUT THE PURPOSES AND INTENTIONS OF THIS ACT, AND BEING SENATE BILL NUMBER FIVE, RATIFIED FEBRUARY EIGHTH, ONE THOUSAND NINE HUNDRED THIRTY-FIVE.”

The General Assembly of North Carolina do enact:

Section 1. That the word “or” be inserted after the word “and” and before the word “Brunswick” in line six of Section one of said bill.

Sec. 2. That Section ten be amended by striking out in line four the word “corporation” and inserting in lieu the word “Utilities.”

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 21st day of March, A.D. 1935.

H. B. 709  

CHAPTER 186

AN ACT TO REPEAL CHAPTER ONE HUNDRED AND TWENTY-SEVEN, PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-ONE, TO REQUIRE QUARTERLY ITEMIZED STATEMENTS OF FISCAL AFFAIRS BY THE CLERK OF THE SUPERIOR COURT AND THE REGISTER OF DEEDS OF HYDE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That Chapter one hundred twenty-seven, Public-Local Laws of one thousand nine hundred thirty-one, and all amendments thereto, be, and the same are hereby repealed.

Sec. 2. That from and after the ratification of this Act the Clerk of the Superior Court and the Register of Deeds of Hyde County shall make and file such reports as were required prior to the passage of said Act, and the Public Laws of the State at Ch. 127, Public-Local Laws 1931, repealed.

Quarterly reports of certain Hyde County officers.
the time of the passage of the said Act prescribing the filing of accounts and reports by said officers shall be in full force and effect as fully to all intents and purposes as if Chapter one hundred twenty-seven, Public-Local Laws of one thousand nine hundred thirty-one, had never been enacted, and said laws are hereby re-enacted for said purposes.

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

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

Ratified this the 21st day of March, A.D. 1935.

H. B. 537  CHAPTER 187

AN ACT TO FIX THE OFFICIAL BOND FOR THE CLERK OF THE SUPERIOR COURT OF AVERY COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the official bond as required by law for the Clerk of the Superior Court of Avery County is hereby set at five thousand dollars.

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

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

Ratified this the 21st day of March, A.D. 1935.

H. B. 726  CHAPTER 188

AN ACT TO AMEND CHAPTER EIGHTY-TWO OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-THREE, RELATING TO THE RECORDER'S COURT OF LEXINGTON.

The General Assembly of North Carolina do enact:

Section 1. That Section twenty, sub-section (d), of Chapter eighty-two of the Public-Local Laws of one thousand nine hundred and thirty-three be, and the same is hereby, amended by inserting in line three of said sub-section (d) after the word “criminal” and before the word “and” the words, “and the Chief of Police and the Night Desk Sergeant of the City of Lexington are hereby authorized to issue criminal process.”
Section 2. That all laws and clauses of laws in conflict herewith are hereby repealed.

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

Ratified this the 21st day of March, A.D. 1935.

H. B. 727

CHAPTER 189

AN ACT FOR THE RELIEF OF THE TAXPAYERS OF BUN-COMBE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. The Tax Commission of Buncombe County, as is now or may hereafter be, legally constituted, or such governmental agency as shall be designated to perform the duties now required by law of said commission, is hereby authorized and empowered to receive from the property owners of real estate for the year one thousand nine hundred and thirty-two and years previous thereto, a written application for adjustment and re-valuation of their respective properties for taxes for said years, provided said taxes are unpaid, and after proper consideration, and in its discretion, to re-value and re-assess the true value in money of said real estate belonging to the respective property owners for said years, as of the legal date of the listing thereof, and such findings by said Commission shall be final.

Section 2. That in the event the valuation of said real estate in the discretion of said Commission, shall be reduced, the taxpayer shall be entitled to pay any and all taxes levied by Buncombe County or any municipality or other tax levying authority therein at the rate fixed for said year or years, at the adjusted valuation, and that the tax supervisor, or such official as is designated by law to perform the duties now required of him, is hereby authorized and directed to issue the proper exemptions or other forms to make such payment of taxes conform to the adjusted valuation.

Section 3. That the provisions of this Act shall apply and exemptions shall be issued to the listed or present owners of the property.

Section 4. That any governmental unit which has heretofore obtained title to any real estate in question and at the date of application hereunder holds said title shall, upon payment of the adjusted taxes as herein and hereunder determined, plus interest at six per centum (6%) per annum and six dollars ($6.00) costs, reconvey to the property owner the title to said real estate.
Provided, that upon failure of the property owner to apply for the benefits of this Act on or before October first, one thousand nine hundred and thirty-five, then and in that event such governmental unit or units shall be, and are hereby, authorized and empowered to convey to any person the title to said real estate upon payment of a reasonable purchase price in money for said property, and said sale or sales may be made privately or at public auction.

Sec. 5. That the provisions of this Act shall not be effective unless the written application hereinbefore required shall have been filed before the first day of October, one thousand nine hundred and thirty-five, and payment in full of all taxes upon the adjusted valuation is made on or before April first, one thousand nine hundred and thirty-six.

Sec. 6. That the provisions of this Act shall not affect the right of any governmental unit to collect the interest at six per centum (6%) per annum on the taxes paid on the adjusted valuation and not more than six dollars ($6.00) costs.

Sec. 7. That said Tax Commission shall not make a blanket reduction in the valuation of property for the years in question, but that the valuation of real estate belonging to the petitioning property owner shall be considered separately as to each tract or lot.

Sec. 8. In the event that the Tax Commission shall make a readjustment of the valuation of any property for the taxes for the years in question, it shall file immediately a copy of its report in each individual case in the office of the Clerk of Superior Court of Buncombe County, and if there is any tax foreclosure suit or suits pending in the Superior Court of said County in regard to the property in question, the complaint in said suit shall automatically be amended to conform to the adjusted valuation as hereinbefore provided, and if any judgment or judgments have been rendered in said court in regard to the taxes on said property, the report shall authorize the Clerk of Superior Court to enter upon the judgment docket a credit on said judgment according to the terms of this Act: Provided, that this section shall only apply when the tax certificates are held by governmental unit or units.

Sec. 9. That all taxpayers in lieu of making application for revaluation of their property for tax purposes for the year one thousand nine hundred and thirty-two and all prior years and discharging the same by payment in cash as hereinbefore provided shall be entitled at the option of said taxpayer to discharge all taxes levied by Buncombe County, or any municipality or tax levying unit therein, for the year one thousand nine hundred and thirty-two and all prior years by surrendering to the tax collecting authorities of said County, municipality or other tax
levying unit bonds or notes of such unit, with all unpaid coupons thereto attached, for which said County, municipality or other tax levying unit may be primarily or secondarily liable, and the said County of Buncombe or any municipality or other tax levying subdivision thereof is hereby authorized and required to accept these bonds when so tendered in full settlement, satisfaction and discharge of any taxes levied against the property of said taxpayer for said years equal in amount to the bonds so tendered or surrendered.

Sec. 10. That any taxpayer shall be permitted to use bonds or notes with past due coupons of any unit for the purpose of paying personal property tax at the present valuation.

Sec. 11. That bonds or notes, within the contemplation of this Act, shall be deemed to be bonds or notes or other obligations heretofore issued or hereafter issued by Buncombe County or any municipality therein or by any tax levying subdivision of said county and shall also be deemed to include any certificate evidencing the deposit of any such bonds or notes where the same have been deposited with the bondholders or noteholders committee or other similar depositary and the holder of any certificate evidencing the deposit of said bonds or notes, issued as aforesaid, shall be entitled to tender the said certificate in payment or discharge of taxes in the same manner as if he or it held the original bonds or notes of said governmental unit.

Sec. 12. That the provisions of this Act applying to the payment of taxes for real and personal property in bonds, notes, certificates of deposit or other evidence of indebtedness shall not be effective after April first, one thousand nine hundred and thirty-six.

Sec. 13. That all laws and clauses of laws, whether Public, Public-Local or Private, in conflict with the provisions of this Act are hereby repealed.

Sec. 14. That this Act shall only apply to Buncombe County and the governmental units situated therein.

Sec. 15. This Act shall be in full force and effect from and after its ratification.

Ratified this the 21st day of March, A.D. 1935.
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H. B. 759

CHAPTER 190

AN ACT TO AMEND CHAPTER FIVE HUNDRED AND
FORTY-SEVEN OF PUBLIC-LOCAL LAWS OF ONE THOU-
SAND NINE HUNDRED AND TWENTY-FIVE, RELATING
TO THE BOARD OF HEALTH OF LEAKSVILLE TOWN-
SHIP, NORTH CAROLINA, AND THE BETTER SUPER-
VISION OF SAME.

The General Assembly of North Carolina do enact:

SECTION 1. That Sections one, two, three and four of Chapter
five hundred and forty-seven of Public-Local Laws of one thou-
sand nine hundred and twenty-five be and the same are hereby
repealed, and the following is substituted in lieu thereof:

SEC. 2. That the term of office of the present Board of Health
of Leaksville Township, Rockingham County, North Carolina,
morewith all its agents and employees, shall expire on the
first Monday in May one thousand nine hundred and thirty-five,
and there is hereby created in the place of said a Board of
Health for Leaksville Township, Rockingham County, North Caro-
lina, known as the Leaksville Township Board of Health, con-
sisting of seven (7) members, who shall be resident citizens of
Leaksville Township.

SEC. 3. Dr. W. W. Matthews, Gordon Franklin, Toney Eggles-
ton, S. T. Anderson, J. O. Thomas, H. C. Pace and Dr. C. V. Tyner
are hereby appointed members of the Leaksville Township Board
of Health to serve from the first Monday in May, one thousand
nine hundred and thirty-five, until the first Monday in May, one
thousand nine hundred and thirty-seven, or until their successors
are elected and qualified. And on the first Monday in May, one
thousand nine hundred and thirty-seven, and biennially there-
afte on the first Monday in May, the Board of Commissioners
of Rockingham County shall appoint seven members to serve as
the Leaksville Township Board of Health, who shall hold office
for a term of two (2) years or until their successors are elected
and qualified. If a vacancy shall occur at any time by death,
resignation or otherwise, it shall be the duty of said County Com-
missters to fill said vacancy.

SEC. 4. That the said board, as soon as practicable after their
appointment, shall meet and elect from their number a chairman
and secretary and treasurer, and shall keep a record of their
proceedings in a book to be kept for that purpose. The name and
address of the chairman and secretary shall be reported to the
county health officer and to the state health officer. And said
records and proceedings shall be open for public inspection by any
citizen of Leaksville Township during the office hours of the chair-
man and secretary.
SEC. 5. That the said Board of Health, in the interest of and for the protection of the health of the people of Leaksville Township, shall have power and authority as follows:

(a) To supervise and regulate the sale of oysters, fish and all other meats and all perishable foods, milk and other dairy products, and all other food for human consumption, to have inspection by an inspector or inspectors to be appointed by said board of all meats, oysters, fish and other food for human consumption, offered for sale or in the possession of any person, firm or corporation for purposes of sale in Leaksville Township, and provide for inspection of all vehicles, houses and other places where such food for human consumption may be kept, moved or handled, and to condemn such places as may not be sanitary and proper for such meats and other food for human consumption. And to pass and make all ordinances, rules and regulations governing the sale and handling of food for human consumption as may be proper and necessary to carry out the powers herein granted and to protect the health of the people of Leaksville Township.

(b) Power to fix and collect fees for inspection of all animals before and after slaughter, which are slaughtered or desired to be slaughtered for disposition and delivery for human consumption in said Leaksville Township, as well as for the inspection of all other foods for human consumption offered for sale or in the possession of any person, firm or corporation for the purpose of sale. But in no such case shall any fee, tax, license, permit or any charge of whatsoever kind and nature be made by said Board of Health in excess of one dollar ($1.00): Provided, that no tax or fee shall be collected from any farmer of Rockingham County for selling any farm or dairy products from wagon, buggy, or motor vehicle in Leaksville Township.

(c) That the penalty for the violation of any ordinance enacted pursuant to the authority herein conferred shall be fixed and certain. And in no case shall any penalty be fixed wherein punishment is greater than a fine of fifty ($50.00) dollars, or imprisonment in excess of thirty (30) days. That the purpose of this subsection is to place the violations of this Act within the jurisdiction of a Justice of the Peace.

(d) That all violations of this Act or any ordinance made pursuant to same shall be tried within Leaksville Township with the right of the defendant to appeal.

(e) Power to condemn all foods or meats offered for sale or in the possession of any person, firm or corporation for the purpose of sale for human consumption in Leaksville Township, which meats or foods are unfit for human consumption. The owner of any meats or foods condemned shall have the right to have said foods or meats inspected at his own expense by another inspector or suitable person, and submit the results of said inspection to the Board of Health; provided, however, that the Board of Health may, in their discretion, appoint other inspectors.

Powers enumerated.
Regulation of sale of foods.
Inspections.
Condemning insanitary places.
Rules and regulations.
Inspection fees for animals slaughtered.
Fees limited to $1.00.
Farmers excepted.
Violation made misdemeanor.
Punishment.
Venue of trials.
Appeals.
Condemnation of foods.
Right of owner of condemned foods to have reinspection.
the Chairman of the Board of Health of Leaksville Township: Provided, that said inspection is made within three days from the time the foods or meats are condemned. And if, in the opinion of the Chairman of the Board of Health, the results of the inspection show that the foods or meats are suitable for human consumption, he may grant to the owner the right and privilege to dispose of same in Leaksville Township. But if the said Chairman shall be of the opinion, from the evidence submitted, that the said meats and foods are unsuitable for human consumption, he shall affirm the order of the inspector condemning the said meats or foods and order same destroyed.

(f) Power and authority to appoint, employ and pay an inspector to inspect meats, oysters, fish and all other foods and dairy products offered for sale, whose duties it shall be to enforce ordinances, rules and regulations adopted by the board. But no inspector shall be appointed by the board for any term beyond the term for which the board has been appointed, and it shall not be necessary for the said inspector to be a graduate veterinarian, but shall be some person whom the Board of Health of Leaksville Township shall deem a suitable and proper person to discharge the duties of an inspector.

(g) Power to make ordinances, rules and regulations to carry out the powers herein granted.

(h) Power to accept donations from any persons, firm or corporation, or municipality for the purpose of defraying expenses that may be incurred by said board in the carrying out of the duties and powers herein conferred. Authority is hereby given municipalities to make contributions out of its public treasury to assist in defraying expenses so incurred by said board.

Sec. 6. That the board shall publish all rules and regulations in a newspaper published in Leaksville Township for at least two successive weeks before any ordinance becomes effective, and, if there is no such newspaper, by posting in at least five public places in said township.

Sec. 7. That any person, firm or corporation aggrieved at any ordinance, rule or regulation that may be passed by said board may appeal to the Board of Health of Rockingham County.

Any person desiring to appeal from any rule, regulation or ordinance passed by said Leaksville Township Board of Health shall notify in writing the secretary or chairman of said Board of Health. Upon such notice being given, the Secretary of said Board of Health shall immediately notify the chairman or the Secretary of the Board of Health of Rockingham County, and the said Secretary or chairman of the Board of Health of Rockingham County so notified shall immediately call a meeting of the Board of Health of Rockingham County to hear and pass upon such appeal, said meeting to be called not later than ten
days from the day said Secretary or chairman receives the notice of such appeal: Provided, that the said rule, regulation or ordinance appealed from shall not be suspended during the pendency of said appeal: Provided, said appeal is heard and determined within thirty days from the time the secretary of the said Leasksville Township Board of Health is notified of an appeal as herein provided. If said appeal is not heard and determined by the Board of Health of Rockingham County within thirty days from the time the Secretary of the Leasksville Township Board of Health is notified as herein provided then said ordinance, rule or regulation appealed from shall be suspended until said Board of Health of Rockingham County hears and determines such appeal, unless the hearings or determination of the appeal is delayed at the request of the party appealing; in that event, said ordinance, rule or regulation appealed from shall not be suspended until the same is heard and determined by the Board of Health of Rockingham County: Provided further, that if such appeal be from ordinance, rule or regulation, the building or altering of any such building that may be used in the keeping or handling of any food, as herein set out in said ordinance, rule or regulation, shall be suspended until such appeal is heard and determined by the Board of Health of Rockingham County. The Board of Health of Rockingham County, upon an appeal as herein allowed, shall hear and determine same and may declare void, valid or alter or amend any such ordinance, rule or regulation appealed from and submitted to said county board for determination. The determination and decision rendered by the Board of Health of Rockingham County shall be binding on the Board of Health of Leasksville Township, and the person appealing and all other persons, firms or corporations in Leasksville Township or doing business in Leasksville Township.

Sec. 8. That said board shall serve without compensation.

Sec. 9. That Section eight of Chapter five hundred and forty-seven of Public-Local Laws of one thousand nine hundred and twenty-five be and the same is hereby repealed, and the following is enacted in lieu thereof:

"That any person, firm or corporation violating any rule or regulation or ordinance, or who shall wilfully obstruct said inspector in the discharge of his duties, shall be guilty of a misdemeanor and punishable by a fine not in excess of fifty dollars ($50.00), or imprisonment in excess of thirty (30) days."

Sec. 10. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Sec. 11. That this Act shall be in force from and after the first Monday in May, one thousand nine hundred and thirty-five.

Ratified this the 21st day of March, A.D. 1935.
H. B. 542  CHAPTER 191

AN ACT FIXING THE SALARY OF THE SHERIFF OF MITCHELL COUNTY AND THE FEES TO BE COLLECTED BY SAID SHERIFF.

The General Assembly of North Carolina do enact:

SECTION 1. That in addition to the salary now or hereafter allowed the Sheriff of Mitchell County he shall also be allowed the statutory fees of sheriffs as provided in Section three thousand nine hundred and eight of the Consolidated Statutes.

SEC. 2. That from and after the expiration of the term of office of the present Sheriff of Mitchell County the Sheriff shall receive a salary of two thousand four hundred dollars ($2,400.00) per annum and shall be allowed the fees provided in Section one hereof.

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

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

Ratified this the 22nd day of March, A.D. 1935.

H. B. 602  CHAPTER 192

AN ACT FIXING THE SALARY OF THE SHERIFF OF HAYWOOD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That, in addition to the fees now allowed by law, the Sheriff of Haywood County shall be paid the sum of fifteen hundred dollars ($1,500.00) per annum, payable in monthly installments, the said fifteen hundred dollars to be in lieu of any salary or fees heretofore allowed said Sheriff for the collection of taxes, and is to be used for the necessary expenses in connection with the operation of the Sheriff's office.

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

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

Ratified this the 22nd day of March, A.D. 1935.
AN ACT TO FIX THE FEES TO BE COLLECTED BY THE CLERK OF THE RECORDER'S COURT OF GRANVILLE COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Section 1. That the Clerk of the Recorder's Court of Granville County shall collect and account for to the general county fund of said county the following fees, namely:

- Affidavit, including jurat, twenty-five cents.
- Appeal from a justice of the peace, docketing, fifty cents.
- Attachment, order in, fifty cents.
- Bond or undertaking, including justification, sixty cents.
- Capias, each defendant, one dollar.
- Certificate, twenty-five cents, plus one dollar for the first three hundred words and fifteen cents for each additional 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, twenty-five cents.
- Docketing judgment, twenty-five cents.
- Docketing summons, twenty-five cents.
- Execution, return thereon, including docketing and indexing, as to each defendant, one dollar.
- Filing pleadings or any other paper required to be marked filed, each ten cents.
- Filing judgment roll or jacket containing all papers in civil or criminal actions, fifteen cents.
- Empaneling jury, ten cents.
- Indexing, each name, ten cents.
- Injunction, order for, including taking bond and justification, one dollar.
- Judgment final in civil actions, seventy-five cents, and twenty-five cents additional for each defendant contesting plaintiff's claim.
- Judgment final against each defendant in a criminal action, fifty cents.
- Judgment nisi, entering against defaulting witness or juror or bail on bond or recognizance, each twenty-five cents.
- Jury, a jury tax in civil actions of one dollar per hour for such time as the jury is engaged in the trial of the particular case, with a minimum charge of two dollars and fifty cents in each
case, to be taxed against the losing party. In criminal actions, a jury tax of two dollars shall be taxed against each defendant.

Motions, entry of record, twenty-five cents.

Notices, twenty-five cents, and for each name over one in the same paper, ten cents additional.

Orders interlocutory, twenty-five cents.

Order of arrest, fifty cents.

Original warrant or other process, fifty cents.

Postage, actual amount necessarily expended.

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

Recording in minutes in criminal actions, original entry, fifty cents, and each additional entry, ten cents.

Recording in minutes in civil actions, first three hundred words, eighty cents, each additional hundred words or fraction thereof, ten cents.

Report of Highway Commission of infractions of highway laws, as to each person convicted, fifty cents.

Seal of office when necessary, twenty-five cents, and seal on duplicate of summons or other instrument, ten cents.

Special officer's fee in manufacturing whiskey cases, each person convicted, eight dollars.

Stenographer, in the trial of all actions, whether civil or criminal, in which a court stenographer is used, the Clerk of the Recorder's Court shall tax in the bill of costs a minimum stenographer's fee of two dollars and two dollars per hour, more than one, that the stenographer is engaged in taking the evidence and the charge of the court, but said stenographer's fee shall not exceed ten dollars per day. In criminal actions, where there are two or more defendants, the above schedule of stenographers' fees shall apply to each defendant, unless otherwise directed by the Judge of the Recorder's Court of Granville County.

Subpoena, each name, ten cents.

Summons in civil action, including all names therein, one dollar, and for every copy thereof, twenty-five cents.

Swearing witnesses, each, five cents.

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 for each additional hundred words or fraction thereof, fifteen cents.

The clerk shall also account to the general county fund for five per cent of all fines, forfeitures, penalties and amercements and taxes paid him by virtue of his office, and he shall also tax against each defendant convicted in a criminal action or pleading guilty or nolo contendere a prosecuting attorney's fee of five dollars and a recorder's fee of two dollars, which he shall pay
into the general county fund of the county in the same manner as the other costs prescribed herein: Provided, that in cases within the final jurisdiction of a justice of the peace, both civil and criminal, the clerk shall tax against the parties cast only such fees for the county as would be taxed for a Justice of the Peace in his court, except that there shall be added to said costs a fee of one dollar for the recorder and one dollar for the prosecuting attorney, all of which shall be paid into the general county fund of the county as hereinbefore provided.

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 the first day of April, nineteen hundred and thirty-five.

Ratified this the 22nd day of March, A.D. 1935.

H. B. 642

CHAPTER 194

AN ACT TO FIX THE FEES OF THE JUSTICES OF THE PEACE OF DAVIDSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the fees for Justices of the Peace of Davidson County shall be as follows:

Summons in civil actions where there is one defendant, fifty cents; for each additional defendant, twenty-five cents; and for each copy thereof, twenty cents.

For trial and judgment in civil action, one dollar.

For issuing transcript of judgment in civil action, forty cents.

For issuing execution, fifty cents.

For renewal of execution, twenty-five cents.

For continuance, twenty-five cents.

For removal of a cause, including affidavit, in both civil and criminal actions, fifty cents.

For return to notice of appeal, both civil and criminal actions, fifty cents.

For return to court, twenty-five cents.

For making out itemized bill of cost, twenty-five cents.

For taking bond or any undertaking, including justification, in both civil and criminal actions, forty cents.

For capias and order, each defendant, one dollar.

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, two dollars; for each additional defendant in the action, fifty cents; and for each additional copy, fifteen cents.

For summary ejectment proceedings to recover possession of lands from tenants who hold over, taking oath, issuing summons, trial and verdict recorded and execution issued, two dollars.

For issuing marriage certificate, one dollar.

For order of publication, fifty cents.

For order of arrest in civil action, fifty cents.

For subpoena for each witness, fifteen cents.

For recognizing witnesses for appearance at any court, fifteen cents for each witness.

Warrant of arrest in criminal and bastardy cases, for each defendant, seventy-five cents.

Warrant of arrest in any criminal action, seventy-five cents.

For trial, entering verdict in any criminal action, one dollar.

Jury trial and entering verdict and judgment in any criminal action, one dollar and fifty cents.

Jury trial and entering verdict and judgment in any civil action, one dollar and fifty cents.

Issuing summons for venire of twelve jurymen, fifty cents.

Drawing of jury from jury box, fifty cents.

Empaneling jury, twenty-five cents.

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, fifty cents.

Witness or jury ticket, including jurat, ten cents.

For notice, 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, fifty cents.

For hearing petition for widow's allowance, issuing notices to commissioners, allotting the same, and making returns, one dollar and fifty cents.

For filing laborer's lien, where there is one owner, one dollar; if more than one owner, twenty-five cents for each additional owner.

For warrant of attachment with one defendant, seventy-five cents; for each additional defendant, if more than one, twenty-five cents.

For application of attachment, twenty-five cents.

For each copy of attachment papers, including summons, application, affidavit, bond and warrant of attachment, fifty cents.
For taking affidavit, including jurat and certificate, forty cents; for copy thereof, fifteen cents.

For taking depositions on order or commission, per copy sheet, twenty-five cents.

For commitment, each defendant, fifty cents.

Probate of a deed or other writing proved by a witness, including the certificate, for each signer thereof, twenty-five cents.

Probate of a deed or other writing, executed by a married woman, proper acknowledgment and private examination, with the certificates thereof, twenty-five cents.

Probate of a deed or other writing, acknowledged by the signers or makers, with the certificates thereof, twenty-five cents for each acknowledgment.

Probate of a chattel mortgage, whether with one or more certificates, twenty-five cents.

For any civil or criminal paper issued in any action and forwarded to another county for execution, twenty-five cents, for sending same.

For any interlocutory order made in any action, civil or criminal, with no fixed fee, twenty-five cents.

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

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

Ratified this the 22nd day of March, A.D. 1935.

H. B. 624

CHAPTER 195

AN ACT TO AMEND CHAPTER THREE HUNDRED AND FORTY-FOUR OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-ONE, FIXING THE FEES TO BE COLLECTED BY THE CLERK OF THE SUPERIOR COURT OF GRANVILLE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That Section one of Chapter three hundred and forty-four 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 “fifty cents” in line seven thereof and inserting in lieu thereof the words “twenty-five cents.”

Sec. 2. That Section one of Chapter three hundred and forty-four of the Public-Local Laws of one thousand nine hundred and thirty-one be and the same is hereby amended by inserting between lines one hundred and fifty-six and one hundred and fifty-seven thereof the following: “Report of sale of property under court order, including receiving same, marking same filed, Ch. 344, Public-Local Laws 1931, amended, as to fees of Granville County C. S. C. fee for report of sale.
and filing with papers in action or proceeding, each, twenty-five cents."

Sec. 3. That the Clerk of the Superior Court of Granville County shall collect and account for to the general county fund of said county for a certified copy of letters of administration, letters testamentary or letters of guardianship, the sum of fifty cents, and the action of the Clerk of the Superior Court of Granville County in heretofore charging only fifty cents for certified copies and letters of administration, letters testamentary and letters of guardianship issued by him is hereby approved and confirmed, and the said Clerk of the Superior Court and the surety on his bond are hereby relieved of any and all liability to the County of Granville and to any other person, firm or corporation for any sum in excess of fifty cents on each certified copy of letters of administration, letters testamentary or letters of guardianship heretofore issued by him.

Sec. 4. That the Clerk of the Superior Court of Granville County for making an order removing any civil or criminal action from said county to the Superior Court of any other county or to a court of the United States shall tax in the bill of costs and account for to the general county fund the sum of one dollar, which shall be collected as other costs in the action.

Sec. 5. The Clerk of the Superior Court of Granville County shall also tax against the losing party in each bill of costs in civil actions, and account for to the general county fund, a jury tax of two dollars per hour for such time as the jury is engaged in the trial of the particular case, with a minimum charge of five dollars in each case. In criminal actions, a jury tax of four dollars shall be taxed against each defendant, whether the jury be used or not. In special proceedings, the actual cost of the jury shall be taxed in the bill of costs and accounted for to the general county fund.

Sec. 6. That in the trial of all actions, whether civil or criminal, in which a court stenographer is used, the Clerk of the Superior Court of Granville County shall tax in the bill of costs a minimum stenographer's fee of two dollars, and two dollars per hour, more than one, that the stenographer is engaged in taking the evidence and the charge of the court, but said stenographer's fee shall not exceed ten dollars per day. In criminal actions, where there are two or more defendants, the above schedule of stenographers' fees shall apply to each defendant, unless otherwise directed by the trial judge.

Sec. 7. That all laws and clauses of laws in conflict herewith are hereby repealed.

Sec. 8. That this Act shall be in force from and after the first day of April, one thousand nine hundred and thirty-five.

Ratified this the 22nd day of March, A.D. 1935.
H. B. 676

CHAPTER 196

AN ACT TO REGULATE PENALTIES AND INTEREST ON DELINQUENT TAXES IN THE CITY OF DURHAM AND COUNTY OF DURHAM.

The General Assembly of North Carolina do enact:

Section 1. That from and after ratification of this Act the City of Durham and the County of Durham, North Carolina, shall abide by the North Carolina Machinery Act in connection with the levying of tax penalties and interest on delinquent taxes.

Sec. 2. That in no instance shall the City of Durham levy a greater penalty on delinquent taxes than that charged by the County of Durham, and in no instance shall the City of Durham charge a higher interest rate on delinquent taxes than that charged by the County of Durham.

Sec. 3. That all Public-Local Laws and amendments to the city charter of the City of Durham or any other laws or clauses of laws in conflict with the provisions of this Act are hereby repealed.

Sec. 4. This Act shall not apply to penalties heretofore levied or to interest charged prior to the ratification of this Act.

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

Ratified this the 22nd day of March, A.D. 1935.

H. B. 671

CHAPTER 197

AN ACT TO REDUCE THE SALARY OF THE SHERIFF OF PAMLICO COUNTY AND TO PROVIDE FOR A TAX COLLECTOR FOR SAID COUNTY.

Whereas, it is necessary and expedient to create the office of tax collector for the entire County of Pamlico in order that the taxes may be more uniformly, economically and efficiently collected; and

Whereas, the appointment of the tax collector for said county of Pamlico will relieve the Sheriff of said county of the major portion of his clerical and regular duties as such Sheriff; Now, therefore,

The General Assembly of North Carolina do enact:

Section 1. That from and after October first, one thousand nine hundred and thirty-five, the salary of the Sheriff of Pamlico County shall be two thousand dollars per annum, which salary...
shall be payable in twelve monthly installments as now provided by law, and said Sheriff shall, after making full settlement for all taxes by him collected, including the year one thousand nine hundred and thirty-five, be relieved of all duties incidental to and in connection with the collection of taxes in Pamlico County from said date, and all such duties and powers so conferred upon the Sheriff by law is hereby conferred upon the tax collector of said county hereinafter provided for. All commissions and fees of every kind collected by the Sheriff shall be paid to the Treasurer of Pamlico County and placed to the general fund account.

Sec. 2. That there is hereby created for Pamlico County the office of tax collector whose duty it shall be to collect all of the taxes in Pamlico County, said tax collector to be appointed by the Board of County Commissioners of Pamlico County at their meeting on the first Monday in August, one thousand nine hundred and thirty-five, and said tax collector so appointed shall assume his duties as such tax collector on the first Monday in October, one thousand nine hundred and thirty-five. The Board of County Commissioners is hereby given complete supervision of the appointment of said tax collector and shall have authority to employ or discharge such collector upon five days notice with or without cause. Before taking the oath of office as required by law said tax collector shall give a justified bond satisfactory to said commissioners for the proper collection and accounting of all taxes and funds coming into his hands by virtue of his office in a sum to be fixed in the discretion of said Board of County Commissioners, but in no event shall the bond be less than ten thousand dollars.

Sec. 3. That said tax collector shall serve, unless removed by said Board of Commissioners as above provided, for a period of one year and succeeding tax collectors shall be appointed regularly by the Board of County Commissioners as provided in Section two hereof, and nothing herein shall prohibit the commissioners from reappointing a tax collector to succeed himself.

Sec. 4. That the County Commissioners of Pamlico County are hereby authorized and empowered to furnish and equip a suitable office for said tax collector at a place convenient for the public. Said tax collector's books, records and accounts shall be at all times subject to the inspection and supervision of the Board of Commissioners of Pamlico County and the County Accountant, and said records of said office shall be subject to the inspection of the public. Said tax collector shall make daily settlement with the County Accountant, or Auditor, of Pamlico County for all funds and taxes collected.

Sec. 5. That said tax collector shall receive no additional compensation or remuneration for conducting land sales or levying on personal property or preparing the insolvent list. It is the
The General Assembly of North Carolina do enact:

Section 1. That Chapter one hundred fifty-four, Public-Local Laws of one thousand nine hundred twenty-three, Chapter five hundred thirty-seven, Public-Local Laws of one thousand nine hundred twenty-five, and all amendments thereto relating to the compensation of the Sheriff of Hyde County be and the same hereby are repealed.

Sec. 2. That from and after the ratification of this Act the Sheriff of Hyde County shall receive such fees and commissions for his services as Sheriff and ex officio tax collector of Hyde County as are now or may hereafter be prescribed by the Public Laws of North Carolina, fixing and regulating the compensation of sheriffs and ex officio tax collectors.
Sec. 3. That said Sheriff shall not be required to keep an account or submit a report of fees and commissions received by him as compensation for services rendered as Sheriff or ex officio tax collector, but the same shall be retained by him as full compensation for his services.

Sec. 4. That this Act shall not be construed to relieve the Sheriff and ex officio tax collector of Hyde County from making any and all reports of tax collections made by him, or of any and all funds coming into his hands by virtue of any existing law or any law which may hereafter be enacted when the same are not received by him in compensation for his services: Provided, that the said Sheriff and ex officio tax collector may retain his commissions from any and all taxes collected by him in making his report to the court or other agency of the State, and said deduction shall constitute a credit toward the settlement of said taxes.

Sec. 5. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

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

Ratified this the 22nd day of March, A.D. 1935.

H. B. 682  CHAPTER 199

AN ACT RELATING TO THE SALARIES OF THE OFFICERS AND COUNTY COMMISSIONERS OF PAMLICO COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That from and after July first, one thousand nine hundred and thirty-five, the officers of Pamlico County shall receive the following annual salaries: Clerk of the Superior Court, one thousand three hundred and twenty dollars; Register of Deeds, one thousand three hundred and twenty dollars; all salaries to be paid in equal monthly installments. The aforesaid salaries shall be in lieu of all other compensation, including fees and commissions of every kind collected, which are to be paid to the Treasurer for the general county fund. The said officers shall keep a record of all fees received, as provided by the County Finance Act. The salary above fixed for the Clerk of the Superior Court shall include services rendered by him as Clerk of the Recorder's Court and Juvenile Judge.

Sec. 2. That the Board of County Commissioners of Pamlico County shall each receive as compensation for services when attending regular meetings of the board the sum of five dollars
per day and for called meetings shall receive the sum of three dollars per day: Provided, however, no pay shall be allowed for more than twenty-four called meetings in any one 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 22nd day of March, A.D. 1935.

H. B. 698
CHAPTER 200
AN ACT TO REGULATE SALARY OF REGISTER OF DEEDS OF PASQUOTANK COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the Board of Commissioners of Pasquotank County be and they are hereby authorized and empowered to pay J. C. Spence, Junior, Register of Deeds of Pasquotank County, the sum of forty ($40.00) dollars per month in addition to the compensation now received by him as such Register of Deeds, in consideration of his services as Clerk to the said Board from and after the first day of March, one thousand nine hundred thirty-five, to the first day of December, one thousand nine hundred thirty-six.

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 22nd day of March, A.D. 1935.

H. B. 701
CHAPTER 201
AN ACT RELATING TO THE SUPERVISION OF THE ALAMANCE COUNTY JAIL.

The General Assembly of North Carolina do enact:

Section 1. That Chapter five hundred fifty-nine of the Public-Local Laws of North Carolina for the year one thousand nine hundred twenty-seven be and the same is hereby repealed.

Sec. 2. The Board of County Commissioners of Alamance County shall have full and complete supervision of the county jail for said county and the grounds adjacent thereto.
Sec. 3. The said Board of County Commissioners shall have full power and authority to name and designate the jailer and such other assistants as in the opinion of said Board shall be necessary to properly maintain, operate and supervise the said jail and the inmates therein, and to prescribe the rules and regulations and general policies of such operation, maintenance and supervision of said jail, and to prescribe the duties of the said jailer and his assistants.

Sec. 4. The said Board of County Commissioners shall have the full power and authority to determine and fix the salary or other compensation which the said jailer and other employees assigned under him shall receive.

Sec. 5. That all laws and clauses of laws in conflict hereto are hereby repealed.

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

Ratified this the 22nd day of March, A.D. 1935.

H. B. 717  CHAPTER 202

AN ACT PROVIDING FOR THE RE-ESTABLISHING OF CERTAIN JUDGMENT DOCKETS THAT HAVE BEEN STOLEN AND REMOVED FROM THE OFFICE OF CLERK OF SUPERIOR COURT OF CLAY COUNTY.

Whereas, original judgment dockets "E" and "G" of the office of Clerk of the Superior Court of Clay County have been stolen, taken and removed from said office and the county officials have been unable to apprehend the guilty parties or locate said dockets; and

Whereas, numerous judgments, decrees, orders and other entries were contained in said dockets; and

Whereas, it is necessary to preserve as a public record the entries contained in said dockets: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. Certain judgment dockets to be re-established. That the Clerk of the Superior Court of Clay County, under the supervision and direction of the attorneys at law constituting the local Bar of Clay County, is hereby directed to docket in new and convenient book or books, with convenient index thereto, or in accordance with the general index now existing and of record in said office, all judgments, decrees, motions, orders and all other entries as nearly as possible and in the same order as were of record in said original judgment dockets "E" and "G" that have been stolen, taken and removed from said office.
SEC. 2. From what source re-established. That said Clerk of the Superior Court of Clay County shall copy and prepare the new record or records herein directed to be re-established and set up by using the following records of the office of the Clerk of the Superior Court of Clay County.

(a) Original files and judgment rolls of record in said office.
(b) Minute dockets of said court of record in said office.
(c) All other duly authenticated, pertinent and official records.
(d) The said Clerk, when copy of any of the entries contained in said stolen judgment dockets “E” and “G” cannot be located in said office or obtained from the sources mentioned, shall, if there is in existence any copy thereof or any part of the same duly certified and authenticated, upon presentation to him of such copy, record said copy as a part of the records herein provided to be re-established. If the copy so certified shall be on file or constitute a part of a record of a case or otherwise of another court, either State or Federal, then said certified copy, when so recorded as aforesaid, shall be returned to the court from which same was taken and shall not be required to remain on file in the Clerk’s office when so recorded.

SEC. 3. The Board of Commissioners of Clay County is hereby authorized and directed to pay to the Clerk of the Superior Court, or such other person or persons that may perform the work necessary to copy and establish the records herein referred to, a reasonable compensation therefor not to exceed the sum of two hundred dollars, and said Board of Commissioners is hereby further authorized and directed to purchase the necessary book or books and other supplies necessary to carry out the provisions of this Act and pay all the expenses mentioned in this section from the appropriate source of the general fund of said county, and in case a sufficient appropriation is not available when this Act takes effect for such purpose, said Board of Commissioners is hereby authorized and directed to carry out the provisions of this Act and include a sufficient appropriation for such purpose in the next fiscal tax levy.

SEC. 4. This Act shall not affect judgments barred by the statute of limitations, or homestead rights as provided by law at the time of the loss of said records, or any other vested rights at the time of the loss of said records or since accrued by operation of law or otherwise.

SEC. 5. That this Act shall be in addition to and supplemental to all other acts relating to the restoration or establishment of burned, lost, stolen or destroyed records.

SEC. 6. That this Act shall be in force and effect on and after May fifteenth, one thousand nine hundred and thirty-five.

Ratified this the 22nd day of March, A.D. 1935.
H. B. 708  
CHAPTER 203

AN ACT TO REPEAL CHAPTER SEVENTY-THREE, PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-ONE, REGULATING THE SALARY OF THE CLERK OF THE SUPERIOR COURT AND REGISTER OF HYDE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That Chapter seventy-three, Public-Local Laws of one thousand nine hundred thirty-one, and any and all amendments thereto be and the same hereby are 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 and effect from and after its ratification.

Ratified this the 22nd day of March, A.D. 1935.

H. B. 740  
CHAPTER 204

AN ACT TO REGULATE CERTAIN FEES OF THE RECORDER'S COURT OF CUMBERLAND COUNTY IN CRIMINAL CASES.

The General Assembly of North Carolina do enact:

Section 1. That the following fees shall be charged and collected in the Recorder's Court in all criminal cases:

For issuing warrants, one dollar and fifty cents for each defendant.

For docketing warrants, fifty cents.

For issuing subpoena, twenty cents for each witness.

For filing papers, twenty-five cents.

For recognizance where no bond is taken, twenty-five cents.

For taking bond, including justification, seventy-five cents.

For each continuance, twenty-five cents.

For judgment final against each defendant, two dollars and fifty cents.

For judgment nisi, fifty cents.

For preparing bill of costs, thirty cents.

For recording in minutes, fifty cents.

For solicitor's fee, three dollars for each defendant.

For a jury trial, six dollars to be advanced by the defendant before his request for trial shall be granted.
Section 2. That this Act shall apply only to Cumberland County.

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

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

Ratified this the 22nd day of March, A.D. 1935.

H. B. 742  
CHAPTER 205

AN ACT TO AMEND CHAPTER THREE HUNDRED SIXTEEN OF THE PUBLIC LAWS OF ONE THOUSAND NINE HUNDRED AND NINE, RELATING TO THE PAYMENT OF THE COSTS IN CONNECTION WITH THE SINKING FUND COMMISSION OF CUMBERLAND COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That Section two, Chapter three hundred and sixteen of Public Laws of one thousand nine hundred and nine, be and the same is hereby amended by striking out all of the last clause thereof. to wit:

"And the cost of the same shall be paid from the general fund of Cumberland County," and substituting therefor the following, to wit:

"And the cost of same shall be paid from the sinking fund held by the sinking fund committee created under said chapter."

Section 2. That Section four, Chapter three hundred and sixteen of Public Laws of one thousand nine hundred and nine, be and the same is hereby amended by striking out all of the last clause thereof, to wit:

"To be paid from the general fund of the county," and substituting therefor the following, to wit:

"To be paid from the sinking fund held by the committee created under said chapter."

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

Section 4. This Act shall be in full force and effect from and after its ratification.

Ratified this the 22nd day of March, A.D. 1935.
S. B. 287  CHAPTER 206

AN ACT FORBIDDING THE ISSUANCE OF BONDS IN MONTGOMERY COUNTY UNLESS APPROVED BY A VOTE OF THE PEOPLE.

The General Assembly of North Carolina do enact:

SECTION 1. That no county bonds shall hereafter be issued and/or sold in Montgomery County for any purpose unless the same shall have been approved by a vote of the people at an election to be called by the Board of County Commissioners of Montgomery County.

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 26th day of March, A.D. 1935.

H. B. 270  CHAPTER 207

AN ACT TO AUTHORIZE THE USE OF COUNTY BONDS AND BONDS OF MOREHEAD CITY IN THE PAYMENT OF CERTAIN DELINQUENT TAXES DUE THE SAID COUNTY AND MUNICIPALITY.

 Whereas, since the year nineteen hundred twenty-six up to and including the year nineteen hundred thirty-two, property values in Carteret County during those years prevailing for taxable purposes and the tax rates levied have been enormously excessive, and in effect have tended to a virtual confiscation of private properties in the interest of local government; and

 Whereas, on account of the highly excessive tax liens against the said properties, together with the generally prevailing economic conditions, it has been impossible for the property owners of the county to provide funds with which to pay said tax liens and thereby redeem their properties; and

 Whereas, the delinquent tax items for the years in question, aggregating hundreds of thousands of dollars, which still remain in default, constitute a serious handicap in the further operation of the fiscal affairs of the county; and

 Whereas, it appears that without some form of relief to the aforesaid delinquent taxpayers they will be unable ever to have discharged the tax liens outstanding and resume an orderly payment and discharge of other tax obligations, current and prospective, both to the irreparable loss of the individuals whose
properties are involved and to the loss of the local government unit as well; and

Whereas, it has been caused to appear to the satisfaction of the Board of Commissioners of Carteret County that the greater interest of the defaulting taxpayers and of the county itself can and will be subserved and conserved by an authorization of the use of Carteret County bonds by delinquent taxpayers in the discharge of their delinquent obligations, conditioned upon application being made under proper and suitable rules and regulations to be prescribed by the governing authorities of the county: Now, therefore,

The General Assembly of North Carolina do enact:

Section 1. That it shall be lawful for, and the governing authorities of Carteret County are hereby empowered to authorize, the tax collector of Carteret County to accept in payment of delinquent taxes due said county Carteret County bonds and/or coupons when tendered by any delinquent taxpayer of the county, or any other person or persons holding record liens against any properties listed in said county for taxable purposes: Provided and upon condition, however, that at the time of the tender of any such bonds and/or coupons for the purpose of discharging delinquent tax liens the person or persons seeking so to discharge said tax liens by the use of such bonds and/or coupons shall be required to pay in cash his or their taxes for the year one thousand nine hundred thirty-three, and otherwise comply with the requirements that may be prescribed by the Board of Commissioners of Carteret County as conditions precedent to the use of such bonds and/or coupons for tax-paying purposes; and Provided further, that taxes for the year one thousand nine hundred thirty-four and years subsequent shall not be discharged with bonds, but in national currency; and the County of Carteret shall not be deemed by this Act to have been relieved and discharged of its responsibility to the State of North Carolina for the county's fifteen cents tax levy for school purposes for the fiscal years of one thousand nine hundred thirty-one and one thousand nine hundred thirty-two, but such unpaid balance due the State, when and as received by Carteret County, and whether discharged to the county by bonds or otherwise, shall still be due and payable by said county to the State of North Carolina.

Sec. 2. That the Board of Commissioners of Carteret County is hereby authorized and empowered to fix and determine, by appropriate resolution, the trade value of Carteret County bonds and/or coupons that may be used for the payment of delinquent taxes due the county; and the Board of Commissioners shall have authority, and they are hereby empowered, to classify said bonds with respect to maturity periods and, in its discretion, from time
to time may fix and determine the relative values of past-due bonds and future maturities, making such discrimination as to the Board appears proper, when such bonds are to be used in payment of delinquent taxes.

Sec. 3. That the action by the Board of Commissioners of Carteret County heretofore taken in authorizing the acceptance of bonds and/or coupons of Carteret County to be applied on the payment of delinquent taxes due the County, and subject to conditions at that time imposed, be and the same is hereby approved, ratified and confirmed.

Sec. 4. That the provisions of this Act, all and singular, shall be applicable also to the governing authorities of the Town of Morehead City; and its provisions, subject to any restrictions and limitations which may be imposed by the Board of Commissioners of the Town of Morehead City as conditions precedent to the use of bonds and/or coupons of the said municipality, shall be available to the property owners of Morehead City delinquent in the payment of their taxes and special assessments for street improvements.

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 26th day of March, A.D. 1935.

H. B. 456

CHAPTER 208

AN ACT CREATING THE OFFICE OF TAX COLLECTOR FOR WILSON COUNTY AND FOR OTHER PURPOSES.

The General Assembly of North Carolina do enact:

SECTION 1. There is hereby created the office of Tax Collector for Wilson County. The said Tax Collector shall perform all the duties with reference to collecting taxes, making seizures and sales in the course thereof, as are now performed by the Sheriff of Wilson County, and all laws imposing any duty upon the Sheriff of Wilson County for the collection of taxes shall be performed by the said Tax Collector, and the said Tax Collector shall be subject to all the liabilities and penalties for failure to perform the duties of his office as are prescribed for the failure of the Sheriff to perform such duties, whether such liabilities and penalties are civil or criminal.

Sec. 2. The term of office of the Tax Collector shall begin on the first Monday in September of each year and shall continue for one (1) year or until his successor is duly elected
and qualified, and the election shall take place at the regular meeting of the Board of Commissioners on the first Monday of July of each year. For the first term the election shall take place on the first Monday of May and the term shall begin on the first Monday in July and shall expire at midnight of the Sunday prior to the first Monday in September, one thousand nine hundred and thirty-six.

Sec. 3. The Board of Commissioners shall allow the Tax Collector not more than two (2) Assistants, which Assistants shall be named by the Tax Collector, by and with the approval and consent of the Board of Commissioners.

Sec. 4. Before entering upon the duties of his office, the Tax Collector shall execute a bond with sufficient sureties, containing the usual terms and penalties as prescribed by law for the bonds of Sheriffs acting as Tax Collectors, in the penal sum of twenty-five thousand ($25,000) dollars, which said bond shall be in lieu of all bonds now required of the Sheriff as Tax Collector, and shall cover all taxes assessed and levied, whether enumerated in said bond or not. The bond shall be approved by the Board of Commissioners as is provided by law for the approval of Sheriff's bonds, and the premium upon the bond shall be paid from the General County Fund. The Tax Collector may require bonds of his Assistants in the penal sum not exceeding ten thousand ($10,000) dollars, each. The Sheriff of Wilson County shall no longer be required to give a bond as Tax Collector.

Sec. 5. If during the term of the office of the Tax Collector or of any of his Assistants, the Board of Commissioners of Wilson County shall become convinced that the duties of the office are not being properly performed, the Board of Commissioners may declare the said office vacant and elect a successor to fill out the unexpired term. If the office of the Tax Collector shall be declared vacant, the newly elected Tax Collector shall give a bond as herein required.

Sec. 6. The Tax Collector shall be paid an annual salary not to exceed three thousand ($3,000.00) dollars, and the Assistants shall be paid annual salaries not to exceed one thousand five hundred ($1,500.00) dollars each, and all salaries shall be paid monthly. An allowance not to exceed twenty-five ($25.00) dollars per month may be made for each automobile used by the Tax Collector or his Assistants.

Sec. 7. The Tax Collector and his Assistants shall assist the County Auditor and County Attorney in collecting delinquent taxes, and more particularly between the first Monday in July and the first Monday in September, one thousand nine hundred and thirty-five, he shall devote his entire time to assisting in the collection of delinquent taxes.
Ch. 454, Public-Local Laws 1933, amended.

Conflicting laws repealed.

Sec. 8. Section two of Chapter four hundred and fifty-four of the Public-Local Laws of one thousand nine hundred and thirty-three is amended as follows:

(a) Strike out the word "three" in line two and insert in lieu thereof the word "two."

(b) Strike out the words "and one of whom shall receive an annual salary of not less than one thousand five hundred ($1,500.00) dollars, payable in monthly installments" in lines four and five thereof.

Sec. 9. All laws, Public, Public-Local or Private, and all clauses and parts of such laws in conflict with this Act are hereby repealed.

Sec. 10. This Act shall be in force from and after the date of its ratification.

Ratified this the 26th day of March, A.D. 1935.

H. B. 653  CHAPTER 209

AN ACT CREATING FIVE DISTRICTS IN WILSON COUNTY FOR THE SELECTION OF COUNTY COMMISSIONERS.

The General Assembly of North Carolina do enact:

Section 1. That there shall be, and the same is hereby created, five districts in Wilson County for the nomination of County Commissioners.

Sec. 2. That at the next general primary and the next general election in one thousand nine hundred thirty-six, and every two years thereafter, there shall be nominated and elected respectively one commissioner from each district, and the districts shall be numbered one, two, three, four and five, and shall comprise the following townships:

(a) District number one shall be comprised of Wilson Township.

(b) District number two shall be comprised of Black Creek and Cross Roads Townships.

(c) District number three shall be comprised of Spring Hill and Oldfields Townships.

(d) District number four shall be comprised of Taylors and Toisnot Townships.

(e) District number five shall be comprised of Gardner’s, Saratoga and Stantonsburg Townships.

Sec. 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. 4. That the candidate receiving the majority of votes cast shall be declared to be the candidate of his political party duly nominated for the general election.

Sec. 5. That the laws governing the election of County Commissioners not in conflict with this Act shall be as provided by statute.

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 26th day of March, A.D. 1935.

H. B. 622  CHAPTER 210

AN ACT RELATING TO BILL OF COST IN RECORDER'S COURT OF FRANKLIN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That in all criminal trials in the Recorder's Court of Franklin County in which the defendant is acquitted or a nol pros or nol pros with leave is taken the State's witnesses shall be paid one-half of the witness fees now allowed witnesses in the Superior Court; said fee to be approved and paid within sixty days from final disposition of case in which fees are allowed.

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

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

Ratified this the 26th day of March, A.D. 1935.

H. B. 641  CHAPTER 211

AN ACT TO AMEND CHAPTER TWO HUNDRED THIRTY OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-THREE.

The General Assembly of North Carolina do enact:

Section 1. That Chapter two hundred thirty of the Public-Local Laws of one thousand nine hundred thirty-three be and the same is hereby amended by adding to the end of Section two the following:

In election vote is county-wide.
Declaring nominees.
Election laws applicable.
Conflicting laws repealed.
Certain witness fees in Franklin County Recorder's Court.
Conflicting laws repealed.

Ch. 220, Public-Local Laws 1933, amended.
"Provided, that in all cases where a four-strand barbed wire fence is used as a lawful fence, said wire shall be of heavy four-point hog-wire, and shall be stretched on good substantial stakes of at least an average of four inches in diameter, and that the first wire shall be placed eighteen inches from the ground and each succeeding wire shall be placed twelve inches above the preceding wire, and all wire shall be well stretched."

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

Ratified this the 26th day of March, A.D. 1935.

H. B. 654  CHAPTER 212

AN ACT TO CREATE THE POSITION OF KEEPER OF THE COMMON JAIL OF WILSON COUNTY: TO AMEND THE LAWS IN REFERENCE THERETO AND TO RELIEVE THE SHERIFF FROM THE DUTIES IMPOSED UPON HIM AS KEEPER OF THE JAIL OF WILSON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. The Sheriff of Wilson County is hereby relieved from any and all duties imposed upon him by Sections three thousand nine hundred forty-three, three thousand nine hundred forty-four, three thousand nine hundred forty-five, one thousand three hundred forty-six, one thousand three hundred forty-nine, one thousand three hundred fifty, one thousand three hundred fifty-two, one thousand three hundred fifty-three or any other Section of the Consolidated Statutes, whether enumerated herein or not, or any laws, Private, Public-Local or Public, creating him keeper of the jail of Wilson County, or imposing any duties upon him as keeper of the jail of Wilson County.

Sec. 2. There is hereby created the position of "Keeper of the Jail of Wilson County." The Board of Commissioners of Wilson County shall at the meeting on the first Monday in December, one thousand nine hundred thirty-six, and annually thereafter, elect, choose or appoint some person as Keeper of the common jail of Wilson County for the term of one year or at the pleasure of the Board, and there is hereby imposed upon such person all the duties now imposed by law upon the Sheriff of Wilson County as keeper of the jail thereof, and he shall be subject to all the penalties, obligations, civil or criminal which are now or which may hereafter by general law be imposed upon the Sheriff as the keeper of the jail or which may be imposed upon such person as the keeper of the jail of Wilson County, except as herein specifically modified or changed. Before entering upon the duties
of his office, such person shall execute a good and sufficient bond in the sum of five thousand dollars ($5,000.00), payable to the State of North Carolina, and conditioned for the faithful performance of all the duties imposed upon him by law, which said bond shall be approved by the Board of Commissioners of Wilson County and shall be filed with the Register of Deeds of Wilson County as are bonds for the Sheriff thereof.

SEC. 3. Immediately upon the qualification of the keeper of the jail, the Sheriff of Wilson County shall deliver to such keeper the keys to the jail and shall deliver the prisoners to such keeper, following as nearly as may be the provisions of Section one thousand three hundred fifty-two of the Consolidated Statutes, whereupon the liability of the Sheriff shall cease. The keeper of the jail shall in like manner deliver the keys and prisoners to his successor in office.

SEC. 4. All commitments and other records in the possession of the Sheriff upon the qualification of the keeper shall be delivered to the keeper, who shall hereafter keep such commitments and records, either under the present system or some system to be devised and inaugurated by the County Auditor.

SEC. 5. The keeper of the jail shall keep the same in a clean and sanitary condition; shall furnish to the prisoners clean and sufficient bedding and shall furnish to each of the prisoners sufficient food, properly prepared and cooked. The cost thereof shall be paid by the County of Wilson upon bills duly prepared by the keeper and audited by the Auditor thereof. The Board of Commissioners of Wilson County may make a deposit to the account of the keeper, to the end that he may pay cash for purchases.

SEC. 6. The Board of Commissioners of Wilson County and the Board of Commissioners or Board of Aldermen of the Town of Wilson may make an agreement and arrangements by which prisoners arrested by the police officers may prior to their trial be committed to the County jail and kept upon such terms and conditions as may be agreed upon by the respective Boards, and such prisoners shall be kept by the keeper of the jail in the same manner as other prisoners so committed, and he shall keep such records thereof as the County Auditor may require.

SEC. 7. The keeper of the jail may use the inmates in keeping the jail clean, in laundering bedding and clothing, in preparing the food and serving the same and in performing other duties in and about the jail.

SEC. 8. The Board of Commissioners will allow the keeper of the jail such assistants as in their opinion is necessary, and the keeper of the jail and every assistant shall be paid such compensation as may be fixed by the Board of Commissioners.

SEC. 9. The keeper of the jail and any assistants shall at all times be under the general orders and supervision of the Board.
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of Commissioners of Wilson County and the Board of Commissioners of Wilson County are hereby authorized and empowered, whenever in their opinion it is necessary and proper so to do, to terminate the term of office of the keeper or any assistant and elect others in place and lien thereof, and if another keeper shall be elected, he shall give the bond required herein.

Sec. 10. This Act shall be in force from and after the date of its ratification.

Ratified this the 26th day of March, A.D. 1935.

H. B. 659  CHAPTER 213

AN ACT TO AUTHORIZE STANLY COUNTY THROUGH ITS BOARD OF COMMISSIONERS TO ISSUE TWENTY THOUSAND DOLLARS IN BONDS FOR THE PURCHASE OF LANDS FOR PARKS.

Whereas, it appears that the national government is now spending large sums of money in the development of parks and other public conveniences in the various states and counties; and whereas, it has signified its purpose and desire to establish one or more parks in Stanly County for the use, benefit and convenience of its citizens and the public, and for said purpose proposes to spend Two Hundred and Fifty Thousand ($250,000.00) Dollars to Five Hundred Thousand ($500,000.00) Dollars in the County in the development of said parks, provided the County will furnish the land and deed the same to the State of North Carolina Department of Conservation and Development;

And whereas, the spending of this money will give employment to a great many people for several years, and will materially benefit the whole county, not only by the money that is spent in the development of said parks, but will also be a continuous source of income to the County: Now, therefore, in consideration of the premises,

The General Assembly of North Carolina do enact:

SECTION 1. That Stanly County, through its Board of Commissioners and other proper officers, is hereby authorized and empowered to issue its coupon bonds in a sum not exceeding in amount Twenty Thousand ($20,000.00) Dollars, and in denominations of not less than Five Hundred ($500.00) Dollars and not more than One Thousand ($1,000.00) Dollars each, bearing interest from the date of the issue of said bonds at the rate of interest not exceeding five per cent (5%) per annum, payable semi-annually, at some bank designated in said bonds, on the
first days of April and October of each and every year until said bonds are paid. Said bonds shall mature serially, One Thousand ($1,000.00) Dollars payable five (5) years after date of issue, and One Thousand ($1,000.00) Dollars payable each year thereafter until the whole issue is paid. Said bonds shall be sold after due advertisement as provided by law, at not less than par and at the lowest obtainable rate of interest at the time they are sold, but not exceeding five per cent (5%).

Sec. 2. In order to pay the interest on said bonds the Commissioners of Stanly County are hereby authorized, and it shall be their duty to annually compute and levy, at the time of levying other taxes for said county, a sufficient special tax upon all taxable property and other subjects of taxation in said county, to pay the interest on said bonds, and after five (5) years the principal of the same as they mature; said taxes shall be collected in the same manner and at the same time as other taxes of said county are collected. The taxes levied and collected for the purpose herein specified shall be kept separate and distinct from any and all other taxes and shall be used only for the purpose for which they are levied and collected; provided, if the taxes levied and collected for the payment of interest and/or for the payment of the bonds as they become due shall in any year exceed the sum required for that purpose, the amount in excess shall be applied to said fund for the next succeeding year, and shall be taken into account in computing and levying the taxes for the succeeding year.

Sec. 3. Said bonds shall be signed in the name of the County by the Chairman of its Board of Commissioners, and attested by the clerk to said board, and sealed with the common seal of the County, and the coupons on said bond shall bear the fac-simile signatures of the chairman of the Board of Commissioners of said County and the clerk to said board.

Sec. 4. That the proceeds from the sale of said bonds, or so much thereof as is necessary, shall be used by the Board of Commissioners of Stanly County and paid out only through their order, for the purchase of lands in Stanly County to be used as park or parks for the public good. That when the County shall purchase any lands for parks under the provisions of this Act the deed to the same shall be made direct to the State of North Carolina Department of Conservation and Development, or to such other agency of the state as the state may direct.

Sec. 5. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

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

Ratified this the 26th day of March, A.D. 1935.
AN ACT TO DEFINE AND LICENSE PROFESSIONAL BONDSMEN IN MECKLENBURG COUNTY, AND THE CITY OF CHARLOTTE.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person, firm or combination of persons, except corporations duly organized and licensed under the provisions of Chapter one hundred and six of the Consolidated Statutes of North Carolina, to carry on the business of professional bondsmen, as defined in this Act, before applying for and receiving a license to carry on said business from the County of Mecklenburg and the City of Charlotte.

SEC. 2. That no license shall be issued to any applicant to carry on the business of professional bondsman, as defined in this Act, unless such applicant shall file with the County of Mecklenburg and the City of Charlotte a sworn, itemized statement showing that such applicant has net, clear assets of not less than ten thousand dollars; and if such applicant is a firm or combination of persons such statement shall show net, clear assets of not less than ten thousand dollars for each person composing such firm or combination of persons.

SEC. 3. That the County of Mecklenburg and the City of Charlotte shall each levy an annual tax of five hundred dollars upon each person carrying on the business of professional bondsman, as defined in this Act, and if such business is carried on by a firm or combination of persons a like tax shall be levied upon each person composing such firm or combination of persons.

SEC. 4. That any person, firm or combination of persons executing or guaranteeing appearance bonds of persons, firms or corporations charged with violation of the criminal laws, either by executing said bonds or guaranteeing the same by depositing checks, cash or other securities in lieu of bond, shall be deemed and held to be professional bondsmen within the meaning of this Act.

SEC. 5. That any person, firm or combination of persons executing more than three appearance bonds in criminal cases within any calendar month, either by executing said bonds or by depositing checks, cash or other securities in lieu of bond, shall prima facie be deemed and held to be professional bondsmen within the meaning of this Act.

SEC. 6. That it shall be unlawful for any justice of the peace, recorder, sheriff, chief of police, clerk of any court or other officer, authorized to receive bonds in criminal cases, to accept within any calendar month more than three bonds in such cases executed or guaranteed by any person, firm or combination of
persons not licensed and qualified under the provisions of this Act.

Sec. 7. That every person, firm or combination of persons, and every official herein named, 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. 8. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 9. That this Act shall apply only to Mecklenburg County, and shall be in full force and effect from and after the date of its ratification.

Ratified this the 26th day of March, A.D. 1935.

H. B. 697

CHAPTER 215

AN ACT TO INCREASE THE NUMBER OF MEETINGS PER MONTH OF THE BOARD OF COUNTY COMMISSIONERS OF PASQUOTANK COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners of Pasquotank County shall hold a regular meeting on the first Monday in each month and the third Monday in each month and shall be paid at the present rate of compensation for such meetings.

Sec. 2. That the Chairman of the Board of said County Commissioners is hereby authorized and empowered to call one special meeting per month of said Board upon sufficient notice to the members thereof, and for such special meetings, the said Commissioners shall receive their present rate of compensation and mileage.

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

Ratified this the 26th day of March, A.D. 1935.

H. B. 700

CHAPTER 216

AN ACT TO PROHIBIT SHOOTING FIREWORKS IN HARNETT COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful to shoot fireworks in any incorporated or unincorporated town with a population of two hundred or more in Harnett County.

Violation made misdemeanor.

Conflicting laws repealed.

Application of Act.

Pasquotank County Commissioners ordered to meet twice a month.

May hold one special meeting a month.

Shooting fireworks prohibited in Harnett County towns.
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 dollars nor more than fifty dollars, 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 26th day of March, A.D. 1935.

H. B. 722  CHAPTER 217

AN ACT PROVIDING FOR CERTAIN SPECIAL TAX IN JACKSON COUNTY.

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 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 26th day of March, A.D. 1935.

H. B. 743  CHAPTER 218

AN ACT AUTHORIZING THE BOARD OF COUNTY COMMISSIONERS OF CUMBERLAND COUNTY TO NAME A PERSON, TO DESIGNATE AN ASSISTANT TO THE SOLICITOR OF THE SUPERIOR COURT IN CUMBERLAND COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the County Commissioners of Cumberland County, with the approval of the solicitor of the ninth judicial district, are hereby authorized in their discretion to designate a member of the Cumberland County Bar Association to assist
the duly nominated and elected solicitor of the ninth judicial district in the handling of the criminal docket of the Superior Court of Cumberland County.

Sec. 2. That the person so named to assist the solicitor of the ninth judicial district shall be named only by and with the approval of the duly nominated and elected solicitor of the Superior Court of said district.

Sec. 3. That the person so designated to assist the solicitor shall be under the direction and supervision of the solicitor of the ninth judicial district and shall serve for whatever term the Board of County Commissioners and the solicitor may designate not exceeding two years; that the person so named under this Act shall cooperate and assist the said solicitor in the criminal docket of the Superior Court of Cumberland County.

Sec. 4. That for the services of the person named to assist the solicitor, the County Commissioners shall designate for his salary, to be paid out of the general fund of the County, and the same shall be not less than seventy-five dollars nor more than one hundred dollars per and for each week; such assistant shall act as assistant to the solicitor in the prosecution of the criminal docket of the Superior Court of Cumberland County.

Sec. 5. That when any person is named and designated by the board of County Commissioners to assist the solicitor as herein provided, the same shall be in writing, which shall prescribe his length of services and his compensation therefor.

Sec. 6. That any person named to assist the solicitor as by this Act provided shall not be construed as a public officer and it is not the intention of this Act to create a public office, but only to authorize the board of County Commissioners of Cumberland County to supplement the services of the solicitor of the ninth judicial district by designating and providing for the compensation of the person to assist in the prosecution of the criminal docket of Cumberland County. Nothing herein provided shall be construed to prevent any person named and designated by virtue of this Act to assist the solicitor of the ninth judicial district from accepting employment from private prosecution in any case pending upon the criminal docket while acting in the capacity as assistant under the provisions of this Act.

Sec. 7. That this Act shall apply only to Cumberland.

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 26th day of March, A.D. 1935.
H. B. 749

CHAPTER 219

AN ACT TO PROVIDE FOR A CALENDAR FOR THE TRIAL OF CRIMINAL CASES IN THE SUPERIOR COURT OF CLEVELAND COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That not later than three (3) days prior to the convening of any criminal term of the Superior Court of Cleveland County, the clerk of said court shall make out a calendar for the trial of all criminal cases on the docket for said term. That before preparing said calendar, it shall be the duty of the Clerk of the Superior Court to notify the President of the Cleveland County Bar Association, the Solicitor of the Recorder's Court, and the Solicitor of the Superior Court, of the time and place said calendar is to be prepared, in order that they may be present, and assist the clerk in the preparation of said calendar, and any member of the bar who may desire to do so shall be permitted to be present when the calendar is prepared.

SEC. 2. That in the preparation of said calendar, jail cases or cases in which the defendant is in jail for default of bail shall be given priority, except capital cases, which may be placed upon the calendar at such time as the Solicitor may suggest. That it shall not be necessary to make out a calendar for the good behavior docket or the sci fa docket; these matters may be heard at any time during the term at the convenience of the Court.

SEC. 3. That immediately upon the completion of the calendar, the clerk shall have same printed or mimeographed, giving the name of the defendant, the offense charged, and the day of the week and month upon which the case is set for trial, and also the name of the counsel representing said defendant, if known. It shall be the duty of the clerk to furnish all the officers of the court with a copy of said calendar, and also each of the attorneys practicing in Cleveland County.

SEC. 4. That it shall be the duty of the Solicitor of the Superior Court to see that the Foreman of the Grand Jury has a copy of said calendar, so that the Grand Jury may pass upon the bills of indictment in the order that they stand for trial in the Superior Court.

SEC. 5. That all cases shall be tried in the order in which they are on the calendar, except submissions which may be heard at the convenience of the court. If for sufficient reason the State or the defendant is not ready for trial at the time said case is called, it may be continued for the term, or may be placed at the foot of the calendar for the present term: Provided, however, that if it is a jail case, it may be placed at the foot of the jail cases on the calendar for the present term.
Sec. 6. That cases docketed in the Superior Court after the formation of the calendar shall stand for trial at the next term, except jail cases, which may be tried at the present term at the discretion of the court, and if ordered to be tried, shall have priority over non-jail cases, and may be placed at the foot of the jail cases on the calendar.

Sec. 7. That all defendants and witnesses recognized and ordered to appear at any criminal term shall in the recognizance be ordered to appear on the first day of the term, as now provided by law, and it shall be the duty of all state witnesses to be present on the first day of said term, in order that they may appear before the Grand Jury. That on the first day of the court it shall be the duty of the Solicitor to read or call the calendar for the benefit of all witnesses and defendants present, in order that they may know which day their case is set for trial, and it shall also be the duty of the Solicitor to advise all state witnesses to remain in attendance upon the court until after they have appeared before the Grand Jury. That no witness shall be permitted to prove his attendance prior to the day on which the case is set on the calendar for trial: Provided, however, that if the witness appeared before the Grand Jury on a day prior to the date the case was on the calendar for trial, he may prove for one (1) day's attendance before the Grand Jury.

Sec. 8. That the County Commissioners of Cleveland County shall pay all necessary expenses incurred by the clerk in carrying out the provisions of this Act.

Sec. 9. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 10. That this Act shall be in full force and effect from and after its ratification.

Ratified this the 26th day of March, A.D. 1935.

H. B. 764 CHAPTER 220

AN ACT REGULATING THE DUTIES OF THE CLERK OF THE SUPERIOR COURT OF HYDE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Clerk of the Superior Court of Hyde County shall keep a record, in bound volume, of all costs and fees in civil actions, special proceedings and criminal actions instituted and/or prosecuted in the Superior Court of Hyde County; such record of costs and fees shall show the number of the summons docket, the number of the civil issue docket and the number or numbers of the judgments as rendered and docketed.
in each and every case and shall be kept in the form of debit and credit, and shall at all times be kept up to date and open to the public during office hours. This record shall be so indexed as to facilitate the location of any bill of cost in each and every case pending or disposed of in the Superior Court.

Sec. 2. That the Clerk of the Superior Court shall immediately, or within thirty days from and after the ratification of this Act, issue and mail checks to any and all persons who appear to have funds in his office in the form of witness fees, sheriffs fees, notary fees or any other funds, not including trust funds belonging to minors. The check shall show the purpose for which it is issued and shall be mailed to the payee at his last known address. The check when endorsed and paid by the bank on which it is drawn shall be a sufficient receipt to discharge said clerk pro tanto from liability on account of said funds. Said clerk is also required to issue checks in the same way and manner for all fees coming into his hands by virtue or color of his office belonging to other persons, to the end that no witness fees or officer's fees shall remain in his hands for more than thirty days from the time that they are paid into said office, unless the payee cannot be located after due diligence which must in all cases be supported by the return of the letter containing the check by the post office department with the notation "addressee unknown" or some similar notation by the postmaster appearing on the said envelope containing said letter.

Sec. 3. That the Clerk of the Superior Court shall check all criminal cases, civil actions and special proceedings now pending in his office in which final judgment has not been rendered and docketed for the purpose of ascertaining:

(a) Whether the papers can be located.

(b) Whether the papers or pleadings required to be recorded have been recorded.

(c) Whether judgments have been properly docketed and indexed.

(d) Whether the costs have been paid in full up to date and if not to ascertain the amount now due.

If it shall be found that any paper or papers in any case have been lost, then the said clerk shall immediately notify the attorneys of record or the parties litigant that said papers cannot be located; said notice to be by letter either mailed or delivered in person to said attorneys and if there be no attorneys of record then the same course shall be pursued by giving notice to the parties litigant. If said clerk shall find that any paper or papers have not been duly recorded or docketed as required by law, then he shall immediately follow the same course for giving notice as herein prescribed in cases of the loss of papers and in addition thereto, said clerk shall advise said attorneys or parties litigant
of the amount of fees necessary to have the proper recordation or docketing of said papers in the way and manner prescribed by law and in accordance with the rules and practice of the court. A copy of said notice shall also be furnished to the Judge holding the courts of the District, providing that provision is not made for the proper recordation or docketing of said papers before the next term of the Superior Court. If it shall be found that the cost of any criminal action has not been paid, including any fine imposed by the court, then it shall be the duty of said Clerk to issue a capias for the defendant or defendants for said costs and/or fine to which shall be attached a copy of the bill of costs and statement of fines, to the end that said costs and fines may be immediately collected. A list of the cases in which said costs and fines appear not to have been collected shall first be certified to the Solicitor of the District and he shall be requested to suggest the course of procedure, and if he suggests no course within ten days then the capias shall issue and the defendant or defendants shall be committed to the common jail of the County, until said costs and fines are paid or until said defendant or defendants are discharged in the way and manner prescribed by law. A list of all such cases shall be furnished to the presiding Judge at the next term of the Superior Court. The same course of procedure with regard to bills of costs and fines shall be followed in all future cases as outlined in this section, to the end that all costs and fines in criminal actions shall be collected immediately after the adjournment of each term of court, unless the Judge shall allow additional time for the payment of said costs and/or fines, in which case the extension shall be noted on the criminal docket as a notice to the general public. The provisions of this section shall be supplemental to and not as a substitution for the existing provisions of law with regard to these several matters.

Sec. 4. That the Board of County Commissioners or other governing body of the County shall provide the necessary records in which to keep the bills of costs as herein provided and also shall furnish the requisite stationery, printed forms and postage for carrying out and effectuating the provisions of this Act.

Sec. 5. That all the provisions of this Act shall be complied with by the clerk within forty-five days from and after the ratification of this Act.

Sec. 6. That if the Board of County Commissioners shall fail to furnish the necessary records and the requisite stationery, printed forms and postage they shall be liable, jointly and severally, to a penalty of two hundred dollars to be recovered by any person who may sue for same.
Chapter 221

AN ACT CREATING FIVE DISTRICTS IN COLUMBUS COUNTY FOR THE NOMINATION AND ELECTION OF THE COUNTY COMMISSIONERS OF SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Columbus County shall be hereby divided into five districts, as follows, to wit: (a) Ransom Township, Bolton Township and Waccamaw Township shall constitute district number one; (b) Welch Creek Township, Western Prong Township and Tatom Township shall constitute district number two; (c) Chadborn Township, Fair Bluff Township and Cerro Gordo Township shall constitute district number three; (d) Williams Township, South Williams Township and Bug Hill Township shall constitute district number four; and (e) Whiteville Township, Bogue Township and Lees Township shall constitute district number five.

SEC. 2. That the Board of Commissioners of Columbus County is hereby increased from three to five members.

SEC. 3. That at the next primary to be held in one thousand nine hundred and thirty-six, and biennially thereafter, there shall be nominated one member of said Board of Commissioners from each of the five districts hereby created.

SEC. 4. That at the next election, and biennially thereafter, there shall be elected under the same rules and regulations governing the election of other county officers, five commissioners, one from each district.

SEC. 5. That the candidates in the primary from each respective district shall be voted for by all of the qualified voters of Columbus County, and the candidate from each respective district who shall receive the largest number of votes shall be declared to be the nominee of his party, duly nominated as the
candidate from said district for the general election, and said candidates shall be voted for in the general election by all of the qualified voters of said Columbus County.

Sec. 6. That this Act shall take effect at the next nominating primary.

Sec. 7. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

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

Ratified this the 26th day of March, A.D. 1935.

H. B. 781

CHAPTER 222

AN ACT TO RELIEVE THE TAXPAYERS OF BEAUFORT COUNTY.

The General Assembly of North Carolina do enact:

Section 1. The County Commissioners of Beaufort County and the governing agencies of the several municipalities therein are hereby authorized, empowered and directed to accept payment of taxes for the years one thousand nine hundred and thirty-two, one thousand nine hundred and thirty-one, one thousand nine hundred and thirty, one thousand nine hundred and twenty-nine, one thousand nine hundred and twenty-eight, one thousand nine hundred and twenty-seven and all prior years at the face value of the tax sale certificates issued for the respective years, less all penalties, interest charges, court costs, attorney's fees and advertising costs.

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

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

Ratified this the 26th day of March, A.D. 1935.
S. B. 332

CHAPTER 223

AN ACT PROVIDING FOR THE CREATION OF THE OFFICE OF TAX COLLECTOR FOR PENDER COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners of Pender County shall on or before the first day of May, one thousand nine hundred and thirty-five, and on the first Monday in October of said year, and annually thereafter appoint some competent person, who is a resident of said County, as tax collector for Pender County. Said tax collector shall qualify by furnishing bond as hereinafter provided, shall assume the duties of his office on the first Monday in May, one thousand nine hundred and thirty-five, and shall serve at the will of the Board of County Commissioners, or until his successor is duly appointed and qualified.

SEC. 2. That on the first Monday in May, one thousand nine hundred and thirty-five, the Sheriff of Pender County shall make full and complete settlement with the county for all taxes then in his hands for collection and thereupon all of said taxes remaining uncollected shall be turned over to the tax collector and all duties and powers with respect to the collection of and settlement for taxes now or hereafter imposed and conferred by law upon the sheriff shall from and after said first Monday in May be imposed and conferred upon the tax collector.

SEC. 3. It shall be the duty of the tax collector to present to the Board of County Commissioners at each regular monthly meeting thereof a full and itemized statement of all taxes collected since the last meeting of such Board. He shall daily deposit all collections of taxes in the depository designated by the Board of County Commissioners to the credit of the County and of the funds to which they belong and shall daily report said deposits to the county auditor by means of a duplicate deposit receipt signed by the depository: Provided, however, that with the approval of the Board of County Commissioners it shall be sufficient to deposit such collections in the name of the County to the credit of a special account from which distribution shall be made by him bi-weekly to the credit of the various funds to which such collections belong.

SEC. 4. That from and after the first Monday in May, one thousand nine hundred and thirty-five, the salaries of the sheriff and of the tax collector shall be at the rate of two thousand six hundred dollars and two thousand four hundred dollars per annum respectively, payable in equal monthly installments out of the general fund of the County: Provided, however, the tax collector's salary shall be prorated among the various funds and/or
purposes for which taxes are levied on the basis of the amount so levied and the general fund shall be reimbursed accordingly.

Sec. 5. That the tax collector shall furnish bond in the sum of twenty thousand dollars ($20,000) in the manner and form as now required of the sheriff for the collections of current taxes.

Sec. 6. It shall be the duty of the sheriff to deposit all fees received by him under color of his office to the credit of the general fund of the County: Provided, however, he may withhold a sum not exceeding three hundred dollars per annum from collections of such fees for the purpose of employing an all-time deputy, but none of said fees shall be withheld by him until and unless such all-time deputy is employed.

Sec. 7. That the provisions of this Act shall apply to Pender County only.

Sec. 8. That all laws and clauses of laws in conflict with this Act shall be and the same 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. 1935.

S. B. 326  CHAPTER 224

AN ACT TO ESTABLISH CARTWAYS TO CEMETERIES IN GRAHAM COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That where there is any cemetery or graveyard in Graham County which has not been abandoned and which has been used as a burying ground for twenty years or longer and to which there is leading no public road or cartway for ingress thereto or egress therefrom, necessary road or cartway may be established therefrom to a public road over the lands of any or all persons between such cemetery and the public road.

Sec. 2. That the procedure of the establishment, alteration or discontinuance of any such road or cartway shall be under and in accordance with the provisions and authority of Chapter seventy, article thirteen of the Consolidated Statutes of North Carolina, as amended and revised by Chapter four hundred and forty-eight of the Public Laws of North Carolina, session one thousand nine hundred and thirty-one: Provided, the petition for the establishment, alteration or discontinuance of such road or cartway to such cemetery or graveyard may be made and filed in the proceeding by any person or persons having relatives buried
in such cemetery or graveyard, which shall be appropriate and sufficient authority for such proceeding for the establishment or alteration of such road or cartway.

Sec. 3. That any road or cartway established under this Act shall be kept open for the free passage of all persons on foot or horseback and all carts, wagons, automobiles or other vehicles, and the petitioners or others interested in such cemetery and who use such road or cartway may from time to time grade or repair said road or cartway in order that same may be made and maintained suitable for passage of vehicles.

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

Ratified this the 27th day of March, A.D. 1935.

H. B. 580 CHAPTER 225

AN ACT TO PROHIBIT THE ISSUANCE OF BONDS, OR OTHERWISE CREATING A LIABILITY OF THE COUNTY, WITHOUT SUBMITTING THE MATTER TO A VOTE OF THE QUALIFIED VOTERS OF BLADEN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. No bonds shall be issued as an obligation of Bladen County, or any debt incurred in said County, the total of which shall amount to more than fifty per cent of the anticipated revenue of the County for the current or ensuing taxable year, without first having submitted the question to the issuing of said bonds, or the incurring of said debt, at a general election held in the County and to the qualified voters thereof, and unless a majority of the qualified voters of the County shall vote in favor of the said bond issue or incurring of said debt. The provisions of this Act shall not apply to refunding bonds to refund a debt heretofore incurred.

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

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

Ratified this the 27th day of March, A.D. 1935.
AN ACT PROVIDING FOR THE APPOINTMENT OF A TAX SUPERVISOR FOR HAYWOOD COUNTY, AND REGULATING HIS SALARY, AND PRESCRIBING HIS DUTIES: AND PROVIDING FOR A BOOKKEEPING SYSTEM IN TAX OFFICE, AND AUDIT THEREOF; AND SEPARATING THE OFFICE OF SHERIFF AND TAX SUPERVISOR AND COLLECTOR.

The General Assembly of North Carolina do enact:

Section 1. There is hereby created the office of Tax Supervisor for Haywood County, and the Board of County Commissioners of said County shall appoint some suitable person on the first Monday in October, one thousand nine hundred and thirty-five, who has the ability to keep proper records of the office, and otherwise qualified as Tax Supervisor, and who, before entering upon the duties of his office, shall be approved by the Local Government Commission of North Carolina as to his fitness and technical knowledge; said appointment to be made on the first Monday in October, one thousand nine hundred and thirty-five, and the Tax Supervisor shall serve at the will of the Board of Commissioners, and shall draw a salary, set from time to time by the Board of Commissioners, of not less than eighteen hundred ($1,800) dollars, and not more than twenty-four hundred ($2,400) dollars per year, payable in monthly installments. He may employ an assistant, upon approval of the Board of Commissioners, who shall draw such compensation as the Board of Commissioners may prescribe from time to time, and such assistant shall give bond in a sum of not less than ten thousand ($10,000) dollars, payable to Haywood County, which bond shall be in a bonding company legally doing business in North Carolina, and which bond shall be approved by the Board of Commissioners.

Sec. 2. It shall be the duty of the Tax Supervisor, upon his appointment as herein provided, to immediately take charge of all the tax books of the County and collect all taxes due Haywood County, including the taxes paid on estimates before the books are completed, for the following year, and his bond for the current year shall cover such advance collections, and the office of sheriff and tax collector is hereby separated, and the sheriff of said County shall not collect any taxes.

Sec. 3. Said Tax Supervisor shall give a bond of not less than fifty thousand ($50,000) dollars for the faithful performance of the duties of his office in some bonding company legally doing business in North Carolina, and which bond shall be approved
by the Board of Commissioners before any tax list is delivered to him for collection.

SEC. 4. It shall be the duty of the Tax Supervisor to appoint list takers and appraisers, who shall be confirmed by the Board of Commissioners, and he shall direct and assist them in their work, and prepare forms and otherwise oversee the listing, collecting and foreclosure of all taxes.

SEC. 5. The tax list and final scroll shall be prepared by the Register of Deeds as now provided by statute, who shall make tax receipts, in triplicate, and properly number same, and when said Tax Supervisor is ordered by the County Commissioners, he shall collect the same as now or hereafter provided by law, and shall deliver the taxpayer one copy of the receipt, shall deliver one copy to the County Accountant and retain one copy in the tax receipt book.

SEC. 6. The Tax Supervisor shall make daily deposits of all funds coming into his hands in the County depository in the name of Haywood County, and deposit receipts shall show in detail the source of the money deposited, giving the names of the persons from whom the same was collected, and the amount of each item, said deposit receipts to be made in triplicate, one copy to be retained at the depository, one delivered daily to the County Accountant, or other officer executing the duties of that office, and one retained by the Tax Supervisor.

SEC. 7. The Tax Supervisor shall, in addition to the above, report all collections to the Board of Commissioners at their first regular meeting each month, giving in itemized form all collections, and the name of the taxpayer, and an itemized statement of all moneys paid to the accountant.

SEC. 8. The monthly reports, as provided for in Section seven, shall be approved by the County Accountant before being approved by the Board of Commissioners, and shall be filed in the office of the Register of Deeds.

SEC. 9. The Board of Commissioners shall cause the books of the Tax Supervisor and the County Accountant (in addition to audits for other offices as provided by law) to be audited every six months by a certified public accountant, who shall be approved by the Director of the Local Government Commission of North Carolina, and a copy of said audit shall be delivered to the Director of Local Government, a copy filed with the Clerk of the Superior Court for public inspection, and a summary of same published for one week in a newspaper published in the Town of Waynesville and the Town of Canton.

SEC. 10. The Board of Commissioners shall cause the County Accountant or some other suitable person to install a record system for the Tax Supervisor's office, and the County Accountant's
office for said county not later than June first, one thousand nine hundred and thirty-five, to the end that the records of said offices will be complete and accurate.

Sec. 11. The Tax Supervisor shall advertise and foreclose taxes as provided by law, from time to time, for all years, and shall receive no compensation except his salary for the services rendered under this Act.

Sec. 12. All expenses of bond premiums and salaries incurred under this Act shall be paid from the general fund of the County.

Sec. 13. That if any officer or other person whose duty it is or may be to carry out the purposes of this Act shall fail, refuse or neglect to comply with the terms of this Act, such officer or officers, person or persons, shall be guilty of a misdemeanor and upon conviction shall be punished in the discretion of the court.

Sec. 14. D. A. Howell is hereby appointed Tax Supervisor for Haywood County and shall, upon the first day of April, one thousand nine hundred and thirty-five, enter upon the duties as outlined in this bill, and shall serve until the first Monday in October, one thousand nine hundred and thirty-five, and thereafter until his successor has been appointed and qualified, as herein provided.

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

Sec. 16. That this Act shall be in full force and effect from and after its ratification.

Ratified this the 27th day of March, A.D. 1935.

H. B. 645

CHAPTER 227

AN ACT TO AMEND CHAPTER ONE HUNDRED EIGHTY-NINE OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-THREE, PERTAINING TO THE BOARD OF FINANCIAL CONTROL OF BUNCOMBE COUNTY AND THE CITY OF ASHEVILLE.

The General Assembly of North Carolina do enact:

Section 1. That Chapter one hundred and eighty-nine of the Public-Local Laws of one thousand nine hundred and thirty-three be, and the same is hereby amended by striking out all of Section two and inserting in lieu thereof the following:

“Said Board of Financial Control shall consist of five members, all of whom shall be qualified electors of Buncombe County, North Carolina. Teench C. Coxe, Weaver Wilson, S. M. Mears, Frank E. Laycock and Guy Weaver are hereby appointed mem-

Advertisement and foreclosure of taxes.

Payment of bond premiums and salaries.

Violation of Act made misdemeanor.

Appointment of Tax Supervisor.

Term of office.

Conflicting laws repealed.

Ch. 189, Public-
Local Laws 1933, amended.

Members of Board of Financial Control in Buncombe County and Ashe-
ville.
bers of said Board of Financial Control. The members of said Board shall hold office until their successors are elected and qualified."

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. 1935.

H. B. 646    CHAPTER 228

AN ACT RELATING TO THE HOURS OF WORK OF THE OFFICIALS AND EMPLOYEES OF BUNCOMBE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Section fifteen of Chapter seventy-seven of the Public-Local Laws of one thousand nine hundred and twenty-three be, and the same is hereby repealed.

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

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

Ratified this the 27th day of March, A.D. 1935.

S. B. 195    CHAPTER 229

AN ACT TO AMEND SECTION TWO AND THREE CHAPTER ONE HUNDRED TWENTY-SEVEN OF THE PUBLIC-LOCAL AND PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-THREE RELATING TO COMPENSATION FOR ELECTION OFFICIALS AND COUNTY COMMISSIONERS OF ALLEGHANY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. An Act to amend Section two of Chapter one hundred twenty-seven of the Public-Local and Private Laws of one thousand nine hundred and thirty-three by striking out the words and figures one dollar and fifty cents ($1.50), and inserting in lieu thereof two dollars ($2.00).

Sec. 2. Amend Section three of said Chapter one hundred twenty-seven Public-Local and Private Laws of one thousand
nineteen hundred and thirty-three by striking out the words and figures two dollars ($2.00), and inserting in lieu thereof three dollars and fifty cents ($3.50).

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 28th day of March, A.D. 1935.

H. B. 396

CHAPTER 230

AN ACT TO APPOINT A COUNTY ACCOUNTANT FOR YANCEY COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That W. O. Griffith be, and he is hereby appointed County Accountant for Yancey County from and after the first Monday in July, one thousand nine hundred and thirty-five, to serve for a term of two years, his salary to be the sum of one hundred dollars per month to be paid by the Board of County Commissioners, and the budget of said County of Yancey shall include the amount of said salary payable each month.

Sec. 2. In case of a vacancy by death, resignation, or otherwise, the Board of County Commissioners shall fill the vacancy.

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 28th day of March, A.D. 1935.

H. B. 803

CHAPTER 231

AN ACT FIXING THE SALARIES OF THE SHERIFF AND OF THE RECORDER, SOLICITOR AND CLERK OF THE RECORDER'S COURT OF CHOWAN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That from and after June first, one thousand nine hundred and thirty-five, the Sheriff of Chowan County shall receive an annual salary of three thousand dollars ($3,000.00), payable in equal monthly installments.
Salaries of officers of Recorder's Court.

Recorder.
Solicitor.
Clerk.

Sec. 2. That from and after June first, one thousand nine hundred and thirty-five, the officers of the Recorder's Court of Chowan County shall be paid the following annual salaries, all payable in equal monthly installments:

Recorder, seven hundred and fifty dollars ($750.00);
Solicitor, seven hundred and fifty dollars ($750.00);
Clerk, two hundred and fifty dollars ($250.00).

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 28th day of March, A.D. 1935.

H. B. 821
CHAPTER 232

AN ACT AUTHORIZING THE BOARD OF COUNTY COMMISSIONERS OF ALAMANCE COUNTY TO NAME THE COUNTY TREASURER, AND OTHER EMPLOYEES AND TO FIX THEIR SEVERAL SALARIES.

The General Assembly of North Carolina do enact:

Section 1. The Board of County Commissioners of Alamance County be, in its discretion, authorized and empowered to employ the necessary Assistants, Deputies, Stenographers, Clerks, and any and all other employees which the Board of Commissioners may deem necessary to successfully and efficiently operate and carry on the business of the various departments and offices of the County Government whose salaries are paid by the said County of Alamance. Provided, that in designating any Deputy, Assistant, Stenographer Clerk, or other employee to be assigned to the office of the Clerk of the Superior Court, or the Register of Deeds, or the Sheriff, that the persons so named in any of said offices shall be determined jointly by the Board of County Commissioners and the head of the Department to which said employee is to be assigned. And provided, further, that the head of any of said Departments shall have the right to discharge any such employee for incompetency, insubordination, or any dereliction in the performance of any duties assigned to such employee, and provided further that this Act shall not be construed as denying to the Sheriff of the County the right to name his Chief Deputy Sheriff.

Sec. 2. The Board of Commissioners of said Alamance County be, and it is hereby authorized and empowered in its sole discre-
tion, to determine and fix the salaries of all County Deputies, Assistants, Stenographers, Clerks, or any other class of employees of said County who draw their salaries from the County Treasury, except the elective officers of said County, to-wit; the Clerk of the Superior Court, the Sheriff of the County, and the Register of Deeds for the County, all whose salaries have been fixed by the General Assembly of the State of North Carolina.

Sec. 3. That Section three of Chapter five hundred and eleven of Public-Local Laws of one thousand nine hundred and thirty-three, and designated as House Bill one thousand three hundred and fifty-five, fixing the compensation of the Sheriff of Alamance County, be altered and amended by striking out in the last two lines of said Section the figures $2100.00 and $600.00 and insert in lieu thereof $2500.00 and not to exceed $500.00 respectively.

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 28th day of March, A.D. 1935.

S. B. 362

CHAPTER 233

AN ACT TO PROVIDE FOR THE INVESTMENT AND MANAGEMENT OF PROPERTY GIVEN, DEvised OR BEqueATHED TO or FOR THE BENEFIT OF MECKLENBURG COUNTY TUBERCULOSIS HOSPITAL.

The General Assembly of North Carolina do enact:

Section 1. That the Board of Commissioners of Mecklenburg County, promptly following the ratification of this Act, shall appoint by a resolution duly adopted and recorded in the minutes of said Board, a Trustee having the qualifications herein-after set forth to receive, hold, manage, invest and reinvest all property, real and personal, that may have been given, devised or bequeathed heretofore by any person or persons in trust to or for the use or benefit of Mecklenburg County tuberculosis hospital, generally known as “Mecklenburg Sanitarium.”

Sec. 2. That whenever hereafter any person by gift, deed or will shall give, convey, devise or bequeath any property, real or personal, in trust to or for the use or benefit of said Hospital the Board of Commissioners, promptly upon being informed thereof, shall appoint by a resolution duly adopted and recorded in the minutes of said Board a Trustee to receive, hold, manage.
invest and reinvest such property. Said Board of Commissioners may appoint the same Trustee for two or more or all such gifts, conveyances, devises or bequests, or may appoint different Trustees for different gifts, conveyances, devises or bequests.

Sec. 3. That no Trustee shall be appointed under this Act except

(a) A bank or trust company organized under the laws of North Carolina, authorized by its charter to act in a fiduciary capacity and licensed to act in a fiduciary capacity by the Commissioner of Banks as now provided by law or by such officer, board, bureau or department of the State of North Carolina as may be vested hereafter by law with the authority to license corporations to act in a fiduciary capacity; or

(b) A national bank located in the State of North Carolina which holds a permit from the Federal Reserve Board of the United States to act in a fiduciary capacity, as now provided by law, or a permit from such officer, board, bureau or department of the United States as hereafter may be vested by law with the authority to issue permits to national banks to act in a fiduciary capacity.

Sec. 4. That upon the appointment by said Board of Commissioners of any Trustee as provided herein and the receipt by the Board of Commissioners of a written acceptance of said appointment executed on behalf of such Trustee by its duly authorized officer or officers, said Board of Commissioners and any other board, officer or representative of the County, and any other person or corporation in possession of money or property given, conveyed, devised or bequeathed in trust to or for the use and benefit of said hospital constituting the trust fund or estate for which such Trustee was appointed shall transfer and deliver forthwith such money or property to such Trustee to be received, held, managed, invested and reinvested by said Trustee in accordance with this Act, and shall execute and deliver to such Trustee such instrument in writing as may be necessary, if any is necessary, to vest the title to such property in such Trustee; and the receipt of such Trustee shall constitute a valid voucher for such property in favor of the board, person or corporation so transferring and delivering such money or property to the Trustee.

Sec. 5. That every such Trustee shall invest all moneys so delivered to him in bonds of the United States, bonds of the State of North Carolina, or bonds of Mecklenburg County, and not otherwise, and thereafter from time to time, if and when in its judgment it is advisable to do so, may sell any such bonds and reinvest the proceeds in other bonds of the United States, of the State of North Carolina or of Mecklenburg County; that
such Trustee shall receive and collect the income from such bonds and, after deducting therefrom its compensation as provided in Section ten of this Act, shall pay over the balance thereafter remaining, quarterly or oftener, to the Board of Managers of said hospital to be expended by them only for the purposes provided in the deed or will creating the trust from which such income was derived. It shall be unlawful for the Board of Managers of said hospital to expend the net income from any such trusts except for the purposes provided in the deed or will creating such trust.

Sec. 6. That if the property so transferred and delivered to any such Trustee shall consist in whole or in part of real estate or any interest therein such Trustee shall take charge of said property and until such time as the same may be sold as hereinafter provided, the Trustee shall rent said property for such term and at such rental as it may deem for the best interests of said trust, collect the rents therefrom, expend so much thereof as may be necessary to keep said property in good repair and insured against fire, and after deducting from such rentals its compensation as provided in Section ten of this Act shall pay over the balance thereafter remaining to the Board of Managers of said hospital to be expended by them as provided in paragraph five of this Act, provided, however, that whenever in the joint judgment of such Trustee and the Board of County Commissioners it shall be advisable to do so, the Trustee may sell and convey such real estate or interest therein at such price and upon such terms as the Trustee and the Board of County Commissioners may agree upon, the same to be embodied in a resolution duly adopted by said Board of Commissioners and recorded in the minutes of said Board, and the Trustee shall collect the purchase price and invest the same in the manner provided in paragraph five of this Act.

Sec. 7. That if the property transferred and delivered to any such Trustee shall consist in whole or in part of stocks, bonds, choses in action or personal property of any kind other than money, such Trustee shall take charge of and manage such property, collect the income therefrom and, after deducting therefrom its compensation as provided in Section ten of this Act, shall pay over the same to the Board of Managers of said hospital to be expended by them as provided in paragraph five of this Act; Provided, however, that the Trustee, whenever, in its judgment it is for the best interests of said trust to do so, may sell such personal property or any part thereof, collect the purchase price and invest the same in the manner provided in paragraph five of this Act.
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Sec. 8. That no Trustee appointed under this Act shall be removed as such Trustee except by an order of court in an action brought in accordance with the provisions of Consolidated Statutes four thousand and thirty-four. In the event of the removal of any such Trustee in such manner or of the resignation of any such Trustee, the Board of Commissioners forthwith shall appoint to succeed such Trustee a bank or trust company having the qualifications set forth in Section three of this Act; and upon the acceptance of such appointment as provided in Section four of this Act such successor Trustee shall succeed to all of the property rights, powers and duties of the Trustee so removed or resigned.

Sec. 9. That each such Trustee shall file an annual account with the Clerk of Superior Court in accordance with the provisions of Consolidated Statutes four thousand and thirty-three, the cost of filing such account to be paid by such Trustee out of the income received by it from such trust property.

Sec. 10. That each Trustee appointed under this Act shall be entitled to one per cent of all income received and collected by it from the property held by it as Trustee, the same to be in full compensation for all services rendered by it as such Trustee.

Sec. 11. That all laws or clauses of laws in conflict with this Act are hereby expressly repealed.

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

Ratified this the 29th day of March, A.D. 1935.

S. B. 370

CHAPTER 234

AN ACT TO FIX THE VOTING POWERS OF THE MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, AND THE MEMBERS OF THE CITY COUNCIL FOR THE CITY OF CHARLOTTE, NORTH CAROLINA, IN ALL MATTERS WHERE THE TWO BOARDS ACT JOINTLY UNDER EXISTING LAWS.

The General Assembly of North Carolina do enact:

Section 1. That in all matters where the Board of Commissioners for Mecklenburg County, North Carolina, and the members of the city council for the City of Charlotte, North Carolina, act jointly as now provided by law, the five members of the Board of Commissioners for Mecklenburg County shall have one
vote each, and the eleven members of the City Council for the City of Charlotte shall have five-elevenths of one vote each.

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 29th day of March, A.D. 1935.

H. B. 554  CHAPTER 235
AN ACT TO APPOINT CERTAIN JUSTICES OF THE PEACE FOR PERQUIMANS COUNTY.
The General Assembly of North Carolina do enact:

Section 1. That the following named persons be and are hereby appointed Justices of Peace for the respective Townships in Perquimans County for a term of two years, said term to begin as soon as they qualify which must be within sixty days from ratification of this Act:

Parkville Township—Durwood L. Barber.
Hertford Township—Jesse P. Perry, J. W. Ward.

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

Ratified this the 29th day of March, A.D. 1935.

H. B. 608  CHAPTER 236
AN ACT TO APPOINT J. E. PATTERSON A JUSTICE OF THE PEACE FOR LEAKSVILLE TOWNSHIP, ROCKINGHAM COUNTY.
The General Assembly of North Carolina do enact:

Section 1. That J. E. Patterson be and he is hereby appointed a Justice of the Peace in and for Leaks ville Township, Rockingham County, to serve for a term of two years from the date of his qualification.

Sec. 2. That Section one hundred and ninety-eight of the Consolidated Statutes shall not be applicable to the said J. E. Patterson.

Sec. 3. That the appointment of the said J. E. Patterson, his acceptance, qualification and exercise of the duties of the office
of Justice of the Peace shall in nowise affect his right to practice as an attorney-at-law in the various courts, except those cases with which he may have been or may be connected as a Justice of the Peace.

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

Ratified this the 29th day of March, A.D. 1935.

H. B. 807 CHAPTER 237

AN ACT CREATING THREE DISTRICTS IN HYDE COUNTY FOR THE NOMINATION AND ELECTION OF THE COUNTY COMMISSIONERS OF SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Hyde County shall be and the same is hereby, divided into three districts as follows to-wit: (a) Currituck Township and Fairfield Township shall constitute district Number one; (b) Swan Quarter Township and Ocracoke Township shall constitute district Number two; and (c) Lake Landing Township and such parts of Mattamuskeet Township as are not included within the boundaries of the lands now owned, or which may be hereafter acquired, by the Federal Government, shall constitute district Number three.

Sec. 2. That at the next primary to be held in one thousand nine hundred and thirty-six, and biennially thereafter, there shall be nominated one member of said Board of Commissioners from each of the three districts hereby created.

Sec. 3. That at the next election, and biennially thereafter, there shall be elected, under the same rules and regulations governing the election of other county officers, three commissioners, one from each district.

Sec. 4. That the candidate in the primary from each respective district shall be voted for by all of the qualified voters of Hyde County, and the candidate from each respective district who receives the largest number of votes shall be declared to be the nominee of his party, duly nominated as the candidate from said district for the general election, and said candidates shall be voted for in the general election by all of the qualified voters of said Hyde County.

Sec. 5. That this Act shall take effect at the next nominating primary.
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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 29th day of March, A.D. 1935.

H. B. 816 Chapter 238

AN ACT TO VALIDATE THE OFFICIAL ACTS OF W. U. BALLANCE, A JUSTICE OF THE PEACE FOR CRAWFORD TOWNSHIP, CURRITUCK COUNTY, FROM NOVEMBER FIRST, ONE THOUSAND NINE HUNDRED THIRTY-FOUR, UNTIL MARCH EIGHTEENTH, ONE THOUSAND NINE HUNDRED THIRTY-FIVE.

The General Assembly of North Carolina do enact:

Section 1. That all official acts of W. U. Ballance, Justice of the Peace of Crawford Township, Currituck County, from November first, one thousand nine hundred thirty-four, until and including March eighteenth, one thousand nine hundred thirty-five, 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 29th day of March, A.D. 1935.

H. B. 808 Chapter 239

AN ACT TO PROHIBIT THE SALE AND SHOOTING OF FIREWORKS IN CERTAIN COMMUNITIES IN CARTERET 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 fireworks in the communities of Atlantic, Sealevel, Stacy, Davis, Williston, Smyrna, Marshallberg, Gloucester, Otway or Bettie in Carteret County and it shall be unlawful for any person to discharge any fireworks within a distance of fifty yards from any mercantile establishment, business or filling station in any of the above-named communities.

Sec. 2. That any person violating any of the provisions of this Act shall be guilty of a misdemeanor and upon conviction

Conflicting laws repealed.

Acts of Currituck County J. P. validated.

Fireworks prohibited in certain Carteret County communities.

Violation made misdemeanor.
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 29th day of March, A.D. 1935.

H. B. 265  CHAPTER 240

AN ACT TO VALIDATE SALES OF REAL ESTATE FOR TAXES FOR THE YEARS ONE THOUSAND NINE HUNDRED THIRTY TO ONE THOUSAND NINE HUNDRED THIRTY-THREE, INCLUSIVE, IN GREENE COUNTY AND MUNICIPALITIES THEREIN AND TO EXTEND THE TIME FOR ACTION TO FORECLOSE CERTIFICATES OF SALE.

The General Assembly of North Carolina do enact:

SECTION 1. That all sales of real estate for taxes held in Greene County and the municipalities therein of the years one thousand nine hundred twenty-eight, one thousand nine hundred twenty-nine, one thousand nine hundred thirty, one thousand nine hundred thirty-one, one thousand nine hundred thirty-two and one thousand nine hundred thirty-three be and the same are hereby validated.

SEC. 2. That the time within which actions may be instituted for the foreclosure of certificates of sale of real estate for taxes of the years one thousand nine hundred twenty-eight, one thousand nine hundred twenty-nine, one thousand nine hundred thirty, one thousand nine hundred thirty-one and one thousand nine hundred thirty-two be and the same is hereby extended to January first, one thousand nine hundred thirty-six.

SEC. 3. That the provisions of this Act shall apply only to Greene County and the municipalities therein.

SEC. 4. That all laws and clauses of laws in conflict with the provisions of this Act be and the same are hereby repealed.

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

Ratified this the 30th day of March, A.D. 1935.
H. B. 562  

CHAPTER 241

AN ACT TO RATIFY AND AFFIRM THE PURCHASE OF THE MOUNTAIN VIEW SCHOOL PROPERTY BY THE BOARD OF EDUCATION OF WILKES COUNTY.

That whereas, the Mountain View School property situated in Wilkes County, formerly known as Mountain View College, consisting of some thirty acres of land and four large brick buildings costing approximately thirty thousand dollars; and

Whereas, said property was purchased by Mrs. Lula Kilby under a foreclosure sale, at a price of fourteen thousand dollars; and

Whereas, the said Mrs. Lula Kilby and the Boards of Education and County Commissioners of Wilkes County entered into a contract on the twelfth day of September, one thousand nine hundred and thirty-four, by the terms of which the said boards agreed to purchase from Mrs. Lula Kilby said property at the price of eight thousand dollars, two thousand dollars paid on date of said contract, balance to be paid as follows: two thousand dollars on or before September twelfth, one thousand nine hundred and thirty-five; two thousand dollars on or before September twelfth, one thousand nine hundred and thirty-six; two thousand dollars on or before September twelfth, one thousand nine hundred and thirty-seven, said deferred payments to bear interest at six per cent from date until paid; Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That said contract, as set forth in the preamble of this Act, between the Boards of Education and County Commissioners of Wilkes County and Mrs. Lula Kilby be, and the same is hereby authorized, ratified and confirmed; and the Board of Education of Wilkes County, and the Board of County Commissioners of Wilkes County are hereby authorized, empowered and directed to execute and deliver to Mrs. Lula Kilby the notes or bonds of Wilkes County signed by the chairmen of said boards and attested by the secretaries thereof for said amounts, payable according to the terms and tenor of said agreement, and when so executed said notes or bonds shall be binding upon the County of Wilkes.

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

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

Ratified this the 30th day of March, A.D. 1935.
H. B. 587

CHAPTER 242

AN ACT REQUIRING THE SOLICITOR OF THE FIFTEENTH JUDICIAL DISTRICT TO MAKE A CALENDAR FOR THE CRIMINAL TERMS OF THE SUPERIOR COURT OF CABARRUS COUNTY AND REGULATING THE PRACTICE IN SAID COURT.

The General Assembly of North Carolina do enact:

SECTION 1. That the Solicitor of the Fifteenth Judicial District be and he is hereby directed to prepare, or have prepared under his supervision, by the Clerk of the Superior Court of Cabarrus County, a calendar for the trial of criminal cases at the regular terms of the Superior Courts of said county for the trial of criminal cases.

SEC. 2. That no defendants, who are at liberty under bond, nor any witness for the State or the defendants, shall be required to attend said courts except on the dates when such cases are calendared for trial. Any witness, either for the State or defendant, who shall attend said court prior to the day on which said cause is calendared for trial, shall neither prove his attendance nor collect pay for such attendance; Provided, that nothing in this Act shall deprive any State witness from receiving his witness fees for the day or days required to appear before the grand jury.

SEC. 3. That the Clerk of the Superior Court of Cabarrus County shall be, and he is hereby directed and authorized to charge in the bill of costs in each criminal case so tried and disposed of in said court a fee of twenty-five cents for the purpose of defraying the expenses of printing and mailing said calendars, and such calendar when printed and mailed to any defendant, or his attorney of record, at his last known address shall be a sufficient notice to such defendant as to the time when his cause is calendared for trial.

SEC. 4. That when any defendant is held to bail in said Court and has attended three successive terms of said Court, excluding the term to which the bail was returnable, and has not, at any of such terms, moved for a continuance of said cause against said defendant, such charges against said defendant shall be not pressed and he shall be forever discharged from further prosecution on such charges; Provided, this section shall not apply to defendants charged with felonies.

SEC. 5. This Act shall be in full force and effect from and after the date of its ratification.

Ratified this the 30th day of March, A.D. 1935.
H. B. 838

CHAPTER 243

AN ACT RELATIVE TO THE SALARY OF THE REGISTER OF DEEDS OF GRANVILLE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Section five of Chapter two hundred and sixty-five of the Public-Local and Private Laws of one thousand nine hundred and thirty-three be amended to read as follows: “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-four hundred ($2400.00) dollars, and not more than three thousand ($3000.00) dollars, per annum, payable monthly.”

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 April first, one thousand nine hundred and thirty-five.

Ratified this the 30th day of March, A.D. 1935.

H. B. 924

CHAPTER 244

AN ACT RELATING TO THE APPOINTMENT OF A RURAL POLICEMAN OR PEACE OFFICER IN HENDERSON COUNTY.

Whereas, the Board of County Commissioners of Henderson County have found as a fact that it is necessary in the proper administration of the law that a rural policeman or peace officer be appointed to serve during the tenure of office; Therefore

The General Assembly of North Carolina do enact:

SECTION 1. That the acts on the part of the Board of County Commissioners of Henderson County in the appointment of Zeb Corn as rural policeman or peace officer in Henderson County be, and they are hereby approved, ratified and validated.

Sec. 2. That said rural policeman or peace officer shall serve during the tenure of office of the present Board of Commissioners; Provided, that his services are satisfactory to said board. In case of vacancy, however, by resignation or otherwise, said board shall have authority to fill said vacancy.

Sec. 3. That the powers and authorities of said peace officer or rural policeman in the service of all civil and criminal processes in Henderson County, and for making arrests and otherwise en-
forcing the criminal and civil law of the State, shall be the same as that given to sheriffs under the general law of the State.

Sec. 4. That the salary of said rural policeman or peace officer shall be one hundred dollars per month, payable monthly out of the general fund of the County, and all funds heretofore paid out by the Board of County Commissioners in the employment of the peace officer or rural policeman of said County is hereby declared to be a necessary expense of the County and are approved and validated.

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 30th day of March, A.D. 1935.

H. B. 603

CHAPTER 245

AN ACT REQUIRING THE COUNTY ACCOUNTANT FOR HAYWOOD COUNTY TO BE APPROVED BY THE LOCAL GOVERNMENT COMMISSION OF NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That on and after the first day of April, one thousand nine hundred and thirty-five, the person acting as, or appointed to the office of, County Accountant for Haywood County, shall be approved by the Local Government Commission of North Carolina, as to his fitness, and qualifications for said office before continuing in or entering upon the duties required of said accountant.

Sec. 2. That any person acting or attempting to act in the capacity of County Accountant for Haywood County, without first being approved by the Local Government Commission of North Carolina, as herein provided, shall not receive any compensation whatever for services rendered in said office.

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

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

Ratified this the 1st day of April, A.D. 1935.
H. B. 810  
CHAPTER 246

AN ACT TO PLACE CONSTABLE OF WILMINGTON TOWNSHIP, NEW HANOVER COUNTY, ON SALARY BASIS.

The General Assembly of North Carolina do enact:

Section 1. That the Constable of the Wilmington Township in the County of New Hanover, State of North Carolina, shall receive, as full compensation for all services rendered by virtue of his office, the sum of one thousand two hundred dollars ($1,200.00) per annum, payable in equal monthly installments by the auditor of New Hanover County, under the law and in like manner as salaries of the officers and employees of said County are now paid.

Sec. 2. That the fees and other moneys allowed by law for the service of process, other papers, and the further performance of any duties by and required by law of the Constable of Wilmington Township, New Hanover County, shall belong to New Hanover County, and accounted for and paid over by such constable daily to the auditor of the New Hanover County for use of the general fund.

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 1st day of April, A.D. 1935.

H. B. 823  
CHAPTER 247

AN ACT RELATING TO TURNKEY FEES FOR THE SHERIFF OF HENDERSON COUNTY.

Whereas, it has been the custom for a long number of years to pay to the various sheriffs of Henderson County turnkey fees for the receipt and discharge of prisoners into the jail of Henderson County; and,

Whereas, such fees are found to be reasonable by the various Boards of County Commissioners of said County; and,

Whereas, it is desired that this custom be continued; Therefore,

The General Assembly of North Carolina do enact:

Section 1. That the acts on the part of the present Board of County Commissioners of Henderson County and their predecessors in office in the payment to the various sheriffs of Henderson
County of turnkey fees, in the sum of sixty cents, upon receipt of a prisoner and sixty cents upon discharge of a prisoner from the jail of Henderson County be, and they are hereby ratified and validated.

Sec. 2. That hereafter the Sheriff of Henderson County shall be entitled to turnkey fees of sixty cents upon delivery of a prisoner to jail and sixty cents upon the release of such prisoner from jail.

Sec. 3. That the turnkey fees herein provided for shall be taxed as part of the cost in each criminal case and be collected by the court in the same manner as provided by law for the collection of other costs.

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 1st day of April, A.D. 1935.

H. B. 826 CHAPTER 248

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

The General Assembly of North Carolina do enact:

Section 1. That from July first, one thousand nine hundred thirty-five, the officers of Clay County shall receive the salaries hereinafter set out.

Sec. 2. That Section one of Chapter one hundred and three of the Public-Local Laws of one thousand nine hundred and twenty-seven relating to the salary of the sheriff of Clay County be and the same is hereby amended by striking out the words "twenty-four hundred dollars" in line two of said Section and inserting in lieu thereof the words "eighteen hundred dollars."

Sec. 3. That Section one of Chapter nine of the Public-Local Laws of one thousand nine hundred twenty-five relating to the salaries of the Clerk of the Superior Court and Register of Deeds of Clay County be and the same is hereby amended by striking out the words "one hundred dollars" in line three of said Section and inserting in lieu thereof the words "seventy-five dollars" and by striking out the words "one hundred and twenty-five dollars" in lines four and five and inserting in lieu thereof the words "one hundred and five dollars."
Sec. 4. That Section one of Chapter sixty-four, Public-Local Laws of one thousand nine hundred and twenty-nine relating to the salary of the County Accountant of Clay County be and the same is hereby amended by striking out the words "seventy-five dollars" in line two of said Section and inserting in lieu thereof the words "forty-five dollars."

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 July first, one thousand nine hundred and thirty-five.

Ratified this the 1st day of April, A.D. 1935.

H. B. 923  
CHAPTER 249

AN ACT TO VALIDATE THE OFFICIAL ACTS PERFORMED BETWEEN APRIL THE TENTH, ONE THOUSAND NINE HUNDRED AND THIRTY-THREE, AND JUNE THE NINETEENTH, ONE THOUSAND NINE HUNDRED AND THIRTY-FOUR, INCLUSIVE, OF R. F. COLLINS, JUSTICE OF THE PEACE OF HOLLY SPRINGS TOWNSHIP, WAKE COUNTY.

Whereas, R. F. Collins, Justice of the Peace of Holly Springs Township, Wake County, North Carolina, whose term expired April the tenth, one thousand nine hundred and thirty-three, continued to perform the acts of his office after the expiration of the term for which he was elected through June the nineteenth, one thousand nine hundred and thirty-four; Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That each and all of the official acts of R. F. Collins, Justice of the Peace of Holly Springs Township, Wake County, performed after the expiration of his term on April the tenth, one thousand nine hundred thirty-three, until June the nineteenth, one thousand nine hundred and thirty-four, including all judgments rendered, probates taken, marriages performed, and any and all other acts whatsoever, 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 1st day of April, A.D. 1935.
CHAPTER 250

AN ACT RELATING TO THE GRAND JURY OF NASH COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That at the first term of court for the trial of criminal cases in Nash County after the first day of July, one thousand nine hundred and thirty-five, 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 so chosen shall serve for a term of six months, and thereafter, at the first term of criminal court after the first days of January and July of each year, there shall be chosen nine members of said grand jury to serve for a 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 ratification.

Ratified this 1st day of April, A.D. 1935.

CHAPTER 251

AN ACT TO REGULATE THE FEES OF THE VARIOUS JUSTICES OF THE PEACE OF FORSYTH COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the various justices of the peace of Forsyth County shall receive the following fees and none other: Issuing summons, sixty cents where there is one defendant, and twenty cents for each additional defendant; trial and/or judgment, one dollar; docketing judgment, twenty-five cents; transcript of judgment, twenty-five cents; issuing subpoena, twenty-five cents for each witness; taking affidavit, twenty-five cents; jury trial and verdict, one dollar; issuing execution fifty cents; return to notice of appeal, fifty cents; warrant of arrest in criminal actions, one dollar; warrant of commitment, fifty cents; issuing claim and delivery papers, including summons, affidavit, bond, order to seize property, and the trial of the same if issues are joined, two dollars and fifty cents; issuing attachment papers, including application, affidavit, bond and order to seize property, two dollars and fifty cents; recognizing witnesses, fifteen cents for each wit-
ness; affidavit and order of removal, fifty cents; capias and order, one dollar; probate or acknowledgment of deed, chattel mortgage, or other paper-writing, twenty-five cents for each signer thereof; taking any bond, fifty cents; allotting widow's year's allowance, one dollar; taking depositions, twenty cents each copy sheet; garnishment of taxes, fifty cents; issuing notices, twenty cents each copy; filing and docketing lien, seventy-five cents.

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 3rd day of April, A.D. 1935.

H. B. 459

CHAPTER 252

AN ACT TO INCREASE THE JURISDICTION OF GENERAL COUNTY COURTS.

The General Assembly of North Carolina do enact:

Section 1. That the General County Courts of this State shall have full and complete jurisdiction to try all actions for divorce in the same manner as now exercised by the General County Court of Wilson County and the Municipal Court of the City of High Point.

Sec. 2. That in all cases of felony, not capital, where the defendant is in prison for want of bail, and is anxious and willing to enter a submission, be allowed to do so before the General County Court Judge, who, after hearing the evidence, shall be authorized and empowered to pass such sentence as in his opinion is fair, just and proper, subject to appeal to the Superior Court on the question of punishment only.

Sec. 3. That this Act shall only apply to the General County Court of Alamance County, the County Recorder's Court of Bladen County.

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

Ratified this the 3rd day of April, A.D. 1935.
CHAPTER 253

AN ACT RELATING TO THE JURISDICTION OF CONSTABLES IN GREENE COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That the jurisdiction of Constables in the several townships of Greene County be restricted to the township from which each are elected, and no Constable shall have power or authority to serve any warrant or process without the township from which he was elected, provided, however, if the crime is committed within his township he shall have authority to arrest such criminal anywhere within Greene 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 3rd day of April, A.D. 1935.

CHAPTER 254

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-five, and shall receive therefor a salary of two thousand two hundred 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-five, 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 3rd day of April, A.D. 1935.
CHAPTER 255

AN ACT TO APPOINT A TAX COLLECTOR FOR COLUMBUS COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That R. J. Lamb be and he is hereby appointed tax collector for Columbus County for a term of two years, beginning June first, nineteen hundred and thirty-five, and shall receive therefor a salary of nineteen hundred dollars per annum, with an allowance of three hundred dollars per annum for traveling expenses, 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 tax collector to carry out the provisions of the County Local Government Act for the year nineteen hundred and thirty-five, 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 3rd day of April, A.D. 1935.

CHAPTER 256

AN ACT FIXING THE SALARIES OF CERTAIN OFFICERS OF COLUMBUS COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That from and after the first day of April, one thousand nine hundred and thirty-five, the following annual salaries shall be paid in Columbus County, the same to be paid in equal monthly installments by the Board of County Commissioners out of the General County Fund:

Judge of the Recorder's Court, twelve hundred dollars, Recorder. ($1,200.00);
Deputy or Assistant Clerk of the Superior Court, twelve hundred dollars ($1,200.00);
Deputy or Assistant Register of Deeds, twelve hundred dollars ($1,200.00);
Clerk or Assistant Auditor, twelve hundred dollars ($1,200.00).

Sec. 2. That the County Commissioners of Columbus County shall each receive the sum of five dollars ($5.00) for each meeting.
Conflicting laws repealed.

Salary of Watauga County Sheriff.

Conflicting laws repealed.

attended, and in addition thereto they shall receive the mileage now allowed by 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 3rd day of April, A.D. 1935.

H. B. 668

CHAPTER 257

AN ACT TO REGULATE THE SALARY OF THE SHERIFF OF WATAUGA COUNTY.

The General Assembly of North Carolina do enact:

Section 1. The Board of County Commissioners of Watauga County is hereby empowered to regulate, at its discretion, the salary of the sheriff of said County: Provided, the salary of said sheriff shall not be less than nine hundred ($900.00) dollars nor more than eighteen hundred ($1,800.00) dollars per annum; payable monthly.

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 4th day of April, A.D. 1935.

H. B. 911

CHAPTER 258

AN ACT TO VALIDATE CERTAIN SALES OF LAND FOR TAXES AND CERTIFICATES ISSUED IN PURSUANCE THEREOF IN THE TOWN OF GATESVILLE AND GATES COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That all sales of land for failure to pay taxes and special assessments held or conducted by any sheriff or any tax collector of Gates County and Town of Gatesville during the years one thousand nine hundred thirty, one thousand nine hundred thirty-three, on any day 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.

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

Ratified this the 4th day of April, A.D. 1935.

H. B. 917  CHAPTER 259

AN ACT FOR THE RELIEF OF N. W. ABERNATHY, EX-
SHERIFF AND TAX COLLECTOR OF CHEROKEE COUNTY,
NORTH CAROLINA.

Whereas, N. W. Abernathy of Cherokee County, North Carolina,
having been Sheriff and Tax Collector of said Cherokee County
and his office as Sheriff having expired in one thousand nine hun-
dred and twenty-nine and having received and made the neces-
sary bond for the tax books as Tax Collector of said County for
the year one thousand nine hundred and thirty and entered upon
his duties as such Tax Collector: and

Whereas, the County Commissioners of said County of Cherokee,
by order, ordered and directed N. W. Abernathy to deposit the
County funds in the Bank of Murphy, Murphy, North Carolina,
and the Cherokee Bank at Murphy, North Carolina, and both of
said banks having failed and closed their doors while same were
being used as depository for said County funds by said N. W.
Abernathy as he had been ordered by said Board of County Com-
missioners of Cherokee County, the sum of one thousand five
hundred and thirty-five dollars and twenty-six cents ($1,535.26)
was lost by reason of said bank failures: Now, therefore,

The General Assembly of North Carolina do enact:

Section 1. That the County Commissioners of Cherokee County
be and they are hereby authorized to release, in their discretion,
the said N. W. Abernathy, Tax Collector as aforesaid, from the
payment of any sum or sums of money belonging to said County
of Cherokee and lost by reason of said bank failures.

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 April, A.D. 1935.
H. B. 1006  
CHAPTER 260

AN ACT TO FACILITATE THE COLLECTION OF DELINQUENT TAXES IN CRAVEN COUNTY, NORTH CAROLINA.

Whereas, Craven County has in its sinking fund and other funds a large amount of delinquent taxes, represented by tax sale certificates upon which tax foreclosure suits have already been instituted and in most cases tax foreclosure judgments have been rendered, amounting in all to over five hundred thousand dollars, and

Whereas, owing to the inability of a large number of taxpayers to redeem said lands involved in these foreclosure suits, and whereas in a large number of instances there is no present marketable value for said lands, and for the purpose of facilitating the collection of said taxes, costs and interest: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That in all said tax suits, based on delinquent taxes prior to the year one thousand nine hundred thirty-two, the Board of Commissioners of Craven County, with the consent and approval of the Local Government Commission of the State of North Carolina, is hereby authorized and empowered to accept in payment of said delinquent taxes, costs and interest, tax sale certificates, tax foreclosure judgments, or installment notes, the bonds, interest coupons and/or notes plus accrued interest of said Craven County at par: Provided, the taxpayer shall pay in cash the outstanding taxes due for the years one thousand nine hundred thirty-three and one thousand nine hundred thirty-four.

SEC. 2. That inasmuch as all delinquent taxes, costs and interest, prior to one thousand nine hundred thirty-one, are now owned by the sinking fund of said County, the bonds, interest coupons, and/or notes and interest so received for delinquent taxes, costs and interest, prior to one thousand nine hundred thirty-one, shall become the property of the sinking fund of said County; and the bonds, interest coupons, and/or notes and interest so received for one thousand nine hundred thirty-one delinquent taxes, costs and interest, shall become the property of and be allocated to the various funds of said County represented by the tax levy for said year.

SEC. 3. That any landowner owing delinquent taxes to Craven County for any year prior to the year one thousand nine hundred thirty-three, whether represented by tax sale certificates, judgments or otherwise, with the approval and consent of the Board of Com-
missioners of Craven County, may be allowed to give an install-
ment note as provided by Chapter one hundred eighty-one, Pub-
lic Laws of one thousand nine hundred thirty-three, at any time
prior to October first, one thousand nine hundred thirty-five, 
provided said note shall draw interest at six per cent from April
first, one thousand nine hundred thirty-three, as provided in said
Chapter one hundred eighty-one, Public Laws of one thousand
nine hundred thirty-three.

Sec. 4. That all tax suits or proceedings for foreclosure of
tax sale certificates issued in one thousand nine hundred thirty-
three for one thousand nine hundred thirty-two taxes due Craven
County shall be commenced on or before December first, one
thousand nine hundred thirty-five, unless taxes for said year are
covered by installment note as herein provided, in which case
suit or proceeding for foreclosure shall be governed by Chapter
one hundred eighty-one, Public Laws of one thousand nine hun-
dred thirty-three, or amendments thereto.

Sec. 5. That all laws and clauses of laws in conflict with the
provisions of this Act, so far as Craven County is concerned, are
hereby repealed.

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

Ratified this the 4th day of April, A.D. 1935.

S. B. 347 CHAPTER 261

AN ACT TO REGULATE THE TERMS OF FORSYTH COUNTY
COURT.

The General Assembly of North Carolina do enact:

Section 1. That Chapter five hundred and twenty of the Pub-
lie-Local Laws of one thousand nine hundred and fifteen, as
amended, be and the same is hereby amended as follows:

Sec. 2. That Section four of the said Chapter, as amended, be
amended so as to read as follows: "That the terms of the
Forsyth County Court shall be fixed by the Judge of the said
Court, with the following limitations: (a) that the said Judge
shall designate not less than twelve (12) nor more than twenty-
two (22) weeks of the said court in any year after the effective
date hereof; (b) that notice shall be given of the said court
at least twenty days prior to the convening thereof, by posting
the said notice in the Clerk's office of the said Court; (c) that
the said terms may be called with or without a jury, for one or
two weeks, and where a jury is designated in the call, a copy of

Interest added.

Time of com-
mencing foreclosure
of 1932 taxes.

Conflicting laws
repealed.

Terms of Forsyth
County Court.

Minimum and
maximum number.
said notice shall be given to the County Commissioners who shall provide a jury as now provided by law; (d) that it shall be mandatory upon the said Judge to designate a term of court when and upon the date that the same is demanded by a majority vote of the Forsyth County Bar Association, duly called and convened.

Sec. 3. That this Act shall be in force and effect from and after July first, one thousand nine hundred thirty-five.

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

Ratified this the 5th day of April, A.D. 1935.

S. B. 335

CHAPTER 262

AN ACT RELATING TO THE SHERIFF'S FEES FOR MAKING ARRESTS IN HALIFAX COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That in all criminal cases in Halifax County where the defendant is convicted and pays the costs, the Sheriff, Deputy Sheriff, or other police officers of said county making the arrest shall be paid the sum of one dollar and fifty cents to be taxed as a part of the costs of said action against said defendant.

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. 1935.

S. B. 364

CHAPTER 263

AN ACT TO PROVIDE FOR THE CITY OF SOUTHPORT AND THE COUNTY OF BRUNSWICK TO OWN AND OPERATE A HOSPITAL TO BE KNOWN AS "BRUNSWICK COUNTY HOSPITAL," AND TO VALIDATE PURCHASE OF LAND, ERECTION OF SAID BRUNSWICK COUNTY HOSPITAL, AND ITS OPERATION PRIOR TO THIS TIME.

The General Assembly of North Carolina do enact:

Section 1. That the purchase of land as per deed dated twenty-sixth November, one thousand nine hundred and twenty-eight, by City of Southport and Brunswick County, recorded in Book fifty, at page two hundred seventy-two, Records of Bruns-
wick County. Register of Deeds office, for Hospital to be incorporated as "BRUNSWICK COUNTY MUNICIPAL HOSPITAL" is hereby validated.

SEC. 2. That the erection, establishment and operation of said Hospital by said City and County, with donations from persons, firms, corporations and societies, and the appointment of a Board of Trustees for the control and management of said Hospital, began in the year one thousand nine hundred and twenty-eight, and continued, and is now being so operated and managed under the name of BRUNSWICK COUNTY HOSPITAL, all of which said acts are hereby validated.

SEC. 3. That the said Hospital is hereby approved and its ownership, share and share alike by the City of Southport and Brunswick County, and its operations by said City of Southport and the said County of Brunswick is hereby authorized, and to be continued under the name of "BRUNSWICK COUNTY HOSPITAL," and the appointment of Trustees for the same as hereinafter set out.

SEC. 4. That on the first Monday in July, A.D. one thousand nine hundred and thirty-five, the Board of Aldermen of the City of Southport shall name from the citizens of said City with reference to their fitness for said office, one (1) person whose term of office shall be for two years; one (1) person whose term of office shall be for four years and two (2) persons whose term of office shall be for six years; and the Board of County Commissioners of Brunswick County shall name from the citizens of said County, with reference to their fitness for the said office two (2) persons whose term of office shall be for two years; two (2) persons whose term of office shall be for four years, and one (1) person whose term of office shall be for six years as Trustees for BRUNSWICK COUNTY HOSPITAL, and the nine persons thus named shall be appointed by said joint Board as the Board of Trustees for the said Hospital, with terms of offices as above provided, not more than one from the citizens of Southport and not more than one from the citizens of Brunswick County may be women on the said Board of Trustees for BRUNSWICK COUNTY HOSPITAL, and their successors shall be appointed by the said Board in the same manner, number and terms of office as hereinafter set forth. The said Board of Trustees shall, within ten days after their appointment, qualify by taking the oath of office as other civil officers and organize by the election of one of their members as chairman, and a secretary-treasurer, who may be elected from the members of said board or otherwise. No member of said Board of Trustees shall receive any compensation, save the Secretary-Treasurer, and his compensation shall be fixed by the said Board in such amount as it deems right and
Physicians disqualified as members.
Vacancy appointments.

By-laws, rules and regulations.

Board to control expenditures.
Superintendent and assistants.
Removal.
General powers.

Monthly meetings of Board; records.
Quorum.
Semi-monthly examinations.
Semi-annual reports.

Purchase of supplies regulated.
Purpose of hospital.

Provision for paying for hospitalization.

proper for the services performed; Provided, no member of the Board of Trustees shall be a practicing physician.

SEC. 5. That in the event any vacancy should occur by the death, resignation, or otherwise in the said Board of Trustees, same shall be supplied by the said Boards and the person or persons so supplied shall be residents of the City or County from which the person vacating resided, and the person or persons so appointed to fill the vacancy shall qualify immediately by taking the required oath.

SEC. 6. That the Board of Trustees shall make such by-laws, rules and regulations for their own guidance and for the government of the Hospital as they may deem expedient for the economic and equitable conduct thereof, not inconsistent with this chapter. The Board of Trustees shall have exclusive control of the expenditures of money collected to credit of the said BRUNSWICK COUNTY HOSPITAL.

SEC. 7. That the Board of Trustees shall have the power to appoint a suitable superintendent or matron, or both, and necessary assistants, and fix their compensation with power to remove such appointees, and they shall in general carry out the spirit and intent of this chapter in establishing and maintaining a Brunswick County Hospital for the protection and preservation of the health of the citizens of the City of Southport and County of Brunswick, and the patients who may become patrons of the said institution with equal rights to all and special privileges to none.

SEC. 8. That the Board of Trustees shall hold regular meetings at least once in each month, and shall keep a complete record of all its proceedings. Five members of the Board shall constitute a quorum for the transaction of business. Two, at least, of said Trustees shall visit and examine said Hospital as often as twice in each month, and the Board shall file with the said City and County, during the first week in January and first week in July, a report of their proceedings with reference to such Hospital, and a statement of all receipts and expenditures during the said period, and they shall at such time certify the amount necessary to maintain the said Hospital for the ensuing six months. No Trustee shall have a personal pecuniary interest, either directly or indirectly, in the purchase of any supplies for such Hospital, unless same are purchased by competitive bidding.

SEC. 9. That the Hospital is established for the benefit of the inhabitants of the City of Southport and the County of Brunswick, and any persons sick or injured who may be brought to said Hospital; but every person who is not a pauper shall pay to said Hospital Board of Trustees, or such officer as it shall designate for said Hospital, a reasonable compensation for occupancy, nursing care, medicine and attendance, according to
the rules and regulations prescribed by the Board of Trustees, such Hospital always being subject to such reasonable rules and regulations as the Board may adopt in order to render the use of the Hospital of the greatest benefit to the greatest number. Pauper patients may be admitted under such rules and regulations as may be prescribed from time to time by the Board of Trustees.

Sec. 10. That the Board of Trustees of such Hospital shall determine the conditions under which the privileges of practice within the Hospital may be available to physicians, and shall promulgate reasonable rules and regulations governing the conduct of physicians and nurses while on duty in said Hospital.

Sec. 11. Any person, firm, corporation or society desiring to make donations of money, personal property, or real estate for the benefit of such Hospital shall have the right to vest title of the property so donated in said City of Southport and Brunswick County, to be controlled when accepted by the Board of Hospital Trustees according to the terms of the deed, gift, devise or bequest of such property.

Sec. 12. That it is the purpose and intention of this Act that the said Hospital be self-supporting, but the Board of Aldermen of the City of Southport may appropriate funds from time to time from the money received from taxes for general purposes, and furnish electric lights and water, the amount of same to be calculated according to the established rates for same, provided a like amount is appropriated by the Board of County Commissioners of Brunswick County, over and above the amount paid by the Board of County Commissioners of said County for care and attention of County patients, and the said Board of County Commissioners is hereby directed and empowered to so appropriate money received from taxes for general county purposes, and the said Board of Aldermen of the City of Southport is hereby authorized to make said appropriations as above set forth. The said County Commissioners are authorized and empowered to make such further appropriations from the general county fund for said Hospital to aid in its operation as the said Commissioners may deem necessary.

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

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

Ratified this the 5th day of April, A.D. 1935.
CHAPTER 264

An Act to Amend House Bill Number Three Hundred and Eighteen Entitled "An Act to Ratify the Postponement of Sales of Land for Taxes, to Authorize the Issuing of Alias Summons, to Perfect Foreclosure Proceedings and Publication of Pending Suits, and the Adjustment and Payment of Delinquent Taxes in Swain County and the Town of Bryson City," Ratified March First, One Thousand Nine Hundred and Thirty-Five.

The General Assembly of North Carolina do enact:

Section 1. That House Bill Number three hundred and eighteen of the nineteen hundred and thirty-five Session of the General Assembly of North Carolina, ratified March first, nineteen hundred and thirty-five, entitled "An Act to ratify the postponement of sales of land for taxes, to authorize the issuing of alias summons, to perfect foreclosure proceedings and publication of pending suits, and the adjustment and payment of delinquent taxes in Swain County and the Town of Bryson City," be amended as follows:

By striking out the word "July" after the word "to" and before the word "first" in Section five thereof, and inserting in lieu thereof the word "October."

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. 1935.

CHAPTER 265

An Act to Validate Tax Sale Certificates and Foreclosure Suits of Tax Sale Certificates in Cherokee County, and to Provide for the Collection of Taxes and Foreclosure of Tax Sale Certificates in Said County. (Applicable Also to Avery County.)

The General Assembly of North Carolina do enact:

Section 1. That all sales of lands for taxes made by the Sheriffs and Tax Collectors of Cherokee County, or by the Tax Collectors of any municipalities in said County, and all tax sale certificates issued for such tax sales, 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, one thousand nine hundred thirty-one, one thousand nine hundred thirty-two and one thousand nine hundred thirty-three, be and the same are hereby validated irrespective of the date on which such tax sales may have been held, or by reason of any other deficiency in the advertisement of such sales, or by reason of any other defects or informalities of any nature whatever.

Sec. 2. That all tax sale certificate foreclosure suits heretofore instituted in behalf of Cherokee County, or any municipality in said County, in which summons has not been served, or in which alias or pluries summons have not been regularly issued, as prescribed by law, or in which any notice or publication prescribed by law had not been regularly given, then such summons may be served and alias or pluries summons may be issued and in all cases where summons in such tax foreclosure suits has been issued and served, but such service has not been within the time prescribed by law, or in which alias or pluries summons has been issued and served, but such issuance or service has not been within the time prescribed by law, such summons and the issuance and service thereof in all tax foreclosure suits heretofore instituted are hereby validated, and any notice of publication required by law may be issued or such notices or publications given at any time prior to the first day of October, one thousand nine hundred and thirty-five, and thereafter such tax foreclosure suits may be prosecuted as now prescribed by law.

Sec. 3. That the costs in such tax sale certificate foreclosure suits shall be such as were authorized by law at the date of the institution of such actions.

Sec. 4. The time for the institution of tax sale certificate foreclosure suits, by Cherokee County, or any municipality or political subdivision thereof upon tax sale certificates for taxes due in the years one thousand nine hundred thirty-two, and prior thereto, back to and including the year one thousand nine hundred twenty-seven, is hereby extended until the first day of October, one thousand nine hundred thirty-five, and tax sale certificates for ensuing years shall be brought within the time prescribed by existing law regulating such time.

Sec. 5. That in all cases where the tax collectors of the various municipalities in Cherokee County, or any political subdivision thereof, have not sold lands of taxpayers by reason of the non-payment of taxes in the years one thousand nine hundred and thirty-three and prior thereto, until and including the year one thousand nine hundred twenty-seven, and such taxes are still due such municipality, then the governing body of such municipalities be and they are hereby authorized and empowered to
cause sales of such lands to satify such taxes to be made by the
tax collectors of such municipalities at any time prior to July
first, one thousand nine hundred thirty-five, upon the first Mon-
day of any month, such sales to be advertised and made in ac-
cordance with the provision of existing law, and tax sale certi-
ficate to be issued therefor.

Sec. 6. That this Act shall also apply to Avery County.
Sec. 7. That this Act shall be in force and effect from and
after its ratification.

Ratified this the 5th day of April, A.D. 1935.

H. B. 650

CHAPTER 266

AN ACT FOR THE BETTER PROTECTION OF TROUT
STREAMS IN CERTAIN SECTIONS OF JACKSON COUNTY
FROM RUTHLESS FISHING BY WILFUL AND DESTRUCTIVE TREASUREERS.

The General Assembly of North Carolina do enact:

SECTION 1. It shall be unlawful for any person to trespass
or enter on the lands of any other person, firm or corporation,
for the purpose or intent of fishing, without the written consent
of the owner of said lands, and upon conviction, shall be fined
not less than ten dollars and not more than fifty dollars for each
and every offense. And for the purpose of this Act, the word
"owner" shall mean either the owner of the fee in said land, or
the owner or lessee of the fishing rights thereon.

Sec. 2. All sheriffs, deputy sheriffs, constables, forest wardens,
game and fish wardens, and patrolmen employed by owners of
land are hereby empowered to make arrests for violation of this
Act in Hamburg and Cashiers Townships of Jackson County,
and shall receive the sum of ten dollars in any case involving a
violation of this Act, in which he gives or secures the evidence
upon which the conviction was obtained, which shall be assessed
against the defendant and paid by such defendant as part of the
costs in case of conviction. If no conviction is procured, no
fee shall be taxed against the defendant. In no event shall any
cost or fees be taxed against the County or State.

Sec. 3. This Act shall apply only to Hamburg and Cashiers
townships of Jackson County.

Sec. 4. All laws or parts of laws in conflict with the pro-
visions of this Act are herewith and hereby repealed.

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

Ratified this the 5th day of April, A.D. 1935.
SEC. 1. Declaration of Policy. An emergency which affects the public health and welfare of the citizens of Alamance County is hereby declared to exist. It is hereby declared to be the policy of the General Assembly to provide for the general health and welfare of the citizens of said county by promoting the organization of the barber trade for the purpose of cooperative action, to eliminate unfair competitive practices, to reduce and relieve unemployment and to improve standards of labor in said trade.

SEC. 2. Code of Fair Competition. Upon the application to the County Commissioners of Alamance County by the Alamance Community Barbers Association, representing not less than seventy per cent of the duly licensed barbers in said county, the County Commissioners may approve a code of fair competition for said barber trade, if the County Commissioners find (1) that the Alamance Community Barbers Association impose no inequitable restriction on admission to membership therein and (2) that such code is not designed to promote monopolies or to eliminate or oppress small operators and will not operate to discriminate against them, and will tend to effectuate the policy of this Act. The County Commissioners may, as a condition of its approval of such code, impose such conditions for the protection of the public, competitors, employees and others, and in furtherance of the public interests, and may provide such exceptions to and exemptions from the provisions of such code as the County Commissioners in their discretion deem necessary to effectuate the policy herein declared.

SEC. 3. After the County Commissioners shall have approved any such code, the provisions of such code shall be the standards of fair competition for the barber trade in Alamance County. Any violation of such standards shall be deemed an unfair method of competition and the General County Court of Alamance County is hereby invested with jurisdiction to prevent and restrain violation of such code of fair competition approved under this title, and any member of such trade group may institute proceedings in equity in his own name, on relation of Alamance Community Barbers Association, to prevent and restrain such violation.

SEC. 4. When a code of fair competition for the barber trade in Alamance County has been approved by the County Commissioners under this title, any violation of any provision thereof shall be a misdemeanor and, upon conviction thereof, an offender shall be fined not more than fifty ($50.00) dollars for each offense,
and each day such violation continues shall be deemed a separate offense.

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

Ratified this the 5th day of April, A.D. 1935.

H. B. 898  CHAPTER 268

AN ACT TO PROVIDE FOR A KENNEL TAX IN WAYNE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That every owner of a kennel of six dogs or more in Wayne County shall pay an annual tax of ten dollars on each kennel, the said kennels to be listed and the tax paid in the same manner and at the same time as now required by the state-wide law for the listing and taxing of dogs and shall be in lieu of said listing and tax, except that where there are more than ten dogs the credit for vaccination for rabies shall not apply.

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. 1935.

S. B. 190  CHAPTER 269

AN ACT TO APPOINT MEMBERS AND FIX THEIR TERMS AND REDUCE MEMBERSHIP OF COUNTY BOARD OF EDUCATION OF McDOWELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the following named persons be and they are hereby appointed members of the County Board of Education of McDowell County to fill vacancies therein occurring by expiration, and for the terms set after each name: John B. Johnson—six years; James C. Goforth—four years; and Marion L. Good—two years.

Sec. 2. The members appointed by this Act shall qualify by taking the oath of office on or before the first Monday in May, in the year one thousand nine hundred and thirty-five, and shall hold office for the term of years next thereafter as set forth
after their respective names, and until their successors are elected and qualified, and they, together with the members of the said board whose terms will not expire on the first Monday in May, one thousand nine hundred thirty-five, shall constitute the County Board of Education of McDowell County.

Sec. 3. That on and after the thirtieth day of April, one thousand nine hundred thirty-seven, the membership of the County Board of Education of McDowell County shall be reduced from five to three, and the members of the said Board whose terms will not expire on the first Monday in May, one thousand nine hundred and thirty-seven, shall continue as members to the end of their respective terms and shall constitute the County Board of Education of McDowell County.

Sec. 4. That in order to provide for only one expiration in the term of members of the County Board of Education of McDowell County, each two years after the first Monday in May, one thousand nine hundred thirty-nine, the terms of the successors to be appointed to fill the two vacancies occurring at that time shall be for four and six years respectively.

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 9th day of April, A.D. 1935.

H. B. 772

CHAPTER 270

AN ACT INCREASING THE MEMBERSHIP OF THE BOARD OF COMMISSIONERS OF COLUMBUS COUNTY FROM THREE TO FIVE MEMBERS.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of Columbus County is hereby increased from three to five members and that Floyd M. Stanley and F. L. Formdyval be, and they are hereby appointed members of present Board of County Commissioners of Columbus County to serve with the three members now constituting said board, until the first Monday in December, one thousand nine hundred and thirty-six.

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 April, A.D. 1935.
H. B. 639  CHAPTER 271
AN ACT TO AMEND CHAPTER FOUR HUNDRED AND FIVE OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-THREE, RELATING TO CERTAIN SPECIAL TAXES IN GRAHAM AND OTHER COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter four hundred and five of the Public-Local Laws of one thousand nine hundred and thirty-three be, and the same is hereby amended by striking out the words "ten (10) cents" in line four (4) of Section one and adding in lieu thereof the words "twenty (20) cents."

Sec. 2. This Act shall only apply to Graham County.

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

Ratified this the 9th day of April, A.D. 1935.

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H. B. 792  CHAPTER 272
AN ACT TO INCREASE THE PAY OF JURORS IN DUPLIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That all regular jurors in Duplin County shall receive the sum of three dollars per day and the same mileage now allowed by law and all tales jurors shall receive the sum of two dollars per day.

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 April, A.D. 1935.

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H. B. 843  CHAPTER 273
AN ACT TO EXTEND THE TIME FOR THE COLLECTION OF TAXES IN HAYWOOD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the tax collector of Haywood County be, and he is hereby authorized, if the Board of Commissioners of said County by appropriate resolution shall direct, to advertise the
sale of the lands of said County for taxes on the first Monday of July hereafter, and to sell the same on the first Monday of August hereafter, and, if the same shall be done, the said tax collector shall make his settlement on the first Monday of September hereafter.

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

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

Ratified this the 9th day of April, A.D. 1935.

H. B. 895

CHAPTER 274

AN ACT TO PERMIT THE REMOVAL AND REINTERMENT OF CERTAIN PERSONS FROM A PRIVATE BURIAL GROUND IN LUMBERTON TOWNSHIP, ROBESON COUNTY, TO THE OLD COUNTY HOME CEMETERY.

The General Assembly of North Carolina do enact:

Section 1. It shall be lawful to disinter from the private burial ground on the G. G. French estate in Lumberton Township the bodies of Vincent L. Stephens and James Campbell and to remove and reinter the said bodies in the old County Home cemetery located on Route Twenty in the same Township; provided, that the disinterment, removal and reinterment be performed under the direction of some reputable undertaker.

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

Ratified this the 9th day of April, A.D. 1935.

H. B. 899

CHAPTER 275

AN ACT TO PROVIDE THAT THE SOLICITOR OF THE SUPERIOR COURT SHALL FIX A CALENDAR FOR CRIMINAL TERMS OF COURT IN CUMBERLAND COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the Solicitor of the Ninth Judicial District, prior to the convening of each and every term of the criminal court in Cumberland County, or some one under his direction, shall prepare a calendar of all cases to be tried at each and every term of the criminal court of said County.
SEC. 2. That this Act shall apply only to Cumberland 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 9th day of April, A.D. 1935.

H. B. 925  CHAPTER 276
AN ACT TO APPOINT G. G. CARMICHAEL AS TAX SUPERVISOR FOR COLUMBUS COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That G. G. Carmichael be, and he is, hereby appointed as Tax Supervisor for Columbus County for a term of two years from April the first, one thousand nine hundred and thirty-five, at a salary of twelve hundred dollars per annum, payable monthly from the general funds of the County, whose duty it shall be to supervise the listing of taxes and the preparation of the tax books 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 April, A.D. 1935.

H. B. 1038  CHAPTER 277
AN ACT TO FIX THE SALARIES OF THE CLERK OF THE SUPERIOR COURT OF BUNCOMBE COUNTY AND THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That from and after April first, one thousand nine hundred and thirty-five, the salary of the Clerk of the Superior Court of Buncombe County shall be four thousand and eight hundred dollars ($4,800) per year.
SEC. 2. That the salary of the chairman of the Board of County Commissioners shall be four thousand and two hundred dollars ($4,200).
SEC. 3. That said salaries shall be paid as customary for Bun-
combe County to pay its county officers and employees.

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 9th day of April, A.D. 1935.

H. B. 699  CHAPTER 278
AN ACT TO MAKE THE OFFICE OF SOLICITOR OF THE
RECORDE'S COURT OF LEE COUNTY ELECTIVE.

The General Assembly of North Carolina do enact:

SECTION 1. At the next general election held in Lee County
for the election of county and state officers, there shall be elected
in the manner now provided by law a solicitor for the Recorder's
Court of said County, who shall hold his term of office for two
years, and until his successor has been elected and qualified.

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

Sec. 3. This Act shall be in force from and after its ratifica-
tion.

Ratified this the 10th day of April, A.D. 1935.

H. B. 748  CHAPTER 279
AN ACT FOR THE RELIEF OF BILTMORE COLLEGE.

The General Assembly of North Carolina do enact:

SECTION 1. The school boards of the City of Asheville and the
County of Buncombe are hereby authorized, empowered and di-
rected to make available without cost, turn over to and deliver
any school building within the City of Asheville, which is not
being used in connection with the operation of the city schools,
to Biltmore College, for the use, operation and maintenance of
said College. Provided that said Biltmore College shall keep said
building or buildings and fixtures in the same in as good state
of repair as when received, and return the said buildings and
fixtures to the owners thereof, when requested so to do for
use by it or them in as good condition as when received, ordinary
wear and tear excepted; and provided, further, when any building
or buildings are turned over to said Biltmore College by the own-
ers thereof for use, that said Biltmore College shall not take possession of or use said building or buildings until it, the said Biltmore College, at its own cost and expense, shall have first caused the same and the fixtures therein to be insured in a reliable insurance company, in an amount agreeable to the owners thereof, against loss or damage in said building or buildings by fire; said insurance to be made payable to the owner or owners of said building or buildings.

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

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

Ratified this the 10th day of April, A.D. 1935.

H.B. 761

CHAPTER 280

AN ACT TO GIVE THE COUNTY COMMISSIONERS OF DAVIE COUNTY POWER TO PAY THE ACTUAL EXPENSES OF C. V. MILLER OF DAVIE COUNTY INCURRED AS THE RESULT OF HAVING HIS SKULL CRACKED WHILE ON DUTY.

Whereas, C. V. Miller, deputy sheriff and jailer of Davie County, was struck from behind with a window-weight and his skull cracked and that after his skull was cracked he got to his knees and held the prisoners at bay until they could be locked in their cells and that as a result of said injury he has been put to considerable expense; now therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners of Davie County are hereby vested and empowered with the power to pay the actual expense of C. V. Miller, that he has incurred or that have been incurred for him as a result of said C. V. Miller being struck on the head with a window-weight while performing his duties as jailer of Davie County.

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. 1935.
S. B. 324

CHAPTER 281

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF ALLEGHANY COUNTY IN THEIR DISCRETION TO FIX THE SHERIFF'S SALARY.

The General Assembly of North Carolina do enact:

SECTION 1. The County Commissioners of Alleghany County may in their discretion fix the Sheriff's salary at a maximum salary of not more than eighteen hundred ($1,800) dollars, or a minimum salary of not less than fifteen hundred ($1,500) dollars. This being discretionary with the Board of Commissioners of said County.

Sec. 2. This salary may be fixed upon a fee basis or a straight salary.

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. 1935.

S. B. 441

CHAPTER 282

AN ACT TO AMEND CHAPTER FOUR HUNDRED TWENTY-NINE OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-THREE RELATING TO THE OFFICE OF TAX COLLECTOR AND SHERIFF OF MONTGOMERY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. Amend Section three of Chapter four hundred twenty-nine, Public-Local Laws of one thousand nine hundred thirty-three, by striking out the period at the end of said section, substituting therefor a comma, and adding the following provision: "And provided further that the County Commissioners may allow the said Sheriff such additional compensation and expense allowance as in their discretion they may deem just and proper."

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 10th day of April, A.D. 1935.
S. B. 445  CHAPTER 283

AN ACT TO PROVIDE FOR RURAL POLICE IN BRUNSWICK COUNTY IN DISCRETION OF COUNTY COMMISSIONERS.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter fifty-nine, Public-Local Laws of Extra Session of one thousand nine hundred and twenty-four, and all amendments thereto, be and the same are hereby repealed.

Sec. 2. That the Board of Commissioners of Brunswick County be and they are hereby empowered to set up, maintain and equip a Rural Police force; the number of men to be employed on said force and the terms of their employment to be discretionary with said board except that the salary paid to any member of said force shall not be at a lower rate than seventy-five dollars for each thirty days of employment.

Sec. 3. That said officers shall serve under the discretion and control of said Board of County Commissioners and it shall be the duty of said officers and they are hereby authorized and directed to be diligent in the enforcement of the criminal laws of the State of North Carolina in said County and they shall have the same powers and are hereby charged with the same duties as the sheriff of said County in the enforcement of said laws; they shall patrol and police said County to the end that the violation of the criminal laws of the State of North Carolina in said County may be discouraged and insofar as possible be prevented and that violators of said laws may be speedily apprehended; they shall have authority and it shall be the duty of said officers to serve all criminal process directed to them and issued by any lawful authority; it shall be their duty to search for, apprehend, and arrest any and all persons charged with the violation of any criminal law, to make arrests upon their own initiative as well as upon information and complaint, to obtain warrants for and arrest and prosecute all persons charged with violation of any of the criminal laws of the State. They shall have authority and it shall be their duty for any freshly committed crime whether a witness to the commission thereof or have knowledge thereof upon prompt information of complaint to arrest without warrant and when an arrest is made without warrant the person so arrested shall be forthwith carried before a trial officer of said County and a warrant of arrest procured to the end that the person charged may be dealt with promptly according to law and they shall have the power and authority to deputize other persons to assist them in making arrests and the discharge of their other duties whenever in their judgment the circumstances demand such action.
SEC. 4. That said Rural Police shall be entitled to receive as compensation for the discharge of their duties the salaries fixed by the said Board of Commissioners, together with such expense allowance as the Board of Commissioners may deem necessary to obtain the best possible law enforcement; the usual fees allowed to sheriff by law shall be taxed in all bills of costs, but the officer hereinafter provided for shall receive no part thereof; all of said fees, when collected, shall be paid into the general fund of said County.

SEC. 5. That any person employed as an officer under this Act shall before entering upon his duties take and subscribe the usual oath taken by all officers as now provided by law, and that he will execute the duties of his office to the best of his knowledge, skill and ability, and he shall also make and execute a bond in at least the sum of five hundred dollars, with sufficient sureties to be approved by the said Board of Commissioners conditioned on the faithful performance of his duties.

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 10th day of April, A.D. 1935.

S. B. 463

CHAPTER 284

AN ACT TO PROVIDE A JURY COMMISSION FOR TRANSYLVANIA COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That there is hereby created a Commission to be known as the Jury Commission of Transylvania County, North Carolina, consisting of the Clerk of the Superior Court of said County as ex-officio member and two other members to be appointed as hereinafter provided. Provided, that not more than two members of said Commission shall belong to the same political party.

Sec. 2. That C. R. Sharpe and O. H. Orr are hereby appointed as members of the Jury Commission of Transylvania County to serve until April first, one thousand nine hundred and thirty-seven, or until their successors are appointed and qualified. That upon the expiration of the terms of the members herein appointed their successors shall be appointed by the Resident Judge of the Judicial District in which Transylvania County is located upon the recommendation of the Bar Association of said County and shall serve for a term of two years. That if the said Bar As-
association should fall to recommend the name of any person or persons for appointment on said Jury Commission within ten days after the expiration of the term of any member thereof, the said Resident Judge may appoint any reputable male freeholder of Transylvania County whom he considers competent as a member of said Commission without said recommendation. That immediately after the appointment of such new member or members on said Commission as herein provided the said Resident Judge of said District shall transmit to the Sheriff of Transylvania County a notice of the appointment of the said member of said Commission which said notice the Sheriff shall immediately serve upon the said appointee or appointees.

SEC. 3. That on some date on or before June first, one thousand nine hundred and thirty-five, the members of the Commission herein appointed shall meet in the office of the Clerk of the Superior Court for Transylvania County in the Town of Brevard for organization and after being first duly sworn to perform the duties of their office as herein set forth shall proceed to organize by electing one of its members as Chairman and one of its members as Secretary, and after said organization proceed to select a jury for the next and ensuing term of the Superior Court of Transylvania County in the manner and form as herein provided for to-wit:

The Commission shall procure from the Register of Deeds and the Clerk of the Superior Court of Transylvania County jury boxes containing the names of jurors as have been heretofore drawn by the County Commissioners of Transylvania County during the last two years, and also the names as are now in Jury Box Number One and Jury Box Number Two and shall prepare a jury list and names as provided by law.

SEC. 4. That said commissioners are hereby and herewith vested with all the rights and powers as have been heretofore given to the County Commissioners in Sections two thousand three hundred and twelve, two thousand three hundred and thirteen and two thousand three hundred and fourteen of the Consolidated Statutes of North Carolina and shall proceed to select a jury list and also a jury for the ensuing term of the Superior Court of Transylvania County as provided in said Statutes; provided, that said Commission shall meet at least twenty days before each and every ensuing term of Superior Court of Transylvania County thereafter and proceed to select a jury for each of said terms as herein provided.

SEC. 5. That after jurors for each term shall have been prepared by the said jury commission, a copy of same shall be delivered by the Chairman of said commission to the Sheriff and Clerk of the Court of Transylvania County, and the said Sheriff is hereby authorized and directed to summons said jurors to ap-
pear for service as a juror and in apt time for the term for which said juror has been selected by the said jury commission.

Sec. 6. That it is the intention of this Act, and this Act does hereby give unto and vest in the said jury commission all the rights, powers and privileges as are vested in the Board of County Commissioners of Transylvania County in the aforesaid sections of the Consolidated Statutes and amendments thereto and by all other laws relative to selecting jurors for the Superior Court, and said commission shall act in lieu of and instead of the Board of County Commissioners of Transylvania County in preparing the jury list and selecting the jurors as provided for in said sections. That said Commission is authorized to employ such clerical help as they may deem necessary in order to prepare the jury list as provided for by law and to draw the jurors for the several terms of the Superior Court and to pay such remuneration for said clerical work as they may deem proper. And the said jury commission shall receive the sum of three dollars per day each for each day and part of day they are engaged in the performance of the duties of their office and which said sum or sums shall be paid upon the order of the Chairman of said Commission out of the fund known as the salary fund of Transylvania County, and if the salary fund is not sufficient then same shall be paid out of the contingent fund of said county, said sum to be paid or ordered paid by the Board of Commissioners of Transylvania County in the manner and amount aforesaid, at the first regular meeting of said Board after the making of the said jury list and the drawing of said jurors: Provided, that the Clerk of the Superior Court shall serve as a member of said Commission without any additional compensation.

Sec. 7. That the Chairman of said jury commission shall keep the jury list and jury box number one and jury box number two in his custody and in a safe and proper place and same shall be turned over to the succeeding jury commission at the expiration of his term and when his successor is duly appointed and qualified.

Sec. 8. That the regular jurors for each regular and special term of the Superior Court of Transylvania County, whether civil, criminal or mixed, shall be drawn as herein provided for.

Sec. 9. That in the event any man appointed to serve on said Commission should fail or neglect to qualify and act as such Commissioner, or if after appointment and qualification any member or members should die, resign, become incapacitated for serving or should be removed for cause, then the aforesaid judge may appoint a successor or successors as herein provided so as to maintain a full Board of three Commissioners at all times. And the said judge shall have the authority and power and is hereby directed

Intent of Act as to selecting jurors.

Clerical help provided.

Pay of Commission.

Method of payment.

Chairman of Commission to keep jury boxes.

Act provides for drawing all juries.

Vacancy appointments to Commission.

Removal of members.
to remove any member of said Commission if, and when in said judge's discretion, said member should be either mentally, morally or physically disqualified or incapacitated for performing the duties of said Commissioner.

Sec. 10. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

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

Ratified this the 10th day of April, A.D. 1935.

H. B. 757    CHAPTER 285

AN ACT TO INCREASE THE PAY OF JURORS IN JOHNSTON COUNTY FROM TWO DOLLARS A DAY TO TWO DOLLARS AND FIFTY CENTS A DAY.

The General Assembly of North Carolina do enact:  

Section 1. That the pay of jurors, both regular and judicial, in Johnston County be and the same is hereby increased from two dollars a day to two dollars and fifty cents a day.

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. 1935.

H. B. 967    CHAPTER 286

AN ACT TO FIX THE COMPENSATION OF THE MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY OTHER THAN ITS CHAIRMAN.

The General Assembly of North Carolina do enact:  

Section 1. That the members of the Board of County Commissioners for Mecklenburg County, other than its chairman, shall receive as compensation for their services as members of said board the sum of five dollars per day for each day the Board of Commissioners meet, not to exceed five days in any month, and in addition thereto, mileage at the rate of five cents per mile from their places of residence to the county court house and return.

Sec. 2. That this Act shall apply only to Mecklenburg County, North Carolina.
H. B. 685  CHAPTER 287

AN ACT TO AUTHORIZE THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS OF CASWELL COUNTY TO ADMINISTER OATHS ON ACCOUNTS FILED AGAINST SAID COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the Clerk of Board of County Commissioners of Caswell County be and is hereby authorized and empowered to administer an oath or oaths to all accounts filed against Caswell County in as full and ample manner as the Chairman of the Board of Commissioners of said County is now allowed to administer said oaths.

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

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

Ratified this the 11th day of April, A.D. 1935.

H. B. 865  CHAPTER 288

AN ACT TO AMEND CHAPTER FORTY, PUBLIC-LOCAL AND PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED TWENTY-NINE, REGULATING THE PERIOD OF TIME THAT SHALL CONSTITUTE THE YEARLY TERM OF AGRICULTURAL TENANCIES.

The General Assembly of North Carolina do enact:

Section 1. That Chapter forty, Public-Local and Private Laws one thousand nine hundred and twenty-nine, be, and the same is hereby amended by adding after the word "Columbus" in line two of Section five of said Act the word "Sampson," with a comma immediately before, making said Act applicable to the County of Sampson.

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. 1935.
H. B. 902

CHAPTER 289

AN ACT TO AMEND CHAPTER ONE HUNDRED SIXTY-THREE, PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-THREE, RELATING TO THE SALARIES AND FEES OF THE OFFICERS OF ALEXANDER COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Section three of Chapter One Hundred Sixty-three of the Public-Local Laws of one thousand nine hundred thirty-three be and the same is hereby amended as follows:

(a) By striking out the third paragraph thereof in its entirety and by inserting in lieu thereof the following:

"Register of deeds, one thousand two hundred dollars, with an allowance for clerical help to be fixed by the Board of County Commissioners;"

"County accountant, one thousand dollars;"

(b) By striking out in paragraph five thereof the words "including expenses," and by substituting a comma for the semicolon after the word "dollars" and by adding thereafter the words "and expenses to be approved by the County Commissioners;"

(c) By striking out paragraphs six and seven thereof.

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 11th day of April, A.D. 1935.

H. B. 997

CHAPTER 290

AN ACT TO AMEND CHAPTER TWO HUNDRED FIFTY, PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED TWENTY-FIVE, RELATING TO THE SALARIES OF CERTAIN OFFICERS OF Sampson County.

The General Assembly of North Carolina do enact:

SECTION 1. That Section two, of Chapter two hundred and fifty, Public-Local Laws of one thousand nine hundred and twenty-five, be and the same is hereby amended by adding to the end of said section, as now amended, the following:

"That the Clerk of the Superior Court of Sampson County, in addition to the salary now authorized by law, shall be paid annually by the Treasurer or financial agent of Sampson County out of the general funds of said County, upon the warrant of
the County Commissioners of said County, the sum of one thousand ($1,000.00) dollars annually for clerk hire, which amount shall be paid in equal monthly installments on the first Monday of each calendar month, beginning with the month of April, one thousand nine hundred and thirty-five."

Sec. 2. That Section three, of Chapter two hundred and fifty, Public-Local Laws of one thousand nine hundred and twenty-five, be and the same is hereby amended by adding to the end of said section, as now amended, the following:

"That the Register of Deeds of Sampson County, in addition to the salary now authorized by law, shall be paid annually the sum of one thousand ($1,000.00) dollars for clerk hire, which amount shall be paid her by the Treasurer or financial agent of said County of the general County funds of said County, upon the warrant of the County Commissioners of said County, in equal monthly installments on the first Monday of each calendar month, beginning with the month of April, one thousand nine hundred and thirty-five."

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

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

Ratified this the 11th day of April, A.D. 1935.

H. B. 998

CHAPTER 291

AN ACT RELATING TO OFFICERS' FEES FOR CAPTURE OF STILLERS AND DISTILLERS IN FRANKLIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That for every distillery seized in Franklin County under the Burlington Act, the sheriff or other duly constituted officer of said county making such seizure shall receive the sum of ten dollars, and for every person captured and convicted of manufacturing or aiding or abetting in the manufacture of illicit whiskey, the sheriff or other duly constituted officer of Franklin County making said capture shall receive the sum of ten dollars, said sum or sums to be allowed by the Commissioners of Franklin County: Provided, that the said commissioners shall not pay the sum or sums above provided if they are satisfied, upon investigation, that such seizure or capture was not made in good faith for the purpose of enforcing the Burlington Act; and, Provided, further, that only one officer shall receive the sum or sums above provided for in each case.

Still fees for officers in Franklin County.

Fees for capture of distiller.

Seizure must be bona fide.

Limited to one officer.
Taxing fees as part of court costs.

County liable only for one-half of fees.

Conflicting laws repealed.

Sec. 2. That the sum paid for the capture and conviction as provided in Section one of this Act may, in the discretion of the court, be taxed as a part of the costs against the persons convicted: Provided, that in all cases when the said sum of ten dollars is charged in said bill of cost and it appears that the same cannot for any reason be collected from the persons convicted of distilling or aiding and abetting, then the County of Franklin shall only be liable for one-half of the rewards provided in this Act.

Sec. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed insofar as they affect this Act, and House Bill five hundred three, Public-Local Laws of one thousand nine hundred thirty-five, ratified on March eighth, one thousand nine hundred thirty-five, is 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. 1935.

S. B. 458

CHAPTER 292

AN ACT TO REGULATE THE FEES OF THE VARIOUS JUSTICES OF THE PEACE OF NASH AND EDGECOMBE COUNTIES.

The General Assembly of North Carolina do enact:

Section 1. That the various justices of the peace of Nash and Edgecombe Counties shall receive the following fees and none other: Issuing summons, seventy cents when there is one defendant, and twenty cents for each additional defendant; trial and/or judgment, one dollar; docketing judgment, twenty-five cents; transcript of judgment, fifteen cents; issuing subpoena, twenty-five cents for each witness; taking affidavit, thirty-five cents; jury trial and verdict, one dollar; issuing execution, fifty cents; return to notice of appeal, fifty cents; warrant of arrest in criminal actions, one dollar; warrant of commitment, fifty cents; issuing claim and delivery papers, including summons, affidavit, bond, order to seize property and the trial of the same if issues are joined, two dollars and fifty cents; issuing attachment papers, including application, affidavit, bond and order to seize property, two dollars and fifty cents; recognizing witnesses, fifteen cents each witness; affidavit and order of removal, fifty cents; capias and order, one dollar; probate or acknowledgment of deed, chattel mortgage, or other paper-writing, twenty-five cents for each signer thereof; taking any bond, fifty cents; allotting widow's year's allowance, two dollars and fifty cents; taking depositions,
Section 1. The Board of County Commissioners of Rowan County, and the duly constituted church authorities in possession and control of cemeteries throughout said county, are authorized and empowered to lay off walkways and driveways, clean up and straighten those already therein through said cemeteries, line up the monuments in conformity therewith, and where any monuments and markers are down or irregular, reset and straighten them, and do any and all things necessary in order to take proper care of and beautify such cemeteries, and to otherwise lay out the grounds in order that said cemeteries can be kept up and kept clean and the graves well marked. Nothing herein shall be constituted as giving said governing bodies, and those in control, authority to remove graves, but only the authority to line up monuments and lay out walkways and driveways, and clean up those already therein, in order that the cemeteries may be maintained, beautified and laid off properly with a minimum amount of work and expense. In lining up monuments along said walkways and driveways it must be done with care in order that all tombstones and markers may be replaced and protected, so as to leave said markers, when so lined up, in as good condition as they were before being straightened and reset to conform with the walkways and driveways and general layout of the cemeteries.

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

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

Ratified this the 12th day of April, A.D. 1935.
H. B. 1031  CHAPTER 294

AN ACT TO PROVIDE FOR A TAX COLLECTOR IN ONSLOW COUNTY.

The General Assembly of North Carolina do enact:

Section 1. The Board of County Commissioners of Onslow County is hereby authorized and empowered, in its discretion, to appoint a tax collector for Onslow County and fix the term of office and compensation therefor and thereafter to relieve the sheriff of Onslow County of responsibility for the collection of the taxes. Any tax collector appointed hereunder shall have all of the responsibilities, duties and powers with regard to the collection of taxes that are now by law conferred upon sheriffs of Onslow County.

Section 2. That the Board of County Commissioners of Onslow County, in its discretion, may revise, readjust or change the salary of the sheriff as it shall deem just in consideration of the removal of the tax collecting responsibility from the sheriff’s office.

Section 3. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Section 4. This Act shall be in force and effect from and after its ratification.

Ratified this the 12th day of April, A.D. 1935.

H. B. 1063  CHAPTER 295

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF WILSON COUNTY, NORTH CAROLINA, TO ACCEPT JOINTLY WITH THE WILSON CHAPTER AMERICAN WAR MOTHERS THE DONATION OF A SITE UPON WHICH A MONUMENT IS TO BE ERECTED TO THE WORLD WAR VETERANS OF WILSON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. In addition to all other powers conferred upon the Board of Commissioners of Wilson County, North Carolina, power and authority is conferred upon the said Board to accept in severalty or jointly with the Wilson Chapter American War Mothers of the World War Veterans, or the Trustees for such organization, a donation of a site upon which is to be erected a Monument to the Wilson County World War Veterans, in memory of the services of such veterans and that the said Board of Com-
missioners of Wilson County, North Carolina, are further authorized and empowered to assist in the upkeep thereof.

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

Ratified this the 12th day of April, A.D. 1935.

H. B. 1064  CHAPTER 296

AN ACT RELATING TO THE APPOINTMENT OF A DEPUTY SHERIFF AND TO DISCONTINUE THE OFFICE OF RURAL POLICEMAN OR PEACE OFFICER IN HENDERSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the office of Rural Policeman or Peace Officer, created by the General Assembly for Henderson County, be, and it is hereby discontinued, and the term of office for the present Rural Policeman or Peace Officer is hereby terminated.

Sec. 2. That the Board of County Commissioners of Henderson County, and their successors in office, shall have no authority to hereafter appoint a Rural Policeman or Peace Officer for said county.

Sec. 3. That in addition to the deputies allowed the Sheriff of Henderson County under the existing laws, said Sheriff is hereby authorized and empowered to appoint an additional deputy to serve under said Sheriff and with all the authority, powers and duties imposed by law upon deputy sheriffs; that the salary of said extra deputy sheriff shall be one hundred dollars per month, payable monthly out of the general funds of Henderson County.

Sec. 4. That all expenditures heretofore made by the present Board of County Commissioners or their predecessors in office in the maintenance of a Rural Policeman or other Peace Officer in Henderson County are hereby declared to be a public necessity and are approved validated and ratified, and the acts of said officers are hereby validated.

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 12th day of April, A.D. 1935.
S. B. 415

CHAPTER 297

AN ACT TO ALLOW THE SHERIFF AND RURAL POLICEMEN OF ROBESON COUNTY AN ALLOWANCE FOR TRAVELING EXPENSES INCURRED IN LINE OF DUTY.

The General Assembly of North Carolina do enact:

SECTION 1. That in addition to the salaries that are now or may hereafter be allowed by law to the Sheriff and Rural Policemen of Robeson County, there shall be paid to each one of such officers from the public funds of said County the sum of twenty-five dollars each month, on account of traveling expenses incurred by these officers in the performance of their duties.

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

Ratified this the 12th day of April, A.D. 1935.

S. B. 223

CHAPTER 298

AN ACT TO AMEND CHAPTER TWO HUNDRED SIXTY-FOUR OF THE PRIVATE LAWS OF NORTH CAROLINA SESSION ONE THOUSAND NINE HUNDRED TWENTY-THREE, THE SAME BEING AN ACT RELATIVE TO THE CREATION OF A BOARD OF HEALTH FOR THE COUNTY AND CITY OF DURHAM.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter two hundred sixty-four of the Private Laws of North Carolina, Session one thousand nine hundred twenty-three, be and the same is hereby amended by striking out in the caption thereof the following words: “Chapter three hundred eighty-nine of the Private Laws of North Carolina, Session one thousand nine hundred” and inserting in lieu thereof the following: “Chapter two hundred ninety-nine of the Public-Local Laws of North Carolina, Session one thousand nine hundred thirteen.”

Sec. 2. In Section two beginning in line one strike out the words: “Said Chapter three hundred and eighty-nine of the Private Laws of North Carolina, Session one thousand nine hundred and nine,” and insert in lieu thereof the following: “Chapter two hundred and ninety-nine of the Public-Local Laws of North Carolina, Session one thousand nine hundred and thirteen.”

Sec. 3. In Section thirteen beginning at the end of line four strike out the following words: “Said Chapter three hundred and
eighty-nine of the Private Laws of one thousand nine hundred and nine" and insert in lieu thereof the following: "Chapter two hundred and ninety-nine of the Public-Local Laws of North Carolina, Session one thousand nine hundred and thirteen."

Sec. 4. All laws and parts of laws inconsistent with or in conflict with the provisions of this Act are hereby repealed.

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

Ratified this the 12th day of April, A.D. 1935.

S. B. 419

CHAPTER 299

AN ACT TO AMEND CHAPTER THREE HUNDRED AND NINETY-EIGHT OF THE PUBLIC LAWS OF NORTH CAROLINA, SESSION ONE THOUSAND NINE HUNDRED AND NINE, RELATIVE TO THE JURISDICTION OF RECORDERS COURT OF NEW HANOVER COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That Sub-section (c) of Section eight of Chapter three hundred and ninety-eight of the Public Laws of North Carolina, Session one thousand nine hundred and nine, be and the same is hereby amended by striking out in line seven (7) of said sub-section (c), of said Section eight, the word "twenty" and inserting in lieu thereof the words "one hundred."

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

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

Ratified this the 12th day of April, A.D. 1935.

H. B. 886

CHAPTER 300

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF HAYWOOD COUNTY TO RELEASE FROM TAXATION THE PROPERTY OF THE LAKE JUNALUSKA METHODIST ASSEMBLY, INCORPORATED.

The General Assembly of North Carolina do enact:

Section 1. That the Board of Commissioners of the County of Haywood are hereby authorized and empowered, in their discretion, to release from taxation the property of the Lake Junaluska Methodist Assembly, Incorporated, located in Waynesville

Release from taxation in Haywood County of property of Lake Junaluska Methodist Assembly.
AN ACT TO PROVIDE FOR THE APPOINTMENT OF RURAL POLICEMEN IN ROBESON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Sheriff of Robeson County shall appoint not less than seven and not more than nine able-bodied men of good moral character known not to be addicted to the use of alcoholic liquors and to be courageous and energetic, and commission them as rural policemen of Robeson County. The Sheriff is hereby empowered and directed to remove any rural policeman at any time in his discretion and appoint another in his place. The said policeman when appointed shall serve at the pleasure of the Sheriff of said county and these officers now serving as rural policemen in said county shall continue in office until their successors are appointed or until removed by the Sheriff.

SECTION 2. The salaries and allowances of said rural policemen shall be such as provided by law for rural policemen in Robeson County.

SECTION 3. The duties of the rural policemen as appointed by the Sheriff of Robeson County shall continue to be such duties as are prescribed under Chapter four hundred and eleven, Public-Local Laws of North Carolina, Session one thousand nine hundred and fifteen, and such additional duties as may be fixed by said Sheriff.

SECTION 4. That Chapter four hundred and eleven of the Public-Local Laws of North Carolina, Session one thousand nine hundred and fifteen, and Chapter one hundred and twenty-nine, Public-Local Laws of North Carolina, Session one thousand nine hundred and twenty-one, and Chapter three hundred and twenty-one of the Public-Local Laws of North Carolina, Session one thousand nine hundred and twenty-seven, in so far as the same con-
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flict with the provisions of this Act. be and the same are hereby repealed, and all other laws or 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 17th day of April, A.D. 1935.

H. B. 830

CHAPTER 302

AN ACT TO AUTHORIZE AND EMPOWER THE BOARD OF COUNTY COMMISSIONERS OF MADISON COUNTY TO LEVY A SPECIAL TAX TO PROVIDE FUNDS WITH WHICH TO MAKE NECESSARY REPAIRS TO THE COMMON JAIL OF SAID COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the Board of Commissioners of Madison County are hereby authorized, empowered and directed to levy a tax not exceeding five (5) cents on the one hundred dollar valuation of all real, personal and taxable property in said county for the year one thousand nine hundred and thirty-five for the purpose of making the necessary repairs on the common jail in said county as may be determined by the Board of Commissioners of Madison County.

Sec. 2. That the Board of Commissioners, upon the ratification of this Act, are authorized, empowered and directed to enter into negotiations with some responsible person, firm or corporation for the purchase of necessary equipment and material with which to make said repairs and to contract and complete the necessary repairs to the said common jail.

Sec. 3. That the said Board of Commissioners are authorized and empowered to borrow sufficient funds in anticipation of the collection of taxes herein authorized to be levied, and to issue notes therefor, as now provided by law, in order to make said repairs immediately.

Sec. 4. That it shall be the duty of the said Board of County Commissioners, upon the collection of the taxes herein authorized to be levied, to apply the proceeds therefrom for the purposes set forth and mentioned in this Act, and for no other purpose.

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 17th day of April, A.D. 1935.
CHAPTER 303

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF CUMBERLAND COUNTY TO ADJUST ALL UNPAID TAXES PRIOR TO THE YEAR OF ONE THOUSAND NINE HUNDRED AND THIRTY-THREE.

The General Assembly of North Carolina do enact:

Section 1. That the Board of County Commissioners of Cumberland County, North Carolina, are hereby authorized and empowered to adjust, compromise, and/or otherwise settle and collect all taxes unpaid prior to the year one thousand nine hundred and thirty-three.

Sec. 2. That the acts of the said Board of County Commissioners shall be legal and binding in every respect in connection with the settlement and adjusting of all taxes prior to the year one thousand nine hundred and thirty-three.

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

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

Ratified this the 17th day of April, A.D. 1935.

CHAPTER 304

AN ACT TO VALIDATE CERTAIN SALES OF LAND FOR TAXES AND CERTIFICATES ISSUED IN PURSUANCE THEREOF.

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 the County, City, Town or other municipality during the years one thousand nine hundred and thirty-three and one thousand nine hundred and thirty-four, on any day subsequent to or other than the first Monday in June of each 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 sale had been held and conducted on said first Monday of June of each year.

Sec. 2. This Act shall apply only to Cumberland County.
Sec. 3. All laws or 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 17th day of April, A.D. 1935.

H. B. 926  CHAPTER 305

AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF COLUMBUS COUNTY TO MAKE ADJUSTMENTS WITH DELINQUENT TAXPAYERS AS TO PENALTIES, INTEREST AND COST.

The General Assembly of North Carolina do enact:

Section 1. That the County Commissioners of Columbus County, be, and they are, hereby authorized and empowered to make such adjustments of any penalties, costs and interest, which may be due by any taxpayer in Columbus County by reason of unpaid taxes for years one thousand nine hundred and thirty-two and all years prior thereto, as in their discretion may be for the best interest of both the county and the taxpayer.

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

Ratified this the 17th day of April, A.D. 1935.

H. B. 999  CHAPTER 306

AN ACT TO PROVIDE FOR PAYMENT OF BILLS OF COST IN THE RECORDER'S COURT OF FRANKLIN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That in all criminal trials in the Recorder's Court of Franklin County in which the defendant is acquitted or a non pross or non pross with leave is taken, the State's witnesses and officers shall be paid one-half of the witness fees now allowed witnesses and officers in the Superior Court; said fee to be approved and paid by the County Commissioners of Franklin County within sixty days from final disposition of the case in which fees are allowed under this 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 17th day of April, A.D. 1935.
Election called in Cabarrus County for establishment of public hospital.

Bond issue.

Special tax.

Tax for maintenance.

Sale of bonds.

Levy of tax.

Designation of hospital.

Ballots.

New registration.

Election officials.

Canvassing returns.

H. B. 996  
CHAPTER 307

AN ACT TO ENABLE CABARRUS COUNTY TO ESTABLISH AND MAINTAIN A PUBLIC HOSPITAL, TO LEVY A TAX AND ISSUE BONDS THEREFOR, APPOINT HOSPITAL TRUSTEES, MAINTAIN A TRAINING SCHOOL FOR NURSES, ETC.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners of Cabarrus County, North Carolina, by a majority vote of said Board, or upon the petition of two hundred voters of said county, shall, after thirty days notice at the courthouse door and publication in one or more newspapers in said county for thirty days, order an election to be held to determine the will of the people of said county whether there shall be issued and sold bonds to an amount not to exceed one hundred thousand dollars ($100,000), to bear interest at not exceeding six per cent per annum, and to be payable, both principal and interest, when and where they may decide, and to levy a tax of not exceeding two cents on the one hundred dollar valuation of property, the proceeds of sale of said bonds to be issued to be used in securing lands and erecting or altering buildings and equipping same to be used as a public hospital for said county, and said tax to be levied to pay the interest on said bonds, and to provide a sinking fund therefor to pay said bonds at maturity. The said Board of County Commissioners shall also levy a tax not to exceed two cents on the one hundred dollar valuation of property for the maintenance and upkeep of said hospital. If the majority of the qualified voters at said election shall vote in favor of the issuing of said bonds and the levying of said tax, then said bonds, or such part thereof as the said Board of County Commissioners may determine, shall be issued and sold by said Board. Said tax, or such part thereof as shall be required, shall be levied. The hospital so erected from the sale of said bonds in addition to other hospitalization funds from other sources shall be known as the "Cabarrus County Hospital."

SEC. 2. That at said election, those voters favoring the issuing and sale of bonds and levying of the tax aforesaid shall vote a written or printed ballot, "For Cabarrus County Hospital," and those opposed shall vote a written or printed ballot, "Against Cabarrus County Hospital," and for said election, the County Commissioners shall order a new registration, such registration to be used only for said special election to be governed by the laws of the State, and for said election, the County Commissioners shall appoint registrars and judges of election, and fix a date for making returns of election, at which date, the County Commis-


SEC. 4. THE BONDS ISSUED UNDER THE PROVISIONS OF THIS ACT SHALL MATURE IN NOT EXCEEDING THIRTY YEARS FROM DATE, AND SHALL
be in such denominations as the County Commissioners shall determine, and shall draw interest at a rate not exceeding six per cent annually, or semi-annually, and said bonds shall be serial bonds, maturing in such amounts as may be determined by the County Commissioners. The first installment shall fall due not later than five years from date of issue of said bonds, and the last installment falling due not later than thirty years from date of said issue.

Sec. 5. Should a majority of the qualified voters of Cabarrus County, under any election held under this Act, vote "For Cabarrus County Hospital," then the County Commissioners shall at once appoint a Board of Trustees, one trustee to come from each and every voting precinct in the county. Said Board of Trustees shall be divided into three groups, the members of the first group being appointed for two years, the members of the second group being appointed for three years, the members of the third group being appointed for four years. Upon the first meeting of the Board of Trustees, which shall not be less than ten days from the date of appointment, the said Board shall appoint an executive committee composed of seven members from the trustees, all residents of the county. Upon the nomination and endorsement by the Cabarrus County Medical Society of two practicing physicians for honorary membership on the executive committee, said Board of Trustees shall appoint as honorary and advisory members of said executive committee the two physicians so nominated and endorsed to be advisory members and not voting members of said executive committee. Said executive committee shall be divided into three groups, the members of the first group being appointed for one year, the members of the second group being appointed for two years, and the members of the third group being appointed for three years. In case of any vacancy for any cause on the executive committee, except for expiration of term of appointment, the executive committee shall of its own motion fill the unexpired term. In case of vacancy on the Board of Trustees for any cause, including expiration of terms, the said Board shall fill the vacancy by electing a new member from the same voting precinct as that of the retired member. The Board of Trustees shall appoint members of the executive committee upon the expiration of their terms of office.

Sec. 6. The said executive committee shall, within ten days after their appointment or election, qualify by taking the oath of civil officers and organize as an executive committee by the election of one of their number as chairman, one as secretary, and by the election of such other officers as they may deem necessary, but no bond shall be required of them. The county treasurer of the county in which such hospital is located shall be Treasurer of the executive committee. The treasurer shall receive and
pay out all moneys under the control of said executive committee as directed by it, but shall receive no compensation from such committee. No member shall receive any compensation for his services performed, but he may receive reimbursement for any cash expenditures actually made for personal expenses incurred as such member, and an itemized statement of such expenses and money paid out shall be made under oath by each of such members and filed with the Secretary and allowed only by the affirmative vote of all the members present at a meeting of the executive committee. The executive committee shall make and adopt such by-laws, rules and regulations for their own guidance and for the government of the hospital as may be deemed expedient for the economic and equitable conduct thereof, not inconsistent with this Act and the ordinances of the city or town wherein such public hospital is located. They shall have the exclusive control of the expenditure of all moneys collected to the credit of the hospital fund, and the purchase of site or sites, the purchase or construction of any hospital building or buildings, and of the supervision, care and custody of the grounds, rooms or buildings purchased, constructed, leased, or set apart for that purpose; Provided, that all moneys received for such hospital shall be deposited in the treasury of the county to the credit of the hospital fund and paid out only upon warrants drawn by the proper officers of the executive committee. Said executive committee shall have power to appoint a suitable superintendent or matron, or both, and necessary assistants and fix their compensations, and shall also have the power to remove such appointees; and shall in general carry out the spirit and intent of this Act in establishing and maintaining a county public hospital. Such committee shall hold meetings at least once each month, shall keep a complete record of all its proceedings, and four members of such committee shall constitute a quorum for the transaction of business. One of said members shall visit and examine said hospital at least twice each month, and the committee shall during the first week in January of each year file with the Board of Commissioners of said county a report of their proceedings with reference to such hospital, and a statement of all receipts and expenditures during the year, and shall at such time certify to the Board of County Commissioners the amount necessary to maintain and improve such hospital for the ensuing year. No member shall have a personal pecuniary interest, either directly or indirectly, in the purchase of any supplies for said hospital, unless the same are purchased by competitive bidding. 

Sec. 7. The hospital established under this Act shall be for the benefit of the inhabitants of Cabarrus County, and of any person falling sick or being injured or maimed within its limits; but every inhabitant or person who is not a pauper shall pay to Committee serves without pay.

Expenses allowed.

By-laws, rules and regulations.

Control over expenditures, etc.

Deposit of moneys.

Warrants for withdrawals.

Superintendent and assistants provided for.

Meetings of committee and records.

Quorum.

Periodical visits and examination.

Annual report.

Budget.

Purchase of supplies restricted.

Beneficiaries of hospital.

Fixing charge for caring for patients.
such executive committee or such officers as it shall designate for such county public hospital a reasonable compensation for occupancy, nursing, care, medicine, and/or attendance, according to the rules and regulations prescribed by said executive committee, such hospital always being subject to such reasonable rules and regulations as said committee may adopt in order to render the use of said hospital of the greatest benefit to the greatest number; and said executive committee may exclude from the use of such hospital any and all inhabitants and persons who shall willfully violate such rules and regulations; and said committee may extend the privileges and use of such hospital to persons residing outside of Cabarrus County upon such terms and conditions as said executive committee may from time to time by its rules and regulations prescribe.

SEC. 8. When such hospital is established, the physicians, nurses, attendants, the person sick therein, and all persons approaching or coming within the limits of same, and all furniture and other articles used or brought there, shall be subject to such rules and regulations as said executive committee may prescribe.

SEC. 9. That “Cabarrus County Hospital” is hereby declared to be a body corporate, with power to receive and hold gifts, grants, and devises of real and personal property, to sue and be sued, and to do any and all lawful acts necessary to carry out the objects of its creation, and shall possess all other rights and powers usually incident to corporations.

SEC. 10. In the management of such public hospital, no discrimination shall be made against practitioners of any school of medicine or allied occupations recognized by the laws of the State of North Carolina as contained in Chapter one hundred and ten of the Consolidated Statutes, and all such legal practitioners shall have equal privileges in treating patients in such hospital. The patient shall have the absolute right to employ at his or her own expense, his or her own physician, and, when acting for any patient in such hospital, the physician employed by such patient shall have exclusive charge of the care and treatment of such patient, and nurses therein shall, as to such patient, be subject to the directions of such physicians, subject always to the general rules and regulations as shall be established by the executive committee under the provisions of this Act.

SEC. 11. The executive committee of such county public hospital may establish and maintain in connection therewith and as a part of said public hospital a training school for nurses.

SEC. 12. The said executive committee shall at all times provide a suitable room for the detention and examination of all persons who are brought before the Commissioners of Insanity for such county: Provided, that such public hospital is located at or near the county seat.
Sec. 13. The executive committee shall have the power to determine whether or not patients presented at said public hospital for treatment are subjects for charity, and shall fix the prices for compensation for patients other than those unable to assist themselves.

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

Ratified this the 17th day of April, A.D. 1935.

H. B. 1002   CHAPTER 308

AN ACT TO CREATE A JURy COMMISSION FOR THE COUNTY OF CLAY.

The General Assembly of North Carolina do enact:

SECTION 1. That Harve M. Moore, Mark Weaver and J. A. Chambers be, and they are hereby named as a jury commission for the County of Clay, whose term of office shall begin on the first Monday in June, one thousand nine hundred and thirty-five, or as soon thereafter as they may qualify, as hereinafter provided, and shall continue until the first Monday in January, one thousand nine hundred and thirty-seven, at which time their successors shall be named as hereinafter provided.

Sec. 2. That it shall be the duty of the aforesaid Jury Commission to have full, complete and absolute control of the jury system for Clay County, and to that end, they shall be the custodians of the jury box for said county and shall be charged with placing all names within said jury box for jury service and shall likewise be charged with the supervision of drawing all names from said jury box for jury duty as hereinafter provided.

Sec. 3. That on the first Monday in June, one thousand nine hundred and thirty-five, or as soon thereafter as practicable, the aforesaid named commission shall present themselves before the Clerk of the Superior Court for the County of Clay, where they shall take their oath of office to the effect that they will honestly and conscientiously perform their said duties toward carrying out the provisions of this Act without fear or favor to the very best of their ability.

Sec. 4. That immediately after taking their said offices, it shall be their duty to revise the jury box for Clay County and carry out all the duties now imposed by law upon the Board of County Commissioners of Clay County as prescribed by Sections two thousand three hundred twelve to two thousand three hundred nineteen of the Consolidated Statutes of North Carolina with re-
Division of jury box into two compartments.

Disposition of keys.

Time of drawing juries.

Number of jurors to be drawn.

Drawing jurors for extra terms.

Certified copies of jury lists.

Biennial appointment of members of Commission.

Section 5. That said jury box shall be divided into two compartments, one of which shall be marked number one, and the other of which shall be marked number two, and each of said compartments shall be locked with a separate lock, the key to compartment number one to be carried by a certain member of said commission to be named as chairman, and the key to compartment number two to be carried by another of said commission to be designated as secretary. That it shall be the duty of said jury commission in first preparing the names of said jury list to place all of said names in compartment number one, where they shall remain until same shall be drawn out as hereinafter provided.

Section 6. That it shall be the duty of said jury commission to meet in the courthouse in Hayesville on the first Monday in April and the first Monday in September of each year and every year for the purpose of drawing a jury for the April-May and September-October terms of Clay County Superior Court respectively. That for each of said terms forty-two scrolls or names shall be drawn for the first week and twenty-four for the second. That drawing of jury for second week of said terms may be dispensed with when in opinion of local bar and Clerk of Superior Court a jury for second week of said term or terms will not be needed. That in case a jury is not drawn for the second week of any term and it appears to the Judge presiding over the first week of such term that a jury will be necessary for the second week of such term, then the jury commission shall be notified to draw a jury list for such second week of such term. Should a jury drawn for the second week not serve then their names shall be returned to compartment number one of jury box. Should there be an extra term of court, said jury commission shall meet at least two weeks before said extra term for the purpose of drawing a jury for the same, said number of names to be drawn to be governed entirely by the number needed for said extra term, the said commission to be the sole judges of the number required.

Section 7. After said jury shall have thus been drawn, it shall be the duty of said Secretary to make and certify a copy of same to the Sheriff of said county for the purpose of serving same; to furnish a certified copy thereof to the Clerk of the Superior Court and to retain a copy thereof as a part of the permanent records of the said jury commission.

Section 8. On the first Monday in January, one thousand nine hundred and thirty-seven, and biennially thereafter, a new jury commission for the County of Clay shall be named by the Resident Judge of the Twentieth Judicial District, or by the Resident Judge of such Judicial District as Clay County may then be a
part of, which said appointment shall be certified by said Judge to the Clerk of the Superior Court for Clay County to the end that the said commission may be notified by said Clerk so that they may qualify for said duties, said Judge being required to certify the names of the new commission to the Clerk at least ten (10) days before the said first Monday of the years in which the new commission shall take office, to the end that they may be notified by said Clerk of the Superior Court before the date on which they are to assume duty.

Sec. 9. During their said term of office each of said commission shall receive the sum of three dollars per day and five cents per mile in traveling to and from said courthouse and their respective homes the shortest and most feasible route, their per diem to be based upon the number of days in actual service. Should there be a vacancy in said commission caused by death or otherwise, said vacancy in said commission shall be filled by the resident Judge of the district of which Clay County is then a part at the time of said vacancy, said Judge in making said appointment at all times to observe the political ratio of said jury commission so that not over two of said commission shall be from any political party.

Sec. 10. That at such times as said jury commission are not on duty and in actual charge of said jury box, the Register of Deeds shall be the custodian of same, and it shall be his duty to keep same locked and placed in the vault so that no other person may tamper with same.

Sec. 11. That after the revision of the jury list as provided in Section three hereof, the jury list shall thereafter be revised on the first Monday in April, one thousand nine hundred and thirty-seven, and every two years thereafter, by said jury commission, as hereinbefore provided.

Sec. 12. That all laws and parts of laws in conflict with this Act are hereby repealed, in so far as same apply to Clay County.

Sec. 13. That this Act shall be in force and effect on and after June first, one thousand nine hundred and thirty-five.

Ratified this the 17th day of April, A.D. 1935.

H. B. 1015

CHAPTER 309

AN ACT TO RELIEVE THE TAXPAYERS OF HYDE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That when the Sheriff and/or Tax Collector of Hyde County has levied upon the personal property of any taxpayer in said county, for the purpose of collecting delinquent

Notice to new appointees.

Pay of Commission members.

Vacancy appointments.

Political lines observed.

Register of deeds custodian of jury box.

Biennial revision of jury list.

Conflicting laws repealed.

Effective date.

Relief of Hyde County taxpayers from levy on personal property.
taxes due by said taxpayer to said county, or any subdivision thereof, it shall be lawful for and the duty of said Sheriff and/or Tax Collector said County to extend the time for the sale of said personal property, under said levy, until the fifteenth day of September thereafter, and he shall permit said personal property to remain in the possession of said taxpayer: Provided, however, said taxpayer shall, within two days after said levy, execute and deliver to said Sheriff and/or Tax Collector, as aforesaid, a certificate, duly filled in and executed, in the following form:

**CERTIFICATE OF TAX LIEN**

The undersigned does hereby certify that:

(a). There is now due Hyde County and unpaid, $.................., representing the taxes duly levied and assessed by said County, or any subdivision thereof, for the year 19........

(b). That he has been and is still unable to pay said taxes.

(c). That the Sheriff and/or Tax Collector has legally levied upon the following described articles of personal property, to wit:

(Description of Property)

(d). That said personal property is now in the possession of the undersigned, who agrees to retain possession thereof until said taxes are paid, or until demanded by the Sheriff and/or Tax Collector, for the purpose of sale on September fifteenth hereafter.

(e). That this certificate is issued for the purpose of giving notice to the public that the taxes on the above described personal property have not been paid, and that whoever purchases said property before said taxes are paid will purchase the same subject to the payment thereof, together with any cost accruing or incidental thereto.

This, the........day of....................................., 19.....

.................................................................(SEAL)

Taxpayer.

Sec. 2. That when the certificate provided for in Section one hereof has been duly executed and delivered by any taxpayer to the Sheriff and/or Tax Collector of Hyde County, there shall be no sale of any personal property by the Sheriff and/or Tax Collector before the fifteenth day of September thereafter; and any person or persons, firm or corporation purchasing any of the personal property described in said certificate shall purchase and acquire the same subject to the payment of any and all taxes and costs as provided for in said certificate.

Sec. 3. That the said Sheriff and/or Tax Collector shall within two days after any certificate or certificates provided for in this Act have been executed and delivered to him and/or his deputy deliver the same to the Register of Deeds of said County, who shall file said certificates in his office and make an index thereof,
showing the name of the taxpayer; the amount of the tax, and when the tax levy was made.

Sec. 4. That this Act shall apply only to Hyde 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 17th day of April, A.D. 1935.

H. B. 1075 CHAPTER 310

AN ACT SUPPLEMENTAL TO AN ACT ENTITLED "AN ACT TO CREATE AND ESTABLISH A BUREAU OF IDENTIFICATION FOR THE COUNTY OF NEW HANOVER" AND BEING HOUSE BILL FIVE HUNDRED EIGHTY-EIGHT, RATIFIED ON MARCH EIGHTEENTH, ONE THOUSAND NINE HUNDRED THIRTY-FIVE, AND BEING FILE NUMBER THREE HUNDRED FORTY-TWO, TO CORRECT AN ERROR THEREIN.

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 hyphenated words "thirty-six" and inserting in lieu thereof the hyphenated words "thirty-five."

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 17th day of April, A.D. 1935.

H. B. 1070 CHAPTER 311

AN ACT TO PROVIDE FOR A NEW REGISTRATION OF VOTERS OF TRANSYLVANIA COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That before the next regular county primary to be held for the nomination of candidates for county officers, or before any special county election on any proposition or referendum which might be submitted to a vote of the electors of Transylvania County, there shall be a new registration of the electors of said county, which said registration shall be made in accordance with the provisions of Sections number five thousand

H. B. 588, Public-Local Laws 1935, amended, as to Identification Bureau of Wilmington and New Hanover County.

Conflicting laws repealed.

New registration of voters ordered in Transylvania County.
nine hundred and thirty-four and five thousand nine hundred and thirty-five of Article five of the Consolidated Statutes, as amended by Chapter one hundred and sixty-five, Public Laws of one thousand nine hundred thirty-three, and Section five thousand nine hundred and sixty-one of Article nine of the Consolidated Statutes.

Sec. 2. That for the purpose of such new registration there shall be furnished to each registrar a book to be known as "General Registration Book" and also a separate registration book for each political party participating in the primary elections in said county, and such separate registration books shall be plainly marked with the name of the political party for which it is provided. Any elector desiring to register may designate which political party he affiliates with and request that his name be entered on the registration book for such political party and his name shall be entered on the registration book for such political party by the registrar: Provided, that no elector shall be allowed to have his name entered on the registration book of the political party with which he professes to affiliate until such elector shall have taken an oath of party affiliation with said party. All names so entered on registration books for different political parties shall also be entered on the book known as "General Registration Book" by the registrar. Any elector who does not desire to have his name entered on the separate registration book for any political party, or who desires to register as an independent, or whose political party does not enter a ticket in the elections in said county shall be registered in the "General Registration Book."

Sec. 3. After such new registration as herein provided for no elector shall be permitted to vote in a primary election except in the primary of the political party on whose registration books he is registered, unless, before the close of the registration period for such primary, he makes a change of party affiliation in good faith and personally attends before the registrar and has his name stricken from the registration book of the party with which he formerly affiliated and then makes oath that he desires to affiliate in good faith with such other party as he may designate, and has his name recorded on the registration book of the party with which he then professes to affiliate.

Sec. 4. When a new registration is made as herein provided, any electors who are registered under the "Grandfather's Clause" of the State Constitution shall re-register under the provision for such registration in Section five thousand nine hundred and forty-nine to five thousand nine hundred and fifty-seven of the Consolidated Statutes.

Sec. 5. That no name or names shall be copied on the new registration books herein provided for from any source, and no
names shall be entered on such registration books except the
names of electors who present themselves in person before the
registrar for registration and are legally entitled to be registered,
and the names of such electors who have presented themselves
in person before the chairman of the County Board of Elections
for registration and been registered by him and their names cer-
tified to the registrar under the provisions of Section five thousand
nine hundred and sixty-one of the Consolidated Statutes.

Sec. 6. That within sixty days after the ratification of this
Act the Clerk of Superior Court for Transylvania County, or such
other person or persons who may have custody of the registra-
tion books heretofore in use in elections in Transylvania County,
shall deliver such registration books to the North Carolina His-
torical Commission for preservation by the said Historical Com-
mission.

Sec. 7. That anyone violating the provisions of this Act shall
be guilty of a misdemeanor and punishable by fine or imprison-
ment in the discretion of the Court, and, if an election official,
shall immediately be removed from office, and upon conviction
shall be ineligible to hold any office as an election official.

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 17th day of April, A.D. 1935.

S. B. 388

CHAPTER 312

AN ACT TO AUTHORIZE THE GOVERNING BODIES OF THE
COUNTY OF BUNCOMBE AND THE CITY OF ASHEVILLE
TO ADJUST OR CANCEL, PAVING AND OTHER ASSESS-
MENTS AGAINST PROPERTY IN SAID COUNTY AND
CITY.

The General Assembly of North Carolina do enact:

Section 1. That all assessments for paving, sewer and opening
and widening which have heretofore been levied by the
County of Buncombe and/or the City of Asheville against any
property, in excess, in the aggregate, of ten per cent of the one
thousand nine hundred and thirty-three valuation of said prop-
erty for purposes of taxation, are hereby canceled, such excess
cancellation being in the same ratio in every instance of where
there is more than one assessment upon a single piece of prop-
erty. The governing bodies of said County of Buncombe and/or
City of Asheville are hereby authorized and empowered to fur-
ther adjust, reduce or cancel, wherever the particular facts in any case so justify, any of the aforesaid assessments, or other assessments within their respective jurisdictions, placed upon property by authority of said County or City. All penalties, interest and costs of any of the aforesaid assessments are hereby canceled: Provided, however, that interest at the rate of six per cent per annum shall be paid on all adjusted assessments, or assessments less than ten per cent of the one thousand nine hundred and thirty-three valuation from and after the date of ratification of this Act, said interest to be paid in cash.

Sec. 2. All of the aforesaid assessments, even in case of adjustment, may be paid in cash or valid bonds or certificates of deposit of valid bonds of the County of Buncombe, in case of county assessments, or valid bonds or certificates of deposit of valid bonds of the City of Asheville, in case of assessments levied by said City.

Sec. 3. In any case of where any property owner has been awarded damages, which stand upon the record as unpaid in whole or in part, the provisions of this Act shall not apply, unless the owner of such claim for damages shall release and discharge such governing body from the obligation of paying same.

Sec. 4. Neither governing body of the respective political subdivisions heretofore referred to shall have power or authority to make any refund to any owner of property or taxpayer by virtue of any payments heretofore made upon any assessments.

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

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

Ratified this the 17th day of April, A.D. 1935.

H. B. 976    CHAPTER 313

AN ACT TO RESTORE CONCURRENT JURISDICTION TO THE SUPERIOR COURTS OF UNION COUNTY IN CERTAIN CASES.

The General Assembly of North Carolina do enact:

Section 1. That the Superior Courts of Union County, at criminal terms to be held as now provided by law, shall have concurrent jurisdiction with the Recorder's Court in said County of all cases of misdemeanors wherein the offense charged is a crime against the person or the property of another and wherein serious damage is charged to have been done to the rights of an individual, partnership or corporation.
Sec. 2. That, in all criminal actions hereafter brought in the Recorder's Court of said county wherein serious damage is charged to have been done to the person or property of any one, it shall be the duty of the Recorder to transfer said criminal action to the Superior Court, to be tried at the next criminal term, upon the filing with the Recorder a petition or written request by the Solicitor, or private prosecutor, if either should desire a removal: Provided, that said request or petition shall be presented to the Court before the case is called for trial.

Sec. 3. That the Recorder's Court of Union County shall continue to have exclusive original jurisdiction of all misdemeanors as now provided by law, except, in those cases described in Sections one and two of this Act and also in those cases unless removed upon the written request of the Solicitor, or private prosecutor, to the Superior Court as provided under Section two of this Act and this Act shall not apply to pending actions in the said Recorder's Court.

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

Ratified this the 17th day of April, A. D. 1935.

S. B. 421       CHAPTER 314

AN ACT TO AMEND CHAPTER TWO HUNDRED TWENTY-FIVE OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION ONE THOUSAND NINE HUNDRED THIRTY-THREE, AS AMENDED BY CHAPTER FOUR HUNDRED EIGHTY-FOUR OF SAID SESSION.

The General Assembly of North Carolina do enact:

Section 1. That Section nine of said Chapter two hundred twenty-five of the Public-Local Laws of North Carolina, Session one thousand nine hundred thirty-three, be, and the same hereby is amended by striking out all of Section nine of said Chapter two hundred twenty-five.

Sec. 2. That if it should appear at any time to the Board of Commissioners of New Hanover County that the number of deputies, assistants, clerks, allowances and supplies, provided for in said Chapter two hundred twenty-five, as amended by Chapter four hundred eighty-four of the Public-Local Laws of North Carolina, Session one thousand nine hundred thirty-three, shall be insufficient to provide for the proper and efficient transaction of the public business, and the public interests require that other assistants, clerks, deputies, allowances and supplies, shall be provided, then the Board of Commissioners shall have the
Fact-finding.

May increase or decrease pay of assistants.

Alteration of salaries of County officers prohibited.

Conflicting laws repealed.

Effective date.

power and it shall be their duty, upon ascertaining such facts, to provide such additional assistants, clerks, deputies, supplies and allowances to the offices of Sheriff, Clerk of Superior Court, Register of Deeds and Auditor of New Hanover County, as in their judgment they deem just and wise, and shall fix their compensation and provide said supplies and allowances.

SEC. 3. That said Commissioners of New Hanover County be, and they are hereby further given the power and authority to increase or decrease the compensation of the deputies, assistants and clerks as fixed by said Chapter two hundred twenty-five of the Public-Local Laws of North Carolina, Session one thousand nine hundred thirty-three, as amended by Chapter four hundred eighty-four of said Session, provided, however, that nothing herein shall be construed to give authority to said Board of Commissioners of New Hanover County to alter or change the salaries of the said Sheriff, Clerk of Superior Court, Register of Deeds and Auditor as fixed by said Chapter two hundred twenty-five of the Public-Local Laws of North Carolina, Session one thousand nine hundred thirty-three, as amended by Chapter four hundred eighty-four as aforesaid.

SEC. 4. That all laws and clauses of laws in conflict with the provisions of this Act be, and they are hereby repealed.

SEC. 5. That this Act shall be in force and effect from and after July first, one thousand nine hundred thirty-five.

Ratified this the 17th day of April, A.D. 1935.

S. B. 422

CHAPTER 315

AN ACT TO AMEND CHAPTER TWO HUNDRED AND TWENTY-FIVE OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-THREE.

The General Assembly of North Carolina do enact:

SECTION 1. That Section twenty-one, Chapter two hundred and twenty-five of the Public-Local Laws of one thousand nine hundred and thirty-three, be, and the same is hereby amended by striking out in line eight (8) in said section the words and figures “Fifteen Hundred ($1,500.00) Dollars” and inserting in lieu thereof the words and figures “twenty-one hundred ($2,100.00) dollars,” and by further amending said section in line nine (9) thereof by striking out the words “One Hundred and Twenty-five” and in line ten (10) thereof the figures “($125.00),” and inserting in lieu thereof the words “one hundred and seventy-five” in line (9) thereof, and the figures “($175.00)” in line ten (10) thereof.
Sec. 2. And that the said section be further amended by adding thereunto a subsection as follows:

(a) The Solicitor of the Recorder's Court of New Hanover County shall be entitled annually to a vacation of ten days with pay; that the said Solicitor shall have the right to select the time during which said vacation shall be taken, and upon making his selection he shall notify the Recorder, and the said Solicitor shall appoint a substitute by and with the approval of the Recorder to perform the duties of the Solicitor during the absence of the said Solicitor. The attorney performing the duties of the Solicitor during his vacation shall receive a compensation of the sum of five ($5.00) dollars per day, said compensation to be paid out of the funds and fees of the Recorder's Court of New Hanover County.

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

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

Ratified this the 17th day of April, A.D. 1935.

S. B. 423

CHAPTER 316

AN ACT TO AMEND CHAPTER ONE HUNDRED NINETY-ONE OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION ONE THOUSAND NINE HUNDRED THIRTY-THREE.

The General Assembly of North Carolina do enact:

Section 1. That from and after the first day of October, one thousand nine hundred thirty-five, the consolidated City-County Tax Collector, as created by Chapter one hundred ninety-one of the Public-Local Laws of North Carolina, Session one thousand nine hundred thirty-three, shall not be required to collect the taxes due the Town of Carolina Beach as required by said Chapter one hundred ninety-one, but that from and after said date of October first, one thousand nine hundred thirty-five, the proper officers of the said Town of Carolina Beach, be, and they hereby are authorized, empowered and directed to collect said taxes due or to become due said Town of Carolina Beach, and shall account for same as required by law.

Sec. 2. That in addition to the assistants and clerks allowed said consolidated City-County Tax Collector, as provided in said Chapter one hundred ninety-one, the Board of Commissioners of New Hanover County and the Board of Commissioners of the City of Wilmington, by a joint vote of said City and County Com-
Salaries of Tax Collector and assistants may be increased or decreased.

Method of voting on proposition.

Designation by taxpayer as to allocation of his taxes to city or county.

Conflicting laws repealed.

missioners, shall, if in their judgment they deem it reasonable and necessary, allow additional clerks and assistants and fix their compensation. The said Board shall also have the power and authority to increase or decrease the compensation provided for said consolidated City-County Tax Collector and his assistants and clerks as fixed in said chapter. In deciding whether additional clerks and assistants are needed, and the amount of their compensation, as well as in changing the compensation of the City-County Tax Collector and his present clerks and assistants, the same method of voting and electing shall be followed as is set out in Section two of said Chapter one hundred ninety-one.

Sec. 3. That any taxpayer shall have the right to designate, when he comes to pay his taxes, whether the amount that he pays shall be applied to the amount due the City or County for taxes, but in the event he fails to designate, at the time that he makes said payment of taxes, the amount so paid shall be applied as is set out in Section six of said Chapter one hundred ninety-one.

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

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

Ratified this the 17th day of April, A.D. 1935.

S. B. 481  
CHAPTER 317

AN ACT FOR THE RELIEF OF THE SHERIFF AND TAX COLLECTORS OF HALIFAX COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That all Sheriffs and Tax Collectors who, by virtue of their office, have had the tax lists for the purpose of collecting taxes of their respective counties, towns and school districts, in their hands for the years one thousand nine hundred twenty-four, one thousand nine hundred twenty-five, one thousand nine hundred twenty-six, one thousand nine hundred twenty-seven, one thousand nine hundred twenty-eight, one thousand nine hundred twenty-nine, one thousand nine hundred thirty, one thousand nine hundred thirty-one and one thousand nine hundred and thirty-two, and in case of death or default in collection, their personal representatives, bondsmen, or any agent or agents that they may designate, are 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. No executor or guardian shall be compelled to pay any tax under the provisions of this Act after he shall have made final settlement; Provided, that this Act shall not authorize a sale of any land for taxes which has been conveyed prior to January first, one thousand nine hundred and thirty-one, to a purchaser for value, and without actual notice of the non-payment of such taxes; Provided, further, that all lands sold for the non-payment of taxes under the provisions of this Act shall be sold subject to encumbrances by mortgages or deeds of trust, executed prior to January first, one thousand nine hundred and thirty-one.

SEC. 3. That nothing herein contained shall be construed to relieve Sheriffs. Tax Collectors, their representatives or bondsmen, from the liability imposed by law to pay the State, County, Town any other tax at the time and place required by law, nor shall anything herein contained be construed so as to prevent the respective counties, towns or school districts utilizing any other methods of collection of taxes as are now or may hereafter be provided by law.

SEC. 4. That this Act shall not apply to taxes now involved in litigation.

SEC. 5. That the authority herein given shall cease and determine on the first day of January, one thousand nine hundred and thirty-seven.

SEC. 6. That the provisions of this Act shall apply only to the County of Halifax and the various towns and school districts located in said county.

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

Ratified this the 17th day of April, A.D. 1935.

H. B. 864

CHAPTER 318

AN ACT TO AMEND CHAPTER THREE HUNDRED FIFTY-SIX OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-THREE, RELATING TO THE ELECTION OF SCHOOL TEACHERS IN CLAY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter three hundred and fifty-six of the Public-Local Laws of one thousand nine hundred and thirty-three be, and the same is hereby amended by striking out the word “Clay” between the words “Cherokee” and “Graham” in the caption of said Act.

SEC. 2. That Chapter three hundred and fifty-six of the Public-Local Laws of one thousand nine hundred and thirty-three be

Amended, as to election of school teachers in Clay County.
further amended by striking out the word "Clay" between the words "Cherokee" and "Graham," in line two of Section one of said chapter.

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 April, A.D. 1935.

H. B. 220  CHAPTER 319

AN ACT TO APPOINT A JURY COMMISSION FOR THE COUNTY OF ASHE.

The General Assembly of North Carolina do enact:

SEC. 1. That Nelson Severt, Jason Spencer and J. F. Miller be, and they are hereby appointed a Jury Commission for the County of Ashe to serve for a term of six years each, or until their successors are appointed. That if a vacancy occurs upon said Commission by death or resignation, the remaining members of said Commission shall fill said vacancy. That after July first, one thousand nine hundred forty-one, any vacancy occurring upon said Commission shall be filled by appointment made by the Clerk of the Superior Court of Ashe County. That said Commissioners before entering upon the discharge of their duties shall take and subscribe an oath before the Clerk of the Superior Court to faithfully and honestly discharge the duties of this office. That said Jury Commission shall perform all the duties now imposed by law upon the Board of Commissioners of Ashe County, as prescribed by Sections two thousand three hundred twelve to two thousand three hundred nineteen of the Consolidated Statutes of North Carolina of one thousand nine hundred nineteen, with respect to drawing and selecting jurors, and shall receive the same compensation the County Commissioners now receive for the performance of their duties. That said Commissioners shall enter upon the discharge of their duties on July first, one thousand nine hundred thirty-five.

Sec. 2. That the nonpayment of taxes shall not be a bar from serving on the jury in Ashe County.

Sec. 3. That this Act shall apply to Ashe County 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 force from and after its ratification.

Ratified this the 17th day of April, A.D. 1935.
H. B. 474  CHAPTER 320

AN ACT TO LIMIT THE POWERS AND JURISDICTION OF CONSTABLES OF WAKE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any Constable of Wake County 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 any Constable who violates 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. 3. 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 officer, as provided in Section two hereof.

SEC. 4. That this Act shall apply only to Wake County.

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 17th day of April, A.D. 1935.

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H. B. 627  CHAPTER 321

AN ACT RELATING TO PAYMENT OF CERTAIN TAXES AND ASSESSMENTS WITH BONDS IN MUNICIPALITIES IN HAYWOOD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That any person, firm or corporation due and owing any taxes and/or any paving or sewer assessment to any municipal corporation in Haywood County due prior to one thousand nine hundred thirty-three shall have the right to pay the same with any bond or obligation of such municipal corporation due at the time of such payment or to become due within the fiscal year of such payment, and the Tax Collector of such municipal corporation is authorized and empowered to accept such bonds or obligations as a payment of said taxes at its par value.

SEC. 2. That any municipal corporation in Haywood County may, in its discretion, authorize its Tax Collector to accept in settlement of any paving assessment any street improvement bond

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or any refunding bond issued to refund street improvement bonds of such municipal corporations at par value of such bond, whether such bond shall be due at the time of such payment or not.

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 April, A.D. 1935.

H. B. 688  CHAPTER 322

AN ACT VALIDATING NOTES TAKEN BY CASWELL COUNTY UNDER CHAPTER ONE HUNDRED EIGHTY-ONE OF PUBLIC LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-THREE.

The General Assembly of North Carolina do enact:

SECTION 1. That all notes given to Caswell County by the several taxpayers of Caswell County under the provisions of Chapter one hundred eighty-one of the Public Laws of one thousand nine hundred and thirty-three, whether given on or after April first, one thousand nine hundred and thirty-four, be and the same are hereby in all respects validated.

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 17th day of April, A.D. 1935.

H. B. 670  CHAPTER 323

AN ACT TO VALIDATE THE SALES OF LAND FOR TAXES IN PAMLICO COUNTY AND CERTIFICATES ISSUED IN PURSUANCE THEREOF.

The General Assembly of North Carolina do enact:

SECTION 1. That all sales of land in Pamlico County for failure to pay taxes, held or conducted by the Sheriff or other Tax Collector of said County, or any City, Town or other municipality in said County, during the years one thousand nine hundred twenty through one thousand nine hundred thirty-four, inclusive, on any day subsequent to or other than the first Monday in Sep-
tember of 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 said first Monday of September of each year from one thousand nine hundred twenty to one thousand nine hundred thirty-four, or on such day as required by law at the time of said sale.

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

Ratified this the 17th day of April, A.D. 1935.

H. B. 684  CHAPTER 324

AN ACT VALIDATING CERTAIN ACTS OF THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF CASWELL COUNTY.

Whereas, the Chairman of the Board of County Commissioners has from time to time administered oaths to the various county officers of Caswell County, including deputy sheriffs; And Whereas, a question has arisen as to whether or not the said Chairman of the Board of County Commissioners has had the authority to administer such oath; Now, Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the oaths heretofore administered by the Chairman of the Board of County Commissioners of Caswell County to the several county officers, including deputy sheriffs, be, and the same are hereby in all respects approved, ratified and validated, and their acts as such officers and deputy sheriffs are hereby declared valid in all respects, provided this Act shall not apply to pending litigation.

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 17th day of April, A.D. 1935.
H. B. 689  CHAPTER 325

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-five and the year one thousand nine hundred and thirty-six, 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 17th day of April, A.D. 1935.

H. B. 690  CHAPTER 326

AN ACT TO AUTHORIZE AND EMPOWER THE BOARD OF COUNTY COMMISSIONERS OF CASWELL COUNTY TO PUBLISH A MONTHLY STATEMENT OF ITS DISBURSEMENTS.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners be, and they are hereby authorized to publish monthly, in lieu of annually, a statement showing the disbursements made by said Board at each monthly meeting.

SEC. 2. That said statement shall be posted at the courthouse door and signed by the Clerk of said Board.

SEC. 3. That said statement shall contain the name of the party to whom paid, the amount paid, and shall state for what purpose.

SEC. 4. That the said Board shall cause said statement to be published in a newspaper published in Caswell County; for two weeks; provided, however, that the cost of publishing it shall not exceed one-half of one cent per word; provided further, that if no newspaper will publish said statement for the amount specified
in this section, then the said Board shall have the statement posted at ten or more public places in Caswell County and which statement so posted in this manner shall be deemed a full compliance with this Act.

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 17th day of April, A.D. 1935.

H. B. 704 CHAPTER 327
AN ACT RELATING TO ADVERTISEMENT AND SALE OF LAND FOR TAXES IN COLUMBUS COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That beginning with the year one thousand nine hundred and thirty-five all sales of land for taxes in Columbus County shall be held on the first Monday in October, due advertisement of said sale having been made for four successive weeks prior thereto as now provided by law, said sales to be had under the same rules as now provided for the sale of land for delinquent taxes.

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

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

Ratified this the 17th day of April, A.D. 1935.

H. B. 692 CHAPTER 328
AN ACT RELATING TO THE LISTING OF UNLISTED REAL PROPERTY IN 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 examine the abstract as returned by the tax listers of the several townships of Caswell County and ascertain the tracts or parcels of land that have not been listed according to law and on which taxes have not been paid for the past six years. He shall make a list thereof and certify it to the Chairman of the Board of County Commissioners of Caswell County on or before May first, one thousand nine hundred and
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thirty-five, which list shall show what years the lands were not listed for taxes properly and the amount of land in each tract or parcel with such a description as may be necessary obtained from the records or otherwise in order that said land may be definitely located.

Sec. 2. It shall be the duty of the Chairman of the Board of County Commissioners to list said lands so certified to him by the County Accountant for each of the several years that said lands have not been properly listed for taxation and this list shall be included in the year one thousand nine hundred and thirty-five tax list but shall show for each year which said lands are listed and shall be treated as delinquent or after listed property.

Sec. 3. That it shall be the duty of the Chairman of the Board of County Commissioners of Caswell County to prepare a list and deliver to the respective tax listers of the several townships an abstract showing the names of the owners of said property and the description of said property and the list taker shall enter the same among the abstracts for his township.

Sec. 4. All laws and clauses of laws in conflict with this Act shall be repealed.

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

Ratified this the 17th day of April, A.D. 1935.

H. B. 768        CHAPTER 329

AN ACT AUTHORIZING THE COMMISSIONERS OF HOKE COUNTY AND THE GOVERNING AUTHORITIES OF MUNICIPALITIES THEREIN TO EXTEND THE TIME OF SALE FOR DELINQUENT TAXES TO THE FIRST MONDAY IN DECEMBER OF EACH YEAR.

The General Assembly of North Carolina do enact:

Section 1. That the Board of Commissioners of Hoke County and the governing authorities of municipalities therein be and they are hereby authorized in their discretion to extend the time for sale of real estate for delinquent taxes for the year one thousand nine hundred and thirty-four and all subsequent years to the first Monday in December of each 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 17th day of April, A.D. 1935.
H. B. 798

CHAPTER 330

AN ACT TO VALIDATE CERTAIN SALES OF LAND FOR TAXES AND CERTIFICATES ISSUED IN PURSUANCE THEREOF BY THE SHERIFF OF GRANVILLE COUNTY AND THE TAX COLLECTORS OF THE MUNICIPALITIES THEREIN.

The General Assembly of North Carolina do enact:

Section 1. That all sales of land for failure to pay taxes or special assessments held or conducted by the Sheriff of Granville County or any Tax Collector of any City, Town or other municipality of said County for taxes becoming due during the year one thousand nine hundred thirty-three, on any day subsequent to or other than during the month of June, one thousand nine hundred and thirty-four, 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 sales made and issued upon and in accordance with such sale 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 first and/or second Mondays of June, one thousand nine hundred and thirty-four.

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

Ratified this the 17th day of April, A.D. 1935.

H. B. 116

CHAPTER 331

AN ACT AUTHORIZING THE COMMISSIONERS OF MARTIN COUNTY TO EXTEND THE TIME OF SALE FOR DELINQUENT TAXES TO THE FIRST MONDAY IN DECEMBER OF EACH YEAR.

The General Assembly of North Carolina do enact:

Section 1. That the Board of Commissioners of Martin County be, and they are hereby authorized, in their discretion, to extend the time for sale of real estate for failure to pay taxes for the year of one thousand nine hundred thirty-four and all subsequent years to the first Monday in December of each year hereafter, and same shall in no wise affect the tax lien. Provided that nothing in this Act shall prevent the Board of Commissioners of Martin County from turning over to the Sheriff of said county the tax books and receipts for one thousand nine hundred and
thirty-five taxes and taxes for future years, upon giving proper bond, if required, and upon a settlement with said county for all taxes collected by such Sheriff up to and including the time now provided by law for the turning over of such tax books and receipts.

The provisions of this Act shall also apply to the Town of Williamson in Martin County and the tax collecting officials 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 18th day of April, A.D. 1935.

S. B. 314

CHAPTER 332

AN ACT TO VALIDATE CERTAIN SALES OF LAND BY THE SHERIFF OF ROCKINGHAM COUNTY FOR TAXES AND CERTIFICATES ISSUED IN PURSUANCE THEREOF AND TO REGULATE COLLECTION OF TAXES IN SAID 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 the Sheriff of Rockingham County during the year one thousand nine hundred thirty-three; one thousand nine hundred thirty-four; and one thousand nine hundred thirty-five, on any day subsequent to or other than the first Monday in June of 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 on the first Monday in June, one thousand nine hundred thirty-three; one thousand nine hundred thirty-four and one thousand nine hundred thirty-five.

SEC. 2. That on and after the first Monday in June, one thousand nine hundred thirty-three, the County of Rockingham shall collect on all taxes due for the year one thousand nine hundred thirty-two, interest at the rate of six per cent per annum, until the date of the actual sale of land for taxes for said year, and thereafter the said County of Rockingham shall collect interest and penalties as now provided by law, and that on and after the first Monday in June, one thousand nine hundred thirty-four,
the County of Rockingham shall collect interest on all taxes due for the year one thousand nine hundred thirty-three to the date of the actual sale thereof, at the rate of six per cent per annum; PROVIDED that this Act shall in no wise affect the penalty and interest now provided by law, except between the date prescribed by law for the sale of land for the failure to pay taxes to the date sales were actually held.

Sec. 3. That in all tax foreclosure suits heretofore instituted in the County of Rockingham, and which have not been terminated by formal judgment, in which alias or pluries summons have not been regularly issued as prescribed by law, alias or pluries summons may issue at any time within two years from the ratification of this Act, and when said alias or pluries summons are issued, the chain of summons may be kept up as now prescribed by law.

Sec. 4. That at any time within six months from the ratification of this Act any taxpayer of Rockingham County may give a tax note for said taxes and cost up to and including taxes for the year one thousand nine hundred thirty-three, which notes shall be executed upon the same terms and conditions provided under Chapter one hundred eighty-one of the Public Laws of one thousand nine hundred thirty-three; except same shall be dated as of April first, one thousand nine hundred thirty-five.

Sec. 5. That all notes heretofore executed to Rockingham County pursuant to Chapter one hundred eighty-one of the Public Laws of one thousand nine hundred thirty-three, whether executed on April first, one thousand nine hundred thirty-three, or any subsequent date, be, and the same are hereby approved, confirmed, validated and declared to be proper and valid and legal notes and they are hereby approved and validated to all intents and purposes with such full force and legal effect as if said notes had been executed, delivered and accepted prior to the first day of April, one thousand nine hundred thirty-three.

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 18th day of April, A.D. 1935.
CHAPTER 333

AN ACT TO VALIDATE ALL AND EVERY THE ACTS OF J. B. MARTIN OF NEWLAND, AVERY COUNTY.

That whereas, it has come to the attention of the General Assembly that the appointment of J. B. Martin of Newland, Avery County, as a Justice of the Peace of Linville Township expired on April twenty-fourth, one thousand nine hundred and thirty-four, and that the said J. B. Martin has been performing the usual and sundry duties of Justice of the Peace since that time without any reappointment; Now, Therefore,

The General Assembly of North Carolina do enact:

Section 1. That the acts of J. B. Martin of Newland, Linville Township, Avery County, acting as a Justice of the Peace since April first, one thousand nine hundred and thirty-four, and to the first of March, one thousand nine hundred and thirty-five, be, and the same are in all respects validated.

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 19th day of April, A.D. 1935.

CHAPTER 334

AN ACT TO PERFECT TAX TITLES AND REGULATING TAX FORECLOSURE SUITS IN RUTHERFORD COUNTY AND MUNICIPALITIES THEREIN.

The General Assembly of North Carolina do enact:

Section 1. That all sales of lands for taxes made by the Sheriffs or Tax Collectors of Rutherford County or by the Tax Collectors of all municipalities in said county and all tax sale certificates issued for such tax sales for the years one thousand nine hundred and twenty-seven to and including the year one thousand nine hundred thirty be, and the same are hereby validated, ratified and approved irrespective of the date on which such tax sales may have been held, and notwithstanding any other deficiency in the advertisement of such sales or by reason of any other defects or informalities of any nature whatever.

Sec. 2. That in all tax foreclosure suits heretofore instituted in behalf of Rutherford County or of any municipality in said county in which summons has not been served, as required by
law, or in which alias or pluries summons have not been regularly issued, as prescribed by law or in which any notice of publication prescribed by law has not been regularly given, then such summons and alias or pluries summons may be issued and served on or before January first, one thousand nine hundred thirty-six, and in all cases where summons in such tax foreclosure suits has been issued and served, but such service has not been within the time prescribed by law or in which alias or pluries summons has been issued and served, but such issuance or service has not been within the time prescribed by law such summons and the issuance and service thereof in all tax paid suits herefore instituted are hereby validated and any notice or publication required by law may be issued, or such notices or publications given at any time prior to the first day of January, one thousand nine hundred thirty-six, and thereafter such tax foreclosure suits may be prosecuted as prescribed by the general law of the State and in accordance with the provisions of this Act.

Sec. 3. That the sale of lands for taxes for Rutherford County or any municipality located therein and the issuance of tax sales certificates therefor nor the institution of any suit upon said tax sales certificates or to foreclose any tax lien shall not constitute an election to foreclose under Section eight thousand thirty-seven of the Consolidated Statutes of North Carolina by the said County of Rutherford or any municipality located therein and the said county and/or municipalities located therein, or any holder of any tax sales certificates issued by said Rutherford County or municipality therein, may institute one action in the nature of an action to foreclose a mortgage under Section seven thousand nine hundred ninety of the Consolidated Statutes of North Carolina and/or upon a tax sales certificate under the provisions of Section eight thousand thirty-seven of the Consolidated States of North Carolina, may include therein all taxes due the plaintiff in said action whether the same is evidenced by a tax sales certificate or represented by a general tax lien or by a tax note and it shall not be necessary to set forth in the complaint in said action each certificate separately, but it shall be sufficient to set forth the amount due for each of the years sued upon or represented by said certificate and foreclosure of said sales certificates may be had in the same suit with actions under Section seven thousand nine hundred ninety of the Consolidated Statutes of North Carolina and the combining of said action shall not constitute a misjoinder of actions.

Sec. 4. That in all suits for the foreclosure of tax sales certificates or to foreclose a tax lien heretofore instituted by Rutherford County or any municipality located therein which are now pending in the Superior Court of Rutherford County and in all cases where deeds have heretofore been made by Rutherford
County or any municipality located therein through a Commissioner appointed by the Court, whether said deed was made to the county or other municipality or to any other person, firm or corporation, wherein lienholders and interested parties were not made parties to said foreclosure suits, such lienholders or other parties interested in the subject matter of said suit may by motion in the cause made at term time or before the Clerk of the Superior Court of Rutherford County be made parties in said action at any time on or before January first, one thousand nine hundred thirty-six, and within thirty days after service of notice of said motion said lienholder or other interested party shall have the right to intervene in said action and submit himself to the jurisdiction of the Court and set up any defenses to the action which he may have. That in the event such lienholder should intervene in said cause it shall be the duty of the Clerk of the Court to appoint a Commissioner to resell said property in the manner provided for in tax foreclosure cases; and if the plaintiff is unable to obtain service of said notice upon said lienholder, the same may be served by publication in the method as now prescribed for service of summons by publication under the general law of the State: Provided, that any lienholder or other interested party upon notice as aforesaid may come in voluntarily and pay the taxes and all costs, interest and expenses of said suit and be subrogated to the rights of the county or other municipality for the tax liens or certificates sued upon in said suit: Provided further, that if the said lienholder shall fail to intervene in said action as herein provided for within thirty days after service of notice of motion to make said lienholder party as provided herein, the said lienholder shall be barred of any rights in the subject matter of said action and the deed made by the Commissioners appointed in said foreclosure proceeding shall be declared valid to pass absolute title to the property described in the complaint in said action against which said taxes are a lien.

Sec. 5. That this Act shall be construed liberally in favor of the said county and municipalities therein instituting suits for the foreclosure of tax sales certificates or tax liens.

Sec. 6. That nothing herein contained shall have the effect of or be construed as validating or tending to validate any outstanding bonds or interest coupons of any municipality in Rutherford County.

Sec. 7. That all laws and clauses of laws in conflict with this Act are hereby repealed.

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

Ratified this the 19th day of April, A.D. 1935.
H. B. 640  CHAPTER 335

AN ACT IN REGARD TO THE FORECLOSURE OF TAX SALE CERTIFICATES IN GRAHAM COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the Board of County Commissioners and the County Accountant of Graham County, North Carolina, 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, one thousand nine hundred thirty-one, one thousand nine hundred thirty-two, and one thousand nine hundred thirty-three, whether foreclosure proceedings have been instituted or not, are hereby authorized, empowered, and directed to accept from the taxpayer in whose name said certificates are issued, or from any other person or persons, owning an interest in, or holding any lien upon, the land the principal amount of taxes, less the penalties and interest, if paid on or before the lands described in said certificates are advertised for sale, under a judgment in which a Commissioner may be appointed to make such sale:

Provided: That if foreclosure suits shall have been started on any tax sale certificate issued for taxes levied for the said years, all cost incurred in the said suits shall be charged against the taxpayer, and shall be required to be paid in cash.

Sec. 2. That the said Board of County Commissioners and County Accountant shall accept in full payment of tax sales certificates and notes given by the taxpayer under the provisions of Chapter one hundred and eighty-one, Public Laws of one thousand nine hundred thirty-three, being an Act to authorize Governing Agencies to refund tax sale certificates, any bond or bonds, and interest, coupon or coupons, of said county, at par value.

Provided: That the said Board of County Commissioners and County Accountant may require, as condition precedent to acceptance of such bonds, notes, and coupons, in full payment of taxes levied for the year one thousand nine hundred thirty-three and prior years thereto, the payment of current taxes.

Sec. 3. That it shall be the duty of the Chairman of the County Board of Commissioners and the County Accountant to proceed, immediately after ratification of this Act, to collect, refund, or reduce to notes, as herein provided, all tax sales certificates now in the hands of the County Accountant and to direct the County Attorney to proceed to take judgment in all cases where said land sales certificates are not paid or refunded as required by law. And the Chairman of said Board of Commissioners shall be

Penalties and interest remitted on tax sales certificates issued on back taxes in Graham County.

Foreclosure costs added.

Bonds acceptable for back taxes.

Current taxes first to be paid in cash.

Collection of tax sales certificates ordered.

Extra pay of Chairman of Board of Commissioners in tax matters.
paid for his services in connection with the collection, refunding, and foreclosing of land sales certificates now held in Graham County such per diem as the Board of County Commissioners may deem just and reasonable not to exceed the sum of Five Dollars ($5.00) per day, and necessary traveling expenses to be paid out of the Debt Service Fund.

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

Ratified this the 19th day of April, A.D. 1935.

H. B. 1013   CHAPTER 336

AN ACT TO PROVIDE FOR THE APPOINTMENT OF A FISCAL AGENT FOR THE CLERK OF SUPERIOR COURT FOR MARTIN COUNTY AND TO REQUIRE THE CLERK OF SUPERIOR COURT FOR MARTIN COUNTY TO PAY OVER FUNDS IN HIS HANDS TO SUCH FISCAL AGENT.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be the duty of the Board of County Commissioners of Martin County to designate and appoint a Fiscal Agent for the Clerk of Superior Court for Martin County at their first regular meeting after the ratification of this Act and on the first Monday in December, one thousand nine hundred and thirty-seven, and biennially thereafter.

Sec. 2. The Clerk of Superior Court of Martin County is hereby directed and required to pay over to such Fiscal Agent any and all moneys coming into his hands by virtue of his office, other than costs taxed in special proceedings, civil and criminal actions, fines and moneys which are to be immediately or within a reasonable time disbursed by him.

Sec. 3. Whenever the Clerk of Superior Court of Martin County shall turn over to such Fiscal Agent such funds, he shall accompany the same with a certificate, giving the date upon which said moneys were received by him; the source from which received; the names and ages of the persons to whom the said funds belong and any other pertinent facts in his possession relative to the said funds. Such Fiscal Agent shall execute and deliver unto the Clerk a receipt for the said funds, which said receipt shall be a full discharge to the said Clerk for any liability incurred by him because of the receipt of said funds.

Sec. 4. The Fiscal Agent shall keep said funds until they shall become due and payable to the person entitled to receive them; he shall keep a true and accurate account and record of said
funds; shall invest the same in good, safe, interest bearing securities, eligible for investment by guardians under the laws of North Carolina, and shall list the same for taxation if taxable and pay the taxes from the income received by it, and shall annually render to the Clerk of Superior Court for Martin County an account such as is required of guardians and other trustees and shall pay to the Clerk of Superior Court the same fees as the Clerk would be entitled to receive on accounts filed by guardians.

Sec. 5. The Fiscal Agent shall be entitled to receive the same fees for the handling of said funds as under the law are allowed guardians.

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

Ratified this the 19th day of April, A.D. 1935.

H. B. 1012  CHAPTER 337

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; and

Whereas, foreclosure proceedings to enforce collections 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 19th day of April, A.D. 1935.
H. B. 1108  

CHAPTER 338

AN ACT TO AMEND HOUSE BILL NUMBER TWO HUNDRED AND THIRTY AND RATIFIED ON MARCH SEVENTH, ONE THOUSAND NINE HUNDRED AND THIRTY-FIVE, AND BEING AN ACT TO AUTHORIZE THE LOSING PARTY IN LAND LITIGATIONS TO RECOVER TAXES PAID BY HIM OR HIS PREDECESSORS IN TITLE FROM THE WINNING PARTY IN SAID LITIGATION WHO HAS NOT PAID TAXES, PROVIDED THIS ACT SHALL ALSO APPLY TO HYDE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. Amend Section four of said Act by adding at the end thereof the following: "Provided this Act shall also apply to Hyde 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 its ratification.

Ratified this the 19th day of April, A.D. 1935.

H. B. 1130  

CHAPTER 339

AN ACT TO AMEND CHAPTER THREE HUNDRED SEVENTY-TWO OF PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-ONE RELATING TO POSTING NOTICES OF PUBLIC LAND SALES AND FORECLOSURES IN GATES COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter three hundred seventy-two of Public-Local Laws of one thousand nine hundred and thirty-one be, and the same is hereby amended by striking out the words "Gates County" wherever the same occurs in said chapter—it being the intent and purpose of this Act to repeal this Act in so far as it relates to Gates 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 19th day of April, A.D. 1935.
H. B. 1119

CHAPTER 340

AN ACT RELATING TO FURTHER DUTIES OF THE CLERK OF THE SUPERIOR COURT OF HYDE COUNTY AND HIS FURTHER COMPENSATION.

The General Assembly of North Carolina do enact:

SECTION 1. That within thirty days from and after the ratification of this Act, the Clerk of the Superior Court of Hyde County shall prepare bills of cost up to date in all civil actions, special proceedings, and criminal actions pending in the Superior Court of said county. Said bills of cost shall be placed in the record of bills of cost in bound volume in the way and manner as prescribed by House Bill Number seven hundred and sixty-four, passed at the one thousand nine hundred and thirty-five Session of the General Assembly, ratified on the twenty-sixth day of March, one thousand nine hundred and thirty-five, providing for the keeping of bills of cost in all civil actions, special proceedings and criminal actions pending in said Court.

SEC. 2. That the Clerk of the Superior Court of Hyde County shall, within thirty days from and after the ratification of this Act, complete the summons docket and civil issue docket of all civil actions and special proceedings pending in the Superior Court of said County, said summons docket and civil issue docket to reflect the true and correct status of each and every case beginning with the issuance of the summons in the said actions, down to and including the filing of the last paper or signing of the last order or judgment, setting out in detail, in chronological order, the date when each and every paper was duly filed, signed and/or recorded in each specific case, giving due consideration to the location of all papers and the recordation thereof in each and every instance when said papers have not already been properly filed, recorded and/or docketed, to the end that all files and records shall be completed.

SEC. 3. That said Clerk shall make a diligent and careful examination of the records and files in his office with regard to the filing of accounts by administrators, guardians and executors, and to exercise due diligence in seeing that said accounts are properly filed, audited and recorded; that said Clerk shall furnish a list of the administrators, executors and guardians to the presiding Judge holding each term of Hyde County Superior Court, said report or list, reciting when said administrators, guardians and/or executors qualified, the names of the wards or heirs at law interested in said administration or guardianship, and the reason, if any, why the final accounts have not been filed, and the executors, administrators and/or guardians discharged according to law.
Compensation to Clerk for additional duties.

Similar amount allowed in 1936.

Intent of Act declared.


Sec. 4. That when said Clerk has fully complied with the conditions set out in the three preceding paragraphs hereto, the Board of County Commissioners of Hyde County shall cause an order to be issued payable to the said Clerk for the sum of two hundred dollars ($200.00), which shall be in lieu of the allowance heretofore made in connection with the holding of the regular terms of the Superior Court, said sum of two hundred dollars ($200.00) to be in lieu of all other compensation not prescribed by the General Statutes regulating the service of the Clerk of the Superior Court for the year one thousand nine hundred and thirty-five. A similar amount shall be allowed the said Clerk during the year one thousand nine hundred and thirty-six for his further services in connection with the thorough investigation and recordation of any and all papers in connection with his office.

The purpose and intent of this Act is to do each and every thing necessary to bring the office of the Clerk of the Superior Court up to a high standard of efficiency, accuracy and completeness in all respects pertaining thereto and to maintain such.

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

Sec. 6. That all laws and clauses of laws in conflict herewith are hereby repealed.

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

Ratified this the 19th day of April, A.D. 1935.

H. B. 1194 CHAPTER 341

AN ACT TO AMEND CHAPTER SEVENTY-NINE, PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-THREE, WITH RELATION TO SALARIES OF OFFICERS IN BLADEN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. Amend Section one of Chapter seventy-nine, Public-Local Laws of one thousand nine hundred thirty-three, by adding at the end of said section the following:

"Provided, that if the Register of Deeds shall file a written request to the County Commissioners of Bladen County, stating therein that he is unable to perform the services required of him as Register of Deeds, the County Commissioners shall allow said Register of Deeds the sum of forty-five dollars per month for clerical help; Provided, further, that if the total receipts coming into the office of the Register of Deeds shall not exceed the sum
of one thousand seven hundred and forty dollars, this allowance for additional clerk hire shall cease."

Sec. 2. That Section five, Chapter seventy-nine, Public-Local Laws of one thousand nine hundred thirty-three, be amended by striking out the period at the end thereof and adding the following: "and/or any other attorney."

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 19th day of April, A.D. 1935.

S. B. 337 CHAPTER 342

AN ACT TO AUTHORIZE REFUNDING BONDS FOR THE COUNTY OF HARNETT FOR THE RETIREMENT OF TOWNSHIP ROAD BONDS IN SAID COUNTY.

Whereas, there have heretofore been issued by the several townships of Harnett County the following road bonds, to wit:

Anderson Creek $15,000.00 Dated December 1, 1915
Averasboro 50,000.00 Dated March 1, 1920
Barbecue 10,000.00 Dated November 1, 1914
Black River 25,000.00 Dated October 1, 1915
Buckhorn 30,000.00 Dated July 1, 1921
Duke 30,000.00 Dated November 1, 1919
Duke 30,000.00 Dated October 1, 1929
Grove 30,000.00 Dated May 1, 1918
Grove 50,000.00 Dated October 1, 1919
Hector's Creek 10,000.00 Dated October 1, 1914
Johnsonville 40,000.00 Dated November 1, 1920
Lillington 20,000.00 Dated January 1, 1915
Lillington 15,000.00 Dated January 1, 1920
Neil's Creek 15,000.00 Dated February 1, 1917
Stewart's Creek 15,000.00 Dated January 1, 1916
Stewart's Creek 25,000.00 Dated November 1, 1920
Upper Little River 20,000.00 Dated October 1, 1914

And Whereas, the proceeds of said bonds were used for the purpose of the necessary improvement of public roads constituting a part of the general road system of the county, and the entire county received direct benefit from the said expenditures, and the county as a whole was relieved of an expenditure which otherwise would have fallen upon the whole county; and

Whereas, a portion of said bonds are now past due and all will mature within the next few years, and adequate provision for

Preamble: Outstanding township road bonds in Harnett County enumerated.

Use of proceeds of bonds for road improvement.

Part of bonds are in default.
the payment of the principal of the said bonds has not been provided; and

Whereas, it is to the interest of the county as a whole to provide for the retirement of said indebtedness; Now, Therefore,

The General Assembly of North Carolina do enact:

Section 1. That all of said bond issues are hereby in all respects validated.

Sec. 2. That the Board of Commissioners of Harnett County is hereby authorized and empowered to issue bonds of the county of Harnett in a sum not in excess of four hundred and thirty thousand dollars ($430,000.00), to be known and designated as "Harnett County Township Road Refunding Bonds." The said refunding bonds shall be coupon bonds, bearing such date and in such denomination and maturing serially over such period of years not exceeding thirty years, and bearing such rate of interest not exceeding four per cent annually and payable semi-annually, and payable at such place or places as the Board of Commissioners of Harnett County shall by resolution determine.

The said bonds shall be signed by the Chairman of the Board of Commissioners and by the Clerk, and shall bear the corporate seal of the said county. The interest coupons attached to the said bonds shall bear facsimile lithographed or engraved signatures of the said Clerk. Such bonds shall be the obligation of the County of Harnett, and the Board of Commissioners is authorized and empowered to pledge the full faith and credit of the said county to the payment of the interest and principal thereof as the same shall become due. The said Board of Commissioners is authorized, empowered, and directed to levy and cause to be collected annually upon the entire taxable property of the county such special tax as may be necessary, in addition to the other sources of revenue hereinafter provided for the prompt payment of said interest and principal as the same shall become due. The said bonds are hereby declared to be for the meeting of a necessary expense of the county, and the levying of a special tax for the purpose of providing for the interest and principal thereof is hereby expressly authorized.

Sec. 3. That the Board of Commissioners of the County of Harnett, by and with the approval of the Local Government Commission of the State of North Carolina as to each particular transaction, is hereby authorized to exchange bonds authorized by this Act for any of the township road bonds described in the preamble upon such terms as may be agreed upon with the holders of said township road bonds: Provided, that in no event shall said county bonds be exchanged without receiving at least an equal amount on a par value basis of such township bonds. That the said Board of Commissioners is likewise authorized to sell for cash, in such
amounts as may be from time to time determined upon, county bonds herein authorized, subject to the approval of the Local Government Commission; Provided, that in no event shall said bonds be sold for less than par value and accrued interest, as evidenced by coupons attached thereto. Any funds derived from the sale of the said bonds for cash shall be used for the exclusive purpose of purchasing township road bonds of the issues described in the preamble, and no such bonds shall be purchased for more than the par value thereof. It is intended that these exchanges or sales may be made from time to time upon private agreements arrived at by the Board of Commissioners of Harnett County and approved by the Local Government Commission, and without any requirement of public advertisement.

Sec. 4. That when any bonds have been authorized and executed in accordance with the provisions of this Act, but before said bonds are sold or exchanged, there occurs a change in the personnel of the membership of the Board of Commissioners or of the Clerk thereof, such bonds shall nevertheless be later sold or exchanged in accordance with the provisions of this Act by the duly constituted authorities of the county of Harnett, whether they be in fact the same persons who executed the said bonds or not.

Sec. 5. That when any township bonds have been acquired by the Board of Commissioners of the county, either by exchange or purchase, they shall be placed in a special sinking fund and duly registered in a book provided for that purpose and held for the exclusive purpose of paying the interest and/or principal on the bonds issued under authority of this Act. Such bonds so acquired by the county under the provisions of this Act shall be and remain a valid and binding obligation of the townships issuing the same and subject to the full authority now provided by law for the levy and collection of taxes in said respective townships for the payment of the interest and the principal thereof, until the taxes actually collected from each of said townships shall be sufficient to retire said respective township bonds in full, or until said bonds may, under the further provisions of this Act, be cancelled by the county of Harnett.

Sec. 6. The Board of Commissioners of Harnett County shall annually cause to be levied and collected in each of the townships of said county taxes sufficient to pay at least six per cent interest annually on the outstanding and unpaid road bonds of said townships as described in the preamble, and shall, from the funds so levied and collected, pay into the sinking fund herein provided that proportion of the tax collected in each township which the bonds held by such sinking fund shall bear to the total outstanding road bonds of the said township. This fund shall continue to be levied and collected annually until the sum collected from

Proceeds used to purchase outstanding bonds.

No advertisement necessary.

Change in personnel of County Board not to affect issue.

Disposition of bonds taken up.

Bonds so acquired declared binding obligation.

Annual tax levy for outstanding road bonds directed.

Provision for sinking fund by townships.
cancellation of bonds from taxes levied by townships.

necessary expenses of new issue provided for.

intent of act declared.

conflicting laws repealed.

Pay of election officials in Pasquotank County.


each township shall be sufficient to retire that proportion of the county bonds herein authorized which shall equal the amount of the bonds of the respective township which may have been acquired, either by purchase or exchange, for the sinking fund as hereinafter provided. When the funds collected from any township shall be sufficient to pay the interest and principal of the county bonds herein authorized equivalent to the par value of the township bonds acquired from the exchange or proceeds of sale of such county bonds, then such township bonds held in the said sinking fund shall be cancelled and no further tax levied in said township on account thereof.

Sec. 7. That all necessary expenses incurred by the County of Harnett in connection with the issuance, sale, or exchange of the bonds herein authorized, shall be a valid charge against the special tax and apportioned among the several townships of the county in accordance with the amount of their outstanding township road bonds, and such expense shall be included and provided for in the special road bond tax levies in the several townships.

Sec. 8. This Act is intended to be in addition to and not in substitution for any authority or powers now vested in the Board of Commissioners of Harnett County, but all laws or clauses that may in any wise conflict with the provisions of this Act are modified to whatever extent may be necessary to permit this Act to be operative in full without any restrictions from said Acts.

Sec. 9. This Act shall be in force from and after its ratification.

Ratified this the 20th day of April, A.D. 1935.

H. B. 340

CHAPTER 343

AN ACT TO INCREASE COMPENSATION OF REGISTRARS AND POLLHOLDERS IN PASQUOTANK COUNTY TO THREE DOLLARS A DAY.

The General Assembly of North Carolina do enact:

SECTION 1. That in all primary elections, special elections, and general elections hereafter held in Pasquotank County, all registrars and pollholders serving in such elections shall be paid the sum of three dollars per day for their services.

Sec. 2. That this Act shall apply only to Pasquotank 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 20th day of April, A.D. 1935.
AN ACT TO ALLOW THE COUNTY OF MACON AND MUNICIPALITIES THEREIN TO REFUND TAX SALES CERTIFICATES.

Whereas, the County of Macon, and the municipalities therein, have bought and received tax sales certificates for lands in their several units and now hold certificates for the years one thousand nine hundred and thirty-one, one thousand nine hundred and thirty-two, and years prior thereto; and

Whereas, owing to the very low prices received by the farmers generally for their produce, and on account of the general economic stringency in the State, the owners of the lands covered by the tax sales certificates have been unable to redeem them; and

Whereas, it is probable that either the County of Macon or the municipalities therein would have to become or have become the final purchaser of said lands if foreclosed and the taxable values of said units reduced: Now, Therefore,

The General Assembly of North Carolina do enact:

Section 1. That the County of Macon and the municipalities therein owning taxes, or tax sales certificates for land in their several units for the years one thousand nine hundred and twenty-seven, one thousand nine hundred and twenty-eight, one thousand nine hundred and twenty-nine, one thousand nine hundred and thirty, one thousand nine hundred and thirty-one, one thousand nine hundred and thirty-two, 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 and penalties, may be paid in installments covering a period not to exceed six years and bearing interest at the rate of six per cent per annum, payable annually from and after the first day of April, one thousand nine hundred and thirty-five: Provided, that unless the said County of Macon, municipalities therein and the owners of lands covered by said taxes, or tax sales certificates, enter into said agreements on or before the first day of April, one thousand nine hundred and thirty-six, this section shall become inoperative and the said County of Macon and municipalities therein are authorized to proceed with foreclosure proceedings as hereinafter set out: Provided, that as a condition precedent to this settlement the several agencies of government are authorized and empowered in their discretion to require the payment of the one thousand nine hundred and thirty-three taxes by resolution duly passed by the governmental agencies.

Sec. 2. When said agreement is entered into between the County of Macon or the municipalities therein, and the owner

Preamble: Tax sale certificates of Macon County and its municipalities.

Inability of taxpayers to redeem.

Necessity of local units becoming final purchasers.

Negotiations with taxpayers looking to redemption authorized.

Payable in installments.

Time limit of relief granted.

Requiring payment of 1933 taxes.

Form of note to be executed.
of said land covered by said taxes, or tax sales certificates, they shall take from the owner a note in substantially the following form:

§...........................

For the taxes for the years 192..., 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 1, 1935, 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 or municipalities therein 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. 3. 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 municipalities 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 or municipalities shall have a right at their 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. 4. 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. 5. 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 the laws of the General Assembly, Session one thousand nine hundred and thirty-five," 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. 6. 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 fifty cents 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 the same, the Register of Deeds shall receive the sum of fifteen cents.

SEC. 7. All tax liens held by said county or any municipality therein for the year one thousand nine hundred and 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. 8. The County of Macon, and the municipalities therein, holding tax sales certificates for lands for the years one thousand nine hundred and twenty-seven, one thousand nine hundred and twenty-eight, one thousand nine hundred and twenty-nine, one thousand nine hundred and thirty, one thousand nine hundred and thirty-one, one thousand nine hundred and thirty-two, and the years prior thereto, whether foreclosure proceedings have been instituted or not, are hereby given until October first, one thousand nine hundred and thirty-six, 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. 9. The governing authorities of the County of Macon, and the municipalities therein, holding any claim for delinquent taxes upon lands for any of the years one thousand nine hundred and twenty-seven, one thousand nine hundred and twenty-eight, one thousand nine hundred and twenty-nine, one thousand nine hundred and thirty and/or one thousand nine hundred and thirty-one,
and one thousand nine hundred and thirty-two are hereby authorized and directed to accept from any person or persons owning any interest in or holding any lien upon lands the principal amount of the taxes, less interest and penalties, in cash, less ten per cent if paid before April first, one thousand nine hundred and thirty-six, or upon the installment plan provided for in Section one of this Act: Provided, the maker of any installment note may anticipate the payment thereof in whole or in part by paying the same in cash less ten per cent discount, if paid before installment is due.

Sec. 10. Whenever any lands, for which the County of Macon and/or the municipalities therein, 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. 11. That any person, firm or corporation, who at the time of the purchase of any lands of the County of Macon or any municipality therein at any tax sale is the bona fide owner or holder of a first mortgage or deed of trust covering the 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 of Macon, or any municipality therein, in the same manner and under the same terms as provided for said owner or owners under this Act.

Sec. 12. The County of Macon, or any municipality therein, 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 of Macon, or any municipality therein, has paid for said lands and for the purchase price of said lands are hereby authorized and empowered to take note from said former owner, payable in installments not to exceed six 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, one thousand nine hundred and thirty-six: Pro-
videa, further, that said County or any municipality therein 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 or any municipality therein had not become the purchaser thereof under foreclosure proceedings.

Sec. 13. Where any person has purchased a tax certificate in good faith, the owner is allowed to redeem same until April first, one thousand nine hundred and thirty-six, by reimbursing the purchaser of the full amount paid with all necessary and proper expenses incurred, together with six per cent interest thereon.

Sec. 14. That the governing bodies of the County of Macon, and the municipalities therein, are hereby empowered and directed to give notice of the provisions of this Act to all parties against whose land taxes or tax sales certificates are held, and are empowered when necessary to employ an assistant for the purpose of carrying out the provisions of this Act.

Sec. 15. That this Act shall only apply to the County of Macon.

Sec. 16. All laws and 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 20th day of April, A.D. 1935.

H. B. 691  CHAPTER 345

AN ACT AUTHORIZING AND EMPOWERING THE BOARD OF COUNTY COMMISSIONERS OF CASWELL COUNTY TO PURCHASE LAND FOR SAID COUNTY AT TAX FORECLOSURE SALES.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of Caswell County be and they are hereby authorized and empowered at any tax foreclosure sale to bid for Caswell County the amount due on said property and cost and should said County be the highest bidder therefor, a deed shall be made to said County for said lands.

Sec. 2. That said Board of Commissioners of said County may at any time thereafter sell any or all of land so bought by them for said County upon receiving thereof a satisfactory price to be determined by said Board.
Sec. 3. All laws and clauses of laws in conflict with this Act shall be repealed.

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

Ratified this the 20th day of April, A.D. 1935.

H. B. 906  CHAPTER 346

AN ACT TO EXTEND THE TIME FOR THE SALE OF LANDS FOR TAXES IN CASWELL COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the Sheriff of Caswell County shall on the first Monday in October following the delivery of the tax receipts to him for the previous year make a settlement with the Board of County Commissioners for the taxes for said year; he shall submit to said Board at that time his insolvent list and shall be allowed credit therefor, if approved by the Board of County Commissioners, and in addition thereto he shall be allowed credit for all tax receipts uncollected in the tax books.

Sec. 2. The Sheriff shall make an itemized list of all tax receipts in the books on October first, as hereinbefore referred to, for all uncollected taxes in said books, not including the insolvent list return as hereinbefore provided, and shall deliver said tax receipts to the County Accountant and/or Auditor, or any other person that may be appointed by said Board to perform the duties required under the provisions of this Act, who shall give a receipt for same, which receipt shall be used by the Sheriff in the settlement of the taxes for said year, and which receipt shall be recorded for information only in the records of the Board of Commissioners of Caswell County: Provided, however, that before the delivery of the tax receipts to the said County Accountant and/or Auditor, or any other person that may be appointed by said Board to perform the duties required under the provisions of this Act, he shall give such bond or bonds as the Board of Commissioners of said County may require.

Sec. 3. That it shall be the duty of the County Accountant and/or Auditor, or any other person that may be appointed by said Board to perform the duties required under the provisions of this Act, upon the receipt of said tax receipts, to immediately notify by mail to the last known address of each taxpayer that said tax receipts have been turned over to him for immediate collection, and in the event said taxes are not paid on or before the first Monday in December following the delivery of the tax re-
ceipts to said County Accountant and/or Auditor, or any other person that may be appointed by said Board to perform the duties required under the provisions of this Act, that the said County Accountant and/or Auditor, or any other person that may be appointed by said Board to perform the duties required under the provisions of this Act, will advertise said taxes for sale at the courthouse door and as provided by law; said sale to be held on the first Monday in January following the delivery of the tax receipts to the said County Accountant and/or Auditor, or any other person that may be appointed by said Board to perform the duties required under the provisions of this Act.

Sec. 4. That the said County Accountant and/or Auditor, or any other person that may be appointed by said Board to perform the duties required under the provisions of this Act, shall on the first Monday of each month after the delivery of said tax receipts to him make a written report to the Board of County Commissioners, which report shall be itemized, stating the amount of taxes collected by him, from whom and to whom paid under the provisions of this Act, which report shall be recorded in the minutes of the Board of County Commissioners.

Sec. 5. That all the authority now vested in the Sheriff of Caswell County for the collection of taxes shall be vested in the said County Accountant and/or Auditor, or any other person that may be appointed by said Board to perform the duties required under the provisions of this Act, for the purpose of carrying out the provisions of this Act.

Sec. 6. That on the first Monday in February following the delivery of the said tax receipts to the said County Accountant and/or Auditor, or any other person that may be appointed by said Board to perform the duties required under the provisions of this Act, he shall make a settlement with the Board of County Commissioners for the amount of taxes collected by him, and shall be allowed credit in his settlement for all certificates of tax sales which may have been made by him, and which settlement shall be duly recorded in the minutes of the Board of County Commissioners.

Sec. 7. That the duties herein imposed upon the County Accountant and/or Auditor of Caswell County are in addition to and not in substitution for any duties that are now imposed upon him by law.

Sec. 8. That the Board of Commissioners of Caswell County be, and is hereby authorized to fix such compensation, if any, to the said County Accountant and/or Auditor, or any other person that may be appointed by said Board to perform the duties required under the provisions of this Act, for his services in carrying out the provisions of this Act.
SEC. 9. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 10. That this Act shall be in full force and effect from and after its ratification.

Ratified this the 20th day of April, A.D. 1935.

H. B. 1041   CHAPTER 347

AN ACT TO AUTHORIZE AND EMPOWER THE BOARD OF COMMISSIONERS OF GRAHAM COUNTY TO PURCHASE CERTAIN VOLUMES OF NORTH CAROLINA REPORTS FOR THE USE OF THE CLERK OF THE SUPERIOR COURT AND TO PROVIDE FOR THE PRESERVATION THEREOF.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of Graham County be, and it is hereby authorized, in its discretion, to purchase the missing volumes of the North Carolina Reports in order that the Clerk of the Superior Court of said County may have a complete set of North Carolina Reports in his office for the use of said office and the officers of the Superior Court of said County.

Sec. 2. That upon receipt of said reports by said Clerk he shall cause to be stamped or printed in each of the volumes of the North Carolina Reports in his office the following: “This book belongs to Graham County.”

Sec. 3. That it shall be the duty of the Board of County Commissioners of Graham County upon the expiration of the term of office of the Clerk of Superior Court, either by death, resignation or otherwise, to ascertain whether or not all of said reports are in the possession of said Clerk, and if any of the volumes are missing, it shall be the duty of the Board of County Commissioners to institute an action against said Clerk or his bondsmen for the recovery of the value thereof, and the Clerk of the Superior Court shall be held responsible for the North Carolina Reports now in his office and to be purchased under the provisions of this Act, and which may from time to time be deposited in 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 full force and effect from and after its ratification.

Ratified this the 20th day of April, A.D. 1935.
H. B. 1144  
CHAPTER 348

AN ACT DIRECTING THE LEVY OF A TAX TO PAY UNPAID TEACHERS' SALARIES AND ACCOUNTS OF THE ASHEVILLE SCHOOL BOARD FOR THE ONE THOUSAND NINE HUNDRED THIRTY-TWO—ONE THOUSAND NINE HUNDRED THIRTY-THREE SCHOOL YEAR.*

The General Assembly of North Carolina do enact:

Section 1. That the taxing authorities of the County of Buncombe and the City of Asheville are hereby authorized, empowered and directed to place in the budget for the year one thousand nine hundred thirty-five, and to levy a tax for the payment thereof, the sum of twenty-seven thousand three hundred and sixty-two dollars and ten cents ($27,362.10), for the payment of the balance due teachers of the Asheville School Board for the one thousand nine hundred thirty-two—one thousand nine hundred thirty-three school year, said balance being twenty-one thousand five hundred fourteen dollars and nineteen cents ($21,514.19); and for the payment of unpaid bills and accounts of the Asheville School Board for the one thousand nine hundred thirty-two—one thousand nine hundred thirty-three school year, said bills and accounts being in the sum of five thousand eight hundred and forty-seven dollars and ninety-one cents ($5,847.91).

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 20th day of April, A.D. 1935.

H. B. 1156  
CHAPTER 349

AN ACT RELATING TO COSTS IN CERTAIN CRIMINAL ACTIONS IN HYDE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That any officer of Hyde County who shall hereafter arrest and procure evidence sufficient to convict any person manufacturing intoxicating liquors in Hyde County shall, upon conviction of said person so arrested, be entitled to receive a fee of twenty-five ($25.00) dollars to be taxed against each defendant.

Sec. 2. That any officer of said County who shall hereafter arrest and procure evidence sufficient to convict any person of the offense of selling intoxicating liquors or possessing liquor for the purpose of sale contrary to law shall, upon conviction of said per-
Fee for capture of vehicle used in transporting.

Deducted from proceeds of sale of vehicle.

Fee where defendant fails to pay costs.


Sec. 3. That when any officer of Hyde County shall hereafter seize or capture any vehicle or team transporting intoxicating liquor contrary to law and said vehicle or team is forfeited and sold under the provisions of law, said officer shall be entitled to receive a fee of thirty-five ($35.00) dollars to be added in the costs of said seizure and sale which shall be deducted from the money received from said sale and the remainder of the funds received from the said sale shall be paid over to the proper authorities as is now required by law.

Sec. 4. That in all cases where any person convicted of the manufacture and/or sale of intoxicating liquor and the cost is not paid by the defendant or defendants, but is taxed against the county, the officer making the arrest and securing the conviction of said defendant or defendants shall be allowed a fee of ten ($10.00) dollars to be taxed in the bill of costs against the County of Hyde.

Sec. 5. That this Act shall apply only to Hyde 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 the date of its ratification.

Ratified this the 20th day of April, A.D. 1935.

H. B. 1200

CHAPTER 350

AN ACT TO CHANGE THE NAME OF WILLIS MOORE HUFFSTETLER, JR., OF GASTON COUNTY, NOW SIX YEARS OF AGE, TO THAT OF JAMES WITHERS HUFFSTETLER.

The General Assembly of North Carolina do enact:

Section 1. That the name of Willis Moore Huffstetler, Jr., six years of age, of Gaston County, is hereby changed to James Withers Huffstetler.

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 April, A.D. 1935.
AN ACT TO ENLARGE THE TIME FOR FORECLOSURE OF TAX SALES CERTIFICATES ISSUED TO CRAVEN COUNTY IN ALL CASES WHERE TAXES ARE LESS THAN FIFTEEN DOLLARS.

The General Assembly of North Carolina do enact:

SECTION 1. That on any tax sale certificate issued to and owned by Craven County, issued at any time after year one thousand nine hundred and thirty-one, where the taxes, exclusive of penalty, interest and costs, is less than fifteen dollars, the County of Craven may at any time after twenty-four months from date of Certificate of Sale and before five years from date of said Certificate of Sale institute tax foreclosure suit or proceedings thereon.

Sec. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed in so far as Craven County is concerned.

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

Ratified this 20th day of April, A.D. 1935.

AN ACT TO RELIEVE THE TAXPAYERS OF NEW HANOVER COUNTY OF PENALTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That all land owners subject to taxes in New Hanover County who are subject to penalties and whose land has been sold for nonpayment of taxes are hereby relieved of all penalties and other costs except three per cent interest and advertising fees.

Sec. 2. That the County Commissioners of New Hanover County, and City Commissioners of the City of Wilmington, are hereby authorized and directed to receive in full settlement, if tendered within six months, from the ratification of this Act, all back taxes less penalties and cost except as above provided.

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 April, A.D. 1935.
S. B. 410  CHAPTER 353

AN ACT TO AMEND CHAPTER TWO HUNDRED EIGHTY-ONE, PUBLIC-LOCAL LAWS, SESSION OF ONE THOUSAND NINE HUNDRED TWENTY-NINE, RELATING TO THE APPOINTMENT OF FISCAL AGENTS OF BRUNSWICK COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That Section Two of Chapter two hundred eighty-one, Public-Local Laws of one thousand nine hundred and twenty-nine, be and the same is hereby amended by inserting the word "Columbus" after the word "Brunswick" and before the word "or" in the third line 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 force and effect from and after its ratification.

Ratified this the 23d day April, A.D. 1935.

H. B. 1098  CHAPTER 354

AN ACT TO ALLOW THE BOARD OF COMMISSIONERS OF MARTIN COUNTY TO APPOINT A TAX COLLECTOR TO COLLECT THE INSOLVENT LIST AND FIX HIS COMPENSATION.

The General Assembly of North Carolina do enact:

Section 1. That the Board of Commissioners of Martin County, in their discretion, appoint an officer to be designated as collector of the insolvent list for Martin County, to hold office at the pleasure of the Board. It shall be the duty of such officer to take in hand the insolvent tax list when same is turned over to the Board of County Commissioners by the Sheriff or tax collecting officer of Martin County, and collect same. Such person, when appointed, shall qualify for office by executing a bond in an amount to be determined by the Board, conditioned upon the collection and settlement of said taxes and by taking an oath of office. Such person shall receive such compensation as shall be fixed by the Board of County Commissioners of Martin County.

Sec. 2. Such officer shall have the same duties, powers and liabilities with reference to the collection of said insolvent list as are now, or may hereafter be, possessed by, sheriffs or other tax collecting officers in the collection of other 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 effect from and after its ratification.

Ratified this the 23d day of April, A.D. 1935.

H. B. 1140  CHAPTER 355

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF LENOIR COUNTY TO ADOPT A NEW INDEXING SYSTEM OF CERTAIN PUBLIC RECORDS OF LENOIR COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the Board of County Commissioners of the County of Lenoir is hereby authorized and empowered to adopt the new cross-indexing system now being installed in certain county offices in the County of Lenoir by resolution or resolutions to be spread upon the minutes of said Board and, upon the adoption of such resolution, the indices covered by such resolution or resolutions shall thereafter become and be the official cross-indexing system of such records for the County of Lenoir for the respective offices in which said records are kept and the officers shall thereafter cross-index all future records in accordance with the plan adopted.

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 23d day of April, A.D. 1935.

H. B. 1141  CHAPTER 356

AN ACT TO REPEAL CHAPTER TWO HUNDRED AND THIRTY-FIVE OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-THREE RELATING TO CERTAIN RECORDS IN LENOIR COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That Chapter two hundred and thirty-five of the Public-Local Laws of one thousand nine hundred and thirty-three be and the same is hereby repealed.
Sec. 2. That from and after the ratification of this Act the tax receipts for Lenoir County shall be made out in accordance with the General Machinery Act of the State.

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 23d day of April, A.D. 1935.

H. B. 1170  CHAPTER 357

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF BUNCOMBE COUNTY TO LEASE TO THE CITY OF ASHEVILLE THE PROPERTY FORMERLY USED AS A COUNTY JAIL.

The General Assembly of North Carolina do enact:

SECTION 1. The Board of County Commissioners of Buncombe County is hereby authorized and empowered to lease to the City of Asheville, for such term or terms and upon such conditions as it may deem advisable, that certain property located on Marjorie Street in said City, which was formerly used as the common jail of Buncombe County, said property to be used by the City of Asheville exclusively as a recreation center for the colored people of said City.

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 23d day of April, A.D. 1935.

S. B. 474  CHAPTER 358

AN ACT TO AMEND CHAPTER THREE HUNDRED FORTY-TWO OF PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-THREE RELATING TO THE COST IN CRIMINAL ACTION IN THE COURTS OF THE JUSTICE OF THE PEACE IN RICHMOND COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter three hundred and forty-two of Public-Local Laws of one thousand nine hundred and thirty-three be and the same is hereby amended as follows:
Strike out the proviso in subsection A of Section two and insert in lieu thereof the following: "Provided that the County shall not be liable for or pay to any Justice of the Peace or Mayor a sum in excess of five dollars per month for cases in which he has final jurisdiction, provided further, that the County shall not be liable for or pay to any lawful officer any sum in excess of fifteen dollars per month for cases in which such officer was the actual arresting officer."

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 24th day of April, A.D. 1935.

H. B. 715

CHAPTER 359

AN ACT TO VALIDATE CERTAIN SALES OF LAND FOR TAXES AND CERTIFICATES ISSUED IN HOKE 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 the Sheriff of Hoke County, and municipalities as well, during the years one thousand nine hundred and thirty-three and one thousand nine hundred and thirty-four, on any day subsequent to or other than the first Monday in September of said years 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 first Monday in September, one thousand nine hundred and thirty-three, and one thousand nine hundred and thirty-four.

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 24th day of April, A.D. 1935.
H. B. 716  CHAPTER 360

AN ACT TO EXTEND THE TIME FOR INSTITUTING FORECLOSURE PROCEEDINGS ON CERTIFICATES OF SALE FOR LAND SOLD FOR TAXES IN HOKE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the time for instituting actions for the foreclosure of certificates of sale for land sold for taxes in Hoke County and municipalities as well for the year one thousand nine hundred and thirty and the year one thousand nine hundred and thirty-one be, and the same is hereby, extended to December first, one thousand nine hundred and thirty-five.

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 24th day of April, A.D. 1935.

S. B. 285  CHAPTER 361

AN ACT TO INCREASE THE NUMBER OF TRUSTEES OF THE STAR-ETHER HIGH SCHOOL DISTRICT, MONTGOMERY COUNTY, FROM THREE TO FIVE.

The General Assembly of North Carolina do enact:

SECTION 1. That on and after April first, one thousand nine hundred and thirty-five, the Board of Trustees of the Star-Ether High School District, Montgomery County, shall be composed of five instead of three members.

SECTION 2. That on the first Monday in May, one thousand nine hundred and thirty-five, the Board of Education of Montgomery County shall appoint two additional members of said High School Board, who shall serve with said Board as now constituted until the regular time for appointment of Trustees, at which time, and biennially thereafter, the said Board of Education of Montgomery County shall appoint five members to serve as Trustees of said High School District.

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 25th day of April, A.D. 1935.
CHAPTER 362

AN ACT FORBIDDING THE ISSUANCE OF BONDS IN YADKIN COUNTY UNLESS APPROVED BY A VOTE OF THE PEOPLE.

The General Assembly of North Carolina do enact:

Section 1. That no County bonds shall hereafter be issued and/or sold in Yadkin County for any purpose unless the same shall have been approved by a vote of the people at an election to be called by the Board of County Commissioners of Yadkin 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 25th day of April, A.D. 1935.

CHAPTER 363

AN ACT REQUIRING THE RURAL POLICE AND THE CLERKS OF THE RECORDERS' COURTS IN ROBESON COUNTY TO FILE MONTHLY REPORTS OF RECEIPTS AND DISBURSEMENTS WITH THE COUNTY MANAGER.

The General Assembly of North Carolina do enact:

Section 1. That the Prosecuting Attorney in each of the Recorder's Courts in Robeson County shall, in addition to his duties as such Prosecutor, likewise act as Clerk of said Court and perform the duties required by said office.

Sec. 2. That the Clerks of the various Recorders' Courts of Robeson County and the Rural Police of said County shall, on or before the fifteenth day of each month, file with the County Manager of said County a report showing an itemized account of all receipts and disbursements of funds handled by them during the preceding month.

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 25th day of April, A.D. 1935.
CHAPTER 364

AN ACT TO EXTEND THE TIME FOR INSTITUTING FORECLOSURE PROCEEDINGS ON TAX SALES CERTIFICATES FOR THE YEAR ONE THOUSAND NINE HUNDRED AND THIRTY-TWO IN TRANSYLVANIA COUNTY AND TO CONTINUE PROCEEDINGS INSTITUTED ON CERTIFICATES FOR YEARS PRIOR TO ONE THOUSAND NINE HUNDRED AND THIRTY-TWO.

The General Assembly of North Carolina do enact:

SECTION 1. That the time for instituting proceedings for the foreclosure of certificates of sale for lands sold for taxes due the County of Transylvania for the year one thousand nine hundred thirty-two and years prior thereto be, and the same is hereby, extended to March first, one thousand nine hundred thirty-six.

SEC. 2. The Board of Commissioners of Transylvania County may, by duly recorded resolution, cause all proceedings heretofore brought to foreclose tax sales certificates held by said County, upon which final judgment of confirmation has not been rendered, to be held in abeyance until March first, one thousand nine hundred thirty-six, and the Court shall abide by such resolution.

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 25th day of April, A.D. 1935.

CHAPTER 365

AN ACT RELATING TO SEASON FOR FISHING WITH GILL NETS AND POUND NETS IN THE WATERS OF WASHINGTON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful to set gill nets or pound nets of less than four-inch mesh in any of the waters of Washington County between the fifteenth day of May and the first day of November of each year; Provided this Act shall not apply to nets used for the taking of mullets only.

SEC. 2. That any one violating the provisions of this Act shall be guilty of a misdemeanor and upon conviction shall be fined or imprisoned in the discretion of the Court.
Sec. 3. That 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 25th day of April, A.D. 1935.

H. B. 239  CHAPTER 366
AN ACT TO PROHIBIT THE SALE OF FIREWORKS IN CERTAIN PORTIONS OF DURHAM COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That it shall be unlawful for any person, firm or corporation to sell any fireworks or any firecrackers within one hundred yards of any residence, church, school-house, hospital or State highway in Durham County.

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

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

Ratified this the 26th day of April, A.D. 1935.

H. B. 586  CHAPTER 367
AN ACT TO PROHIBIT THE USE OF INDECENT AND PROFANE LANGUAGE AND MISLEADING AND FALSE CALLS OVER TELEPHONES, AND TO PROTECT TELEPHONE SUBSCRIBERS. (APPLICABLE ONLY TO CABARRUS, STANLY AND MOORE COUNTIES.)

The General Assembly of North Carolina do enact:

Section 1. That it shall be unlawful for any person or persons to use or transmit any indecent or profane language and/or any words of gross vulgarity to any person receiving said message, and/or to utter any false message over telephone lines or telephones, knowing at the time it is false, whereby said person receiving said message is put to expense or loss of time in trying to obey said message.

Sec. 2. That any agent or employee of any telephone company, after being subpoenaed, shall be competent and compellable to testify in any action for the violation of the provisions of this Act.
Violation made misdemeanor.

Counties to which applicable.

Sec. 3. That any person violating this Act, upon conviction, shall be guilty of a misdemeanor and shall be fined not more than fifty ($50.00) dollars, or imprisoned for not more than thirty days, in the discretion of the Court.

Sec. 4. That this Act shall apply only to the counties of Cabarrus, Stanly and Moore.

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

Ratified this the 26th day of April, A.D. 1935.

H. B. 707  CHAPTER 368

AN ACT PROHIBITING DREDGING OR CATCHING OYSTERS DURING CLOSED SEASON.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person, firm or corporation to dredge or catch oysters during the closed season for the purpose of sale or planting oyster gardens.

Sec. 2. That any violation of the provisions of this Act shall be punishable by a fine of not exceeding fifty dollars or imprisonment of not exceeding thirty days.

Sec. 3. That all laws and clauses of laws in conflict with this Act are hereby repealed. Provided this Act shall only apply to Hyde and Pamlico Counties.

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. 1935.

H. B. 904  CHAPTER 369

AN ACT RELATING TO COMPENSATION OF SHERIFF OF PASQUOTANK COUNTY FOR COLLECTION OF BACK TAXES.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners of Pasquotank County be, and they are hereby, authorized and directed to pay to Charles Carmine, Sheriff of Pasquotank County, the sum of three per cent (3%) on all collections of back taxes made by him between December twenty-eighth, one thousand nine hun-
Ch. 1202  CHAPTER 370

AN ACT TO AMEND CHAPTER TWO HUNDRED AND THIRTY OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-THREE, PERTAINING TO BARBED WIRE FENCES IN GRAHAM COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter two hundred thirty of the Public-Local Laws of North Carolina, Session one thousand nine hundred thirty-three, be, and the same is hereby amended by adding to the end of Section two thereof the following: "And that upon the written application of one-fifth (1/5) of the qualified voters of Tapoco Election Precinct, made to the Board of County Commissioners of Graham County, it shall be the duty of said Commissioners forthwith to call an election and submit to the qualified voters of said precinct the question 'for a four-strand barbed wire fence becoming a lawful fence' and 'against a four-strand barbed wire fence becoming a lawful fence' and if at such election a majority of the votes in said precinct is in favor of said barbed wire fence becoming a lawful fence, such shall constitute a lawful fence in said precinct and shall be so declared by the Board of County Commissioners, and provided that the amendment to Chapter two hundred thirty of the Public-Local Laws of one thousand nine hundred thirty-three describing and defining a four-strand barbed wire fence shall become a part of this amendment and law."

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

Ratified this the 26th day of April, A.D. 1935.
CHAPTER 371

AN ACT RELATING TO MUTUAL BURIAL ASSOCIATIONS DOING BUSINESS IN GATES COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That each and every Mutual Burial Association doing business in Gates County is hereby required to deposit with the Clerk of Superior Court of said County a bond in the sum of two thousand dollars in a Surety Company licensed to do business in North Carolina, the condition of said bond being that said Mutual Burial Association shall comply with contracts entered into by it, and also to pay a special County tax to the Sheriff or Tax Collector of Gates County in the same amount as is charged for a State license.

SEC. 2. Each agent soliciting business in Gates County for any Mutual Burial Association shall pay an annual license tax of twenty-five dollars, collected in the same manner as other county license taxes are now collected.

SEC. 3. That any person, firm or corporation violating the provisions of Section one and/or Section two of this Act shall be guilty of a misdemeanor and shall be fined not less than ten dollars and not more than one hundred dollars.

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. 1935.

CHAPTER 372

AN ACT RELATING TO THE MUNICIPAL COUNTY COURT OF THE COUNTY OF LENOIR.

The General Assembly of North Carolina do enact:

SECTION 1. That the salary of the Recorder of the Municipal County Court of the County of Lenoir be, and the same is hereby fixed at twenty-four hundred ($2,400.00) dollars per year, payable in monthly installments of two hundred ($200.00) dollars; one-half to be paid by the County of Lenoir and one-half by the City of Kinston.

SEC. 2. That the salary of the Solicitor of the Municipal County Court of the County of Lenoir be, and the same is hereby fixed at eighteen hundred ($1,800.00) dollars per year, payable in monthly installments of one hundred and fifty ($150.00) dollars; one-half to be paid by the County of Lenoir and one-half by the City of Kinston.
Sec. 3. That the salary of the Clerk of the Municipal County Court of the County of Lenoir be, and the same is hereby fixed at fifteen hundred ($1,500.00) dollars per year, payable in monthly installments; one-half to be paid by the County of Lenoir and one-half by the City of Kinston.

Sec. 4. That the salaries herein provided for shall begin from the ratification of this Act.

Sec. 5. That for the term of office, commencing on the first Monday in December, one thousand nine hundred and thirty-six, the Recorder and Solicitor shall be nominated and elected as other county officers are nominated and elected and the term beginning on the first Monday in December, one thousand nine hundred and thirty-six, shall be for a period of four years.

Sec. 6. That in all cases in which the Superior Court of Lenoir County has been divested of original jurisdiction in criminal actions and the same has been vested in courts of inferior jurisdiction, such original jurisdiction is hereby reinstated, and from and after the ratification of this Act, in such cases, the jurisdiction of said inferior courts and the Superior Court of Lenoir County shall be concurrent; except that it shall be the duty of said inferior courts, on motion of the Solicitor of the Sixth Judicial District, to transfer any case or cases pending in said inferior courts to the Superior Court of Lenoir County for trial, and when so transferred the Superior Court shall then proceed with the case or cases transferred in accordance with the custom and practice of the Superior Court.

Sec. 7. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

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

Ratified this the 26th day of April, A.D. 1935.

H.B. 1205  CHAPTER 373

AN ACT TO ALLOW THE SHERIFF OF NEW HANOVER COUNTY AN ALLOWANCE FOR THE USE AND UPKEEP OF HIS AUTOMOBILE.

The General Assembly of North Carolina do enact:

SECTION 1. That the Sheriff of New Hanover County in addition to the salary now allowed him by law shall receive the sum of seventy-five ($75.00) dollars per month, which sum shall be paid him monthly for the use, maintenance, upkeep and expense
of his automobile, and said amounts shall be charged to and paid from the general fund of 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 the first day of July, one thousand nine hundred and thirty-five.

Ratified this the 26th day of April, A.D. 1935.

H. B. 1228  CHAPTER 374

AN ACT TO PROVIDE THAT SUITS FORECLOSING TAX CERTIFICATES ISSUED BY BEAUFORT COUNTY OR MUNICIPALITIES THEREIN FOR DELINQUENT TAXES FOR THE YEAR ONE THOUSAND NINE HUNDRED THIRTY-TWO AND SUBSEQUENT YEARS MAY BE BROUGHT WITHIN TWO YEARS FROM THE DATE OF SUCH CERTIFICATES, AND RATIFYING ALL TAX CERTIFICATES HERETOFORE ISSUED AND TAX SUITS HERETOFORE BROUGHT BY SAID COUNTY OR THE MUNICIPALITIES THEREIN.

The General Assembly of North Carolina do enact:

SECTION 1. That suits foreclosing certificates issued for delinquent taxes owing to Beaufort County or any of the municipalities therein for the year one thousand nine hundred thirty-two and for years subsequent thereto may be brought at any time within two years from the issuance of the tax certificate by the Sheriff of the County or the officer of the municipality authorized by law to issue tax certificates as the case may be.

Sec. 2. That all tax sales certificates, heretofore issued by the Sheriff of Beaufort County or the proper officer of any municipality therein for delinquent taxes, are hereby declared to be in all respects valid and regular.

Sec. 3. That all tax foreclosure suits heretofore instituted by said County or the municipalities therein are hereby declared to be valid and binding upon the owners and any other persons interested in the lands therein referred to, respectively.

Sec. 4. That this Act shall apply to Beaufort 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 26th day of April, A.D. 1935.
H. B. 1230  

CHAPTER 375

AN ACT TO EMPOWER THE BOARD OF COMMISSIONERS OF McDOWELL COUNTY, IN ITS DISCRETION, TO POSTPONE THE SALE OF REAL ESTATE FOR NINETEEN HUNDRED AND THIRTY-FOUR TAXES.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners and Boards of Aldermen or Councils of Municipalities, be, and are hereby authorized and empowered, with discretion, to order that the sale of real estate for the non-payment of nineteen hundred and thirty-four taxes be postponed to the first Monday of any month subsequent to the first Monday in June, one thousand nine hundred and thirty-five, and not later than the first Monday in September, nineteen hundred and thirty-five, and that said sale made on any such date, pursuant to order of such Board or Boards or Councils in consequence of this Act, shall be in all respects valid, lawful and binding in the same manner and to the same extent as if sold on the date required by the general law respecting sale of land for taxes.

SEC. 2. That this Act shall apply to McDowell County 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 full force and effect after its ratification.

Ratified this the 26th day of April, A.D. 1935.

S. B. 507  

CHAPTER 376

AN ACT TO EXTEND THE TIME FOR INSTITUTING FORECLOSURE PROCEEDINGS ON TAX SALES CERTIFICATES FOR THE YEAR ONE THOUSAND NINE HUNDRED THIRTY-TWO IN HARNETT COUNTY AND TO CONTINUE PROCEEDINGS INSTITUTED ON CERTIFICATES FOR YEARS PRIOR TO ONE THOUSAND NINE HUNDRED THIRTY-TWO.

The General Assembly of North Carolina do enact:

SECTION 1. That the time for instituting proceedings for the foreclosure of certificates of sale for lands sold for taxes due the County of Harnett and the municipalities in said County for the year one thousand nine hundred thirty-two and years prior...
thereto be, and the same is hereby extended to March first, one thousand nine hundred thirty-six.

SEC. 2. The Board of Commissioners of Harnett County and the municipalities of said County may, by duly recorded resolution, cause all proceedings heretofore brought to foreclose tax sales certificates held by said County and municipalities of said County, upon which final judgment of confirmation has not been rendered, to be held in abeyance until March first, one thousand nine hundred thirty-six, and the Court shall abide by such resolution.

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. 1935.

S. B. 462  CHAPTER 377

AN ACT TO PROHIBIT THE WRONGFUL HOARDING AND/OR SELLING OF MILK BOTTLES, CRATES, CANS AND OTHER CONTAINERS OF DAIRY PRODUCTS IN BUNCOMBE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person, firm or corporation in Buncombe County to hoard, harbor and/or keep any milk bottles, cans, crates or other containers for milk or milk products which have the name, label, trade-mark or inscription of any other firm, person, or corporation, blown, embossed or marked thereon. Any bonded peace officer of Buncombe County is hereby given the power to search the premises of any person, firm or corporation in Buncombe County and arrest any person engaged in the unlawful hoarding of milk bottles, cans, crates or other containers for milk, or milk bottles, in violation of this section, and such officer may seize and confiscate the bottles, cans, crates and containers which are being hoarded in violation of this Act, and return the same to the lawful owner thereof.

SEC. 2. It shall be unlawful for any person, firm or corporation to remove from Buncombe County any milk bottles, cans, crates, or other containers, for milk or milk products, which have the name, label, trade-mark or inscription of any other person, firm or corporation blown, embossed or marked thereon: Provided, that the name, label, trade-mark or inscription on the said bottles,
cans, crates or containers shall be the name label trade-mark or inscription of a resident of Buncombe County.

Sec. 3. Any person violating the provisions of this Act shall be guilty of a misdemeanor and upon conviction shall be subject to a fine of not more than fifty dollars, nor less than ten dollars, or imprisonment for a period of not more than thirty days within the discretion of the Court.

Sec. 4. This Act shall only apply to Buncombe County.

Sec. 5. All laws and clauses of laws in conflict herewith are hereby repealed.

Sec. 6. In case any section or clause of this Act is declared unconstitutional by a Court of competent jurisdiction, such decision shall not affect the legality of any other section or clause of this Act.

Sec. 7. This Act shall be in force and effect from and after its ratification.

Ratified this the 29th day of April, A.D. 1935.

S. B. 502 CHAP'TER 378

AN ACT TO AMEND CHAPTER TWO HUNDRED FIFTY-EIGHT, PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-THREE, AS AMENDED BY CHAPTER FOUR HUNDRED SIXTY-NINE, PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-THREE, ENTITLED "AN ACT TO REGULATE THE DUTIES OF SHERIFF OF EDGECOMBE COUNTY AND ESTABLISH OFFICE OF TAX COLLECTOR OF EDGECOMBE COUNTY," TO INCREASE SALARIES OF DEPUTY SHERIFFS OF EDGECOMBE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Section two of Chapter four hundred sixty-nine, Public-Local Laws of one thousand nine hundred thirty-three, which amends Chapter two hundred fifty-eight, Public-Local Laws of one thousand nine hundred thirty-three, entitled "An Act to regulate the duties of Sheriff of Edgecombe County and establish office of Tax Collector of Edgecombe County," ratified May eight, one thousand nine hundred thirty-three, be, and the same is hereby amended by striking out the words and figures, "Two Hundred and Fifty ($250.00) Dollars," and adding in lieu thereof, "Three Hundred and Seventy-five ($375.00) Dollars."
S. B. 524  
**CHAPTER 379**

**AN ACT TO REPEAL CHAPTER THREE HUNDRED SIXTY-FOUR OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-THREE, RELATING TO THE OFFICERS OF LENOIR COUNTY.**

*The General Assembly of North Carolina do enact:*

**SECTION 1.** That Chapter three hundred sixty-four of the Public-Local Laws of one thousand nine hundred thirty-three be, and the same is hereby repealed.

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

Ratified this the 29th day of April, A.D. 1935.

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H. B. 724  
**CHAPTER 380**

**AN ACT TO TRANSFER AND SEGREGATE THE COLLECTION OF ALL TAXES NOW REQUIRED BY LAW TO BE COLLECTED BY THE SHERIFF OF IREDELL COUNTY INTO THE OFFICE OF THE COUNTY MANAGER AND COUNTY ACCOUNTANT OF IREDELL COUNTY.**

*The General Assembly of North Carolina do enact:*

**SECTION 1.** That the Board of Commissioners of Iredell County at their regular meeting upon the first Monday in October, one thousand nine hundred thirty-five, or upon the first Monday in October of any year thereafter, may transfer and segregate and may cause to be transferred and segregated, and the Board of Commissioners of Iredell County are hereby authorized and empowered to so transfer and to segregate, and to so cause to be transferred and segregated, the collection of all the uncollected taxes of whatsoever nature, State and local, and all taxes hereinafter to be collected for Iredell County which are now required by law to be collected by the Sheriff of Iredell County, to the office of the County Manager and County Accountant of Iredell...
County for collection. That when said transfer is made the Sheriff shall turn over and deliver all tax books in his hands unto the said County Manager and said County Accountant of Iredell County, and thereafter, the said Sheriff shall be relieved from all responsibility and duty now imposed upon him by law for the collection of taxes.

Sec. 2. That if and when the collection of all taxes of Iredell County is so transferred and segregated to the office of the said County Manager and County Accountant of Iredell County, the County Manager and County Accountant shall then and there or from time to time execute and deliver unto the County Commissioners of Iredell County a good, valid and solvent satisfactory bond in the same amount that the Sheriff is now required to execute and deliver, or in any other amount, that the said Board of County Commissioners may deem just, wise and proper; and the said County Manager and said County Accountant shall be vested with all of the power for the collection of taxes with which the Sheriff is now vested and empowered by the provisions of the law.

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

Ratified this the 29th day of April, A.D. 1935.

H. B. 860

CHAPTER 381

AN ACT TO PROHIBIT THE WRONGFUL HOARDING AND/OR SELLING OF MILK BOTTLES, CRATES, CANS AND OTHER CONTAINERS OF DAIRY PRODUCTS IN HENDERSON COUNTY (APPLICABLE ALSO TO RICHMOND COUNTY).

The General Assembly of North Carolina do enact:

Section 1. That it shall be unlawful for any person, firm or corporation in Henderson and Richmond Counties to hoard, harbor and/or keep any milk bottles, cans, crates or other containers for milk or milk products which have the name, label, trade-mark or inscription of any other firm, person, or corporation, blown, embossed or marked thereon.

Sec. 2. It shall be unlawful for any person, firm or corporation to remove from Henderson and Richmond Counties any milk bottles, cans, crates, or other containers for milk or milk products, which have the name, label, trade-mark or inscription of any other person, firm or corporation blown, embossed or marked thereon.
Provided, that the name, label, trade-mark or inscription on the said bottles, cans, crates or containers shall be the name, label, trade-mark or inscription of a resident of Henderson and Richmond Counties.

Sec. 3. Any person violating the provisions of this Act shall be guilty of a misdemeanor, and upon conviction, shall be subject to a fine of not more than fifty dollars, nor less than ten dollars, or imprisonment for a period of not more than thirty days within the discretion of the Court.

Sec. 4. This Act shall only apply to Henderson and Richmond Counties.

Sec. 5. All laws and clauses of laws in conflict herewith are hereby repealed.

Sec. 6. In case any section or clause of this Act is declared unconstitutional by a Court of competent jurisdiction, such decision shall not affect the legality of any other section or clause of this Act.

Sec. 7. This Act shall be in force and effect from and after the date of its ratification.

Ratified this the 29th day of April, A.D. 1935.

H. B. 725  CHAPTER 382

AN ACT TO AMEND CHAPTER TWO HUNDRED AND NINETY-THREE OF THE PUBLIC-LOCAL LAWS OF NINETEEN HUNDRED AND TWENTY-SEVEN, RELATING TO COLLECTION OF TAXES IN IREDELL COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That Chapter two hundred and ninety-three of the Public-Local Laws nineteen hundred and twenty-seven be, and the same is hereby amended by adding at the end of Section ten thereof the following: “In addition to the other duties imposed upon him and enumerated therein, the County Manager and County Accountant herein provided for shall collect all taxes, State and local, due to be collected by Iredell County which are now collected by the Sheriff of said County, when authorized and empowered to do so by the County Commissioners of Iredell County and by the Legislature 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 29th day of April, A.D. 1935.
H.B. 964  CHAPTER 383

AN ACT TO AUTHORIZE THE DESK SERGEANT IN THE OFFICE OF THE SHERIFF OF BUNCOMBE COUNTY TO EXECUTE WARRANTS FOR THE GENERAL COUNTY COURT.

The General Assembly of North Carolina do enact:

SECTION 1. That from and after the ratification of this Act it shall be the duty of the duly elected Sheriff of Buncombe County to furnish the Clerk of the Superior Court with the names of the regular desk sergeants, not exceeding two, and it shall thereafter be the duty of the Clerk of the Superior Court to appoint the person so designated by the Sheriff to become special deputy clerks with the authority to issue and execute warrants returnable in the general County court of Buncombe 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 29th day of April, A.D. 1935.

H.B. 1100  CHAPTER 384

AN ACT TO PROVIDE FOR THE APPOINTMENT OF COUNTY BOARD OF HEALTH IN DAVIDSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Davidson County Board of Health shall consist of six members, to wit, the Chairman of the County Board of Commissioners, the Mayor of Lexington, the County Superintendent of Public Instruction for Davidson County and two members to be selected by the Davidson County Medical Society and one member by the Davidson County Dental Society. These members shall take office on the first Monday in January, one thousand nine hundred and thirty-seven, and shall serve for a term of two years or until their successors are duly appointed 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 29th day of April, A.D. 1935.
H. B. 991  

CHAPTER 385

AN ACT TO AMEND CHAPTER TWO HUNDRED THIRTY-FOUR OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED TWENTY-ONE, FIXING THE SALARY OF THE CLERK OF SUPERIOR COURT OF ALAMANCE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Section three of the Public-Local Laws of one thousand nine hundred twenty-one be, and the same is hereby amended by striking out the words and figures, "Two Thousand Five Hundred Dollars ($2,500.00)." in line five thereof, and inserting in lieu thereof the words and figures, "Three Thousand Dollars ($3,000.00)."

Sec. 2. That the Clerk of the Superior Court of Alamance County shall receive the increased amount of salary herein provided beginning the first day of April, one thousand nine hundred thirty-five.

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

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

Ratified this the 20th day of April, A.D. 1935.

H. B. 1134  

CHAPTER 386

AN ACT TO AUTHORIZE THE COMMISSIONERS OF FRANKLIN COUNTY, IN THEIR DISCRETION, TO INCREASE THE SALARY OF THE JUDGE OF RECORDER'S COURT OF FRANKLIN COUNTY DURING HIS TERM OF OFFICE.

The General Assembly of North Carolina do enact:

SECTION 1. That the Commissioners of Franklin County are hereby authorized and empowered, in their discretion, to increase the salary of the Judge of the Recorder's Court of Franklin County during his term of office.

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

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

Ratified this the 29th day of April, A.D. 1935.
H.B. 1135  
CHAPTER 387

AN ACT TO AMEND HOUSE BILL SEVEN HUNDRED EIGHTY-ONE ENTITLED, "A BILL TO BE ENTITLED AN ACT TO RELIEVE THE TAXPAYERS OF BEAUFORT COUNTY," RATIFIED MARCH TWENTY-SIXTH, ONE THOUSAND NINE HUNDRED THIRTY-FIVE.

The General Assembly of North Carolina do enact:

SECTION 1. That Section one of House Bill seven hundred and eighty-one entitled, "A Bill to Be Entitled An Act to Relieve the Taxpayers of Beaufort County," ratified March twenty-sixth, one thousand nine hundred and thirty-five, be amended by striking out the words "at the face value of" in line nine, all of lines ten, eleven and twelve and inserting in lieu thereof the following: "by accepting the amount of taxes which were actually levied for the respective years, no penalties, interest charges, court costs, attorneys fees, or advertising costs shall be collected: Provided, however, that before any taxpayers will be entitled to the benefits hereunder the County Commissioners and other governing agencies may require the payment of one thousand nine hundred and thirty-three and one thousand nine hundred and thirty-four taxes: Provided, further, that any taxpayers shall have the right to pay all taxes upon any particular piece of property and have the lien discharged as to that particular piece; the governing bodies or other officers are hereby directed to issue the tax receipts for said taxes so paid and relieve the lien thereon."

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 29th day of April, A.D. 1935.

H.B. 1137  
CHAPTER 388

AN ACT TO ALLOW ANSON COUNTY TO REFUND TAX SALES CERTIFICATES.

The General Assembly of North Carolina do enact:

SECTION 1. That Anson County, in all cases where it is the owner of taxes or tax sales certificates for lands in said County for the years one thousand nine hundred twenty-seven, one thousand nine hundred twenty-eight, one thousand nine hundred

Anson County authorized to refund tax sales certificates for certain years.
twenty-nine, one thousand nine hundred thirty, one thousand nine hundred thirty-one and one thousand nine hundred thirty-two, at the request of the owner or owners of the land, is 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 and penalties, may be paid in installments covering a period of 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, one thousand nine hundred thirty-three: Provided, that unless the said County 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, one thousand nine hundred thirty-five, this section shall become inoperative and the said County is authorized to proceed with foreclosure proceedings as hereinafter set out: Provided, that as a condition precedent to this settlement the County of Anson shall require the payment of the one thousand nine hundred thirty-three taxes in full on said lands, and when foreclosure proceedings have been instituted on tax sales certificates the accrued court costs shall be paid by the land owner.

Sec. 2. When said agreement is entered into between Anson County and the owners of the land by said taxes, or tax sales certificates, it shall take from the owner a note in substantially the following form:

"$...................................... For the taxes for the years 192..., 192..., 193..., 193..., 193..., on those lands in......................................................... Township, Anson County, North Carolina, adjoining the lands of.......................................................... (brief description of land)............................................. I, or we, promise to pay to the order of Anson County, the sum of.........................................................dollars, with interest from April first, one thousand nine hundred thirty-three, 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 one thousand nine hundred thirty-six, one thousand nine hundred thirty-seven, one thousand nine hundred thirty-eight, one thousand nine hundred thirty-nine and one thousand nine hundred forty, respectively. Upon my failure to pay any installments of principal or interest, the whole amount shall immediately become due and payable. This note shall constitute a lien on the lands above described and said land shall be subject to foreclosure sale at the option of said County 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. 3. That the said notes, when given and received as above set out, shall constitute a first lien on the lands described, supe-
rior 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 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 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. 4. 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. 5. Upon taking notes for taxes as above described, the 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 officer shall endorse said tax sales certificates as follows: "Absorbed in a note given this day as provided by Chapter 388, Public-Local Laws of one thousand nine hundred thirty-five," 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. 6. 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 fifty cents 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.

Sec. 7. In all cases where Anson County is the holder of any 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, one thousand nine hundred thirty-one and one thousand nine hundred thirty-two, whether foreclosure proceedings

Continuing lien.

Right of foreclosure upon default.

Notes constitute continuing lien.

Not subject to personal judgment.

Upon taking notes, entry made on tax sales certificates.

Endorsement of certificates.

Registration of notes.

Cost on maker.

Amount of fees.

Probate fee.

Recording fees.

Time for tax foreclosures extended.
have been instituted or not, the County is hereby given until December first, one thousand nine hundred thirty-five, to institute said proceedings, with all the rights and privileges and liens which it had at any time heretofore, which rights shall be in addition to and not in subrogation of the rights heretofore granted for foreclosure in the event a note is taken as hereinbefore provided.

Sec. 8. The Board of Commissioners of Anson County, in all cases where said county holds any claim for delinquent taxes upon lands for any of 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, one thousand nine hundred thirty-one, and/or one thousand nine hundred thirty-two, are hereby authorized, in their discretion, to accept from any person or persons owning any interest in or holding any lien upon lands the principal amount of the taxes, less interest and penalties, in cash, if paid before November first, one thousand nine hundred thirty-five, provided, the maker of any installment note may anticipate the payment thereof in whole or in part by paying the same in cash, less ten per cent discount, if paid before installment is due.

Sec. 9. Whenever any lands for which Anson County owns 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. 10. That any person, firm or corporation, who at the time of the purchase of any lands of Anson County, at any tax sale, is the bona fide owner or holder of a first mortgage or deed of trust covering the same, or any part thereof, for the payment of money or other valuable consideration, shall upon the 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 in the same manner and under same terms as provided for said owner or owners under this Act.

Sec. 11. In all cases where Anson County has heretofore bought lands under foreclosure proceedings it is hereby authorized and empowered to convey said land to the former owner for the amount of taxes, costs and charges which the said county has paid for said lands and for the purchase price of said lands are hereby authorized and empowered to make a note from said 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 November, one thousand nine hundred thirty-five; and provided, further, that Anson 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 that might have become due on said land if the said county had not become the purchaser thereof under foreclosure proceedings.

Sec. 12. Where any person has purchased a tax sales certificate in good faith covering lands in Anson County, the owner is allowed to redeem same until November first, one thousand nine hundred thirty-five, by reimbursing the purchaser for the full amount paid with all necessary and proper expenses incurred, together with six per cent interest thereon.

Sec. 13. That nothing herein contained shall be construed to affect any of the provisions of Chapter one hundred eighty-one, Public Laws of one thousand nine hundred thirty-three, but in all cases where Anson County has heretofore accepted notes from land owners payable in installments as therein provided and the land owners or other interested parties have defaulted in the payment of the first installment, the Board of Commissioners of Anson County are hereby authorized, empowered and directed, in their discretion, to extend the payment of the installment in default for a period of not to exceed seven months, granting to the maker of said notes the same benefits and privileges as though the installments had been paid as provided in said notes: Provided, the taxes on the land covered by said note for the years one thousand nine hundred thirty-three and one thousand nine hundred thirty-four shall be paid before the expiration of said period, and with the further provision that the note shall continue bearing interest at six per cent during the period for which the same is extended; that the said Board of Commissioners of Anson County are also authorized, empowered and directed, in their discretion, to grant the same extension of not exceeding seven months in the payment of any future installment on any of said notes that may not be paid promptly as provided for in the original notes, and upon the same terms and conditions, except the taxes on the land covered by said note for the preceding year must have been paid before the expiration of the period for which extension is made; that nothing herein contained shall be construed as giving authority to the Board of Commissioners of Anson County to extend the payment of any install-
ment on any notes that land owners or other interested parties may give under this Act.

Sec. 14. That all laws and clauses of laws in conflict with this Act are hereby repealed in so far as same relate to Anson County.

Sec. 15. That this Act shall only apply to Anson County.

Sec. 16. That this Act shall be in full force from and after its ratification.

Ratified this the 29th day of April, A.D. 1935.

H.B. 1173  CHAPTER 389

AN ACT TO PERMIT THE BOARD OF COMMISSIONERS OF NEW HANOVER COUNTY TO EXPEND MONEY FOR THE DEVELOPMENT AND MAINTENANCE OF GREENFIELD PARK AND GREENFIELD LAKE.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of New Hanover County be, and they are hereby authorized, empowered and directed to levy and appropriate, annually, a sum not exceeding one cent (1c) on the one hundred dollars of the assessed value of the real and personal property taxable in said county, which said sum shall be used and expended under the direction and control of said Board of Commissioners under such rules and regulations, or by such other agencies as it from time to time may prescribe for the purpose of aiding, encouraging, and/or supporting the development and maintenance of Greenfield Lake and Greenfield Park and Playground, to increase the value, use and facilities of said property as a park and playground, thereby promoting the health, prosperity and general welfare of the people of New Hanover County.

Sec. 2. That the said Board of Commissioners of New Hanover County shall not raise, levy or appropriate money under this Act, or levy any tax hereunder, unless and until this Act shall have been approved by a majority of the qualified voters of said county at an election to be held as provided in this Act.

Sec. 3. That the Board of Commissioners of New Hanover County are hereby authorized and directed to call a special election within one month after the ratification of this Act for the purpose of submitting the question of the approval of this Act to the voters of said county. The said Board of Commissioners shall, for at least thirty days preceding said election, give public notice of the time and places for holding said election, and purpose thereof by publication in one or more newspapers published in said county. Said election shall be held and conducted in the
same manner as provided by law for holding elections for members of the General Assembly; provided, however, that said Board of Commissioners shall order a new registration and appoint the registrars and judges of election. That the votes shall be counted at the close of the polls and returns made to said Board of Commissioners on the second day next after said election, and said Board of Commissioners shall tabulate and declare the results of the election, all of which shall be recorded in the Minutes of the Board of Commissioners, and no other recording and declaration of the result of said election shall be necessary. The ballots to be used in said election shall have written or printed upon them the words: "For the Act to aid in the development of Greenfield Park and Greenfield Lake" or, "Against the Act to aid in the development of Greenfield Park and Greenfield Lake." All qualified voters who favor the levy of the tax herein provided for shall vote the ballot: "For the Act to aid in the development of Greenfield Park and Greenfield Lake"; and all qualified voters who are opposed thereto shall vote the ballot: "Against the Act to aid in the development of Greenfield Park and Greenfield Lake."

SEC. 4. In the event that a majority of the qualified electors of said county shall vote: "For the Act to aid in the development of Greenfield Park and Greenfield Lake" at said election the Board of Commissioners shall levy the tax not exceeding one cent (1c) on the one hundred dollars valuation of property in said county as herein directed, and shall use the funds derived from said tax for any one or more, or all of the purposes authorized by this Act.

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 29th day of April, A.D. 1935.

H. B. 1172

CHAPTER 390

AN ACT TO AUTHORIZE, EMPOWER AND DIRECT THE BOARD OF COMMISSIONERS OF NEW HANOVER COUNTY TO EXPEND MONEY FOR THE DEVELOPMENT OF THE PORT OF WILMINGTON, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Section 1. That the Board of Commissioners of New Hanover County be, and they are hereby authorized, empowered and directed to levy and appropriate, annually, for a period of six
fiscal years, the sum of two cents (2c) on the one hundred dollars of the assessed value of the real and personal property taxable in said county, which said sum shall be used and expended under the direction and control of said Board of Commissioners under such rules and regulations, or through such agencies as it shall from time to time prescribe, for the purpose of encouraging the use of the Port of Wilmington, North Carolina, by shippers and industries within the distributing area of said port; to aid in increasing the tonnage and cargo moving through the Port of Wilmington, North Carolina; and generally, within the distribut-
ing area of Wilmington, North Carolina, to promote and develop the recognition of the advantages of the shipment of goods through said port.

SEC. 2. That the said Board of Commissioners of New Han-
over County shall not raise, levy or appropriate money under this Act, or levy any tax hereunder, unless and until this Act shall have been approved by a majority of the qualified voters of said county at an election to be held as provided in this Act.

SEC. 3. That the Board of Commissioners of New Hanover County are hereby authorized and directed to call a special election within one month after the ratification of this Act for the purpose of submitting the question of the approval of this Act to the voters of said county. The said Board of Commis-
sioners shall, for at least thirty days preceding said election, give public notice of the time and places for holding said election and purpose thereof by publication in one or more newspapers pub-
ished in said county. Said election shall be held and conducted in the same manner as provided by law for holding elections for members of the General Assembly: provided, howe-
et, that said Board of Commissioners shall order a new registration and appoint the registrars and judges of election. That the votes shall be counted at the close of the polls and returns made to said Board of Commissioners on the second day next after said elec-
tion, and said Board of Commissioners shall tabulate and declare the results of the election, all of which shall be recorded in the Minutes of the Board of Commissioners, and no other recording and declaration of the results of said election shall be necessary. The ballots to be used in said election shall have written or printed upon them the words:

"For the Act to aid in the development of the Port of Wil-
mington, North Carolina"; or,

"Against the Act to aid in the development of the Port of Wilmington, North Carolina."

All qualified voters who favor the levy of the tax herein pro-
vided for shall vote the ballot: "For the Act to aid in the develop-
ment of the Port of Wilmington, North Carolina"; and all qualified voters who are opposed thereto shall vote the ballot:
"Against the Act to aid in the development of the Port of Wilmington, North Carolina."

Sec. 4. That in the event that a majority of the qualified electors of said county shall vote: "For the Act to aid in the development of the Port of Wilmington, North Carolina" at said election the Board of Commissioners shall levy a tax of two cents (2c) on the one hundred dollars valuation of property in said county as herein directed, and shall use the funds derived from said tax for the said purpose hereinbefore declared and no other.

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 29th day of April, A.D. 1935.

H. B. 1217 CHAPTER 391

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF GRAHAM COUNTY, IN ITS DISCRETION, TO EMPLOY A COUNTY NURSE AND TO CO-OPERATE WITH THE PUBLIC HEALTH SERVICE OF THE FEDERAL GOVERNMENT AND THE STATE OF NORTH CAROLINA IN ESTABLISHING A HEALTH UNIT IN GRAHAM COUNTY, OR TO CO-OPERATE WITH OTHER COUNTIES IN FORMING A HEALTH UNIT.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners of Graham County be, and they are hereby authorized and empowered, in the exercise of its discretion, to employ a County Nurse for Graham County, at such compensation as they may deem just and reasonable, to be paid out of the County Health Fund; and the Board is further authorized, empowered and directed, in the exercise of its discretion, to co-operate with the Federal Government and the State of North Carolina in forming a Health Unit for Graham County, or co-operate with other adjoining counties in forming a District Health Unit.

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

Ratified this the 29th day of April, A.D. 1935.
H.B. 1237    CHAPTER 392
AN ACT TO EQUALIZE SALARIES OF MEMBERS OF THE BOARD OF EDUCATION AND BOARD OF COMMISSIONERS OF NORTHAMPTON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the compensation of the members of the Board of Education and the Board of Commissioners of Northampton County is hereby fixed at five dollars ($5.00) per day and mileage as heretofore provided by law.

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

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

Ratified this the 29th day of April, A.D. 1935.

H.B. 1222    CHAPTER 393
AN ACT TO PROVIDE FOR A WHOLE TIME WELFARE OFFICER OF THE COUNTY OF MITCHELL.

The General Assembly of North Carolina do enact:

SECTION 1. That on the first Monday in June, one thousand nine hundred and thirty-five, the County Board of Education and the Board of County Commissioners of Mitchell County shall meet in joint session for the purpose of electing a whole time County Superintendent of Public Welfare for Mitchell County, who shall serve for the ensuing two years and until his or her successor is elected and qualified.

SECTION 2. That the person elected whole time Superintendent of Public Welfare for Mitchell County shall be qualified by character, fitness and experience to well discharge the duties thereof, in accordance with the requirements of the State Board of Charities and Public Welfare, and shall be a citizen of Mitchell County; Provided, said citizen shall meet all qualifications required by the State Board of Charities and Public Welfare and shall be approved by said State Board.

SECTION 3. That the said whole time Superintendent of Welfare for Mitchell County shall begin work on the first day of July, one thousand nine hundred and thirty-five, if approved by the State Board of Charities and Public Welfare, and shall receive a salary for said services in accordance with the monthly salaries paid grade "A" teachers with maximum experience on the State salary schedule in the public schools of the State.
Sec. 4. That the said Welfare Officer for Mitchell County shall be governed by and subject to all laws pertaining to County Superintendents of Public Welfare and the State Board of Charities and Public Welfare.

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

Ratified this the 29th day of April, A.D. 1935.

H. B. 442

CHAPTER 394

AN ACT REGARDING HUNTING IN MACON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the open season during which quail may be killed in Macon County shall be from the twentieth day of November to the first day of February, inclusive.

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

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

Ratified this the 30th day of April, A.D. 1935.

H. B. 518

CHAPTER 395

AN ACT TO AMEND HOUSE BILL NUMBER ONE HUNDRED AND FORTY-SEVEN, THE SAME BEING "AN ACT TO PROHIBIT THE SETTING OF STEEL TRAPS IN SWAIN AND GRAHAM COUNTIES (APPLICABLE ALSO TO BLADEN AND CRAVEN COUNTIES)," RATIFIED FEBRUARY FIFTEENTH, ONE THOUSAND NINE HUNDRED AND THIRTY-FIVE, SO AS TO INCLUDE CLAY COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That House Bill one hundred and forty-seven, ratified February fifteen, nineteen hundred and thirty-five, be, and the same is hereby amended by inserting in Section one between the word "Bladen" and the word "and" in line three in said section, the word "Clay."

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

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

Ratified this the 30th day of April, A.D. 1935.
H. B. 68  CHAPTER 396

AN ACA TO REPEAL CHAPTER TWO HUNDRED AND EIGHTEEN, PUBLIC-LOCAL LAWS ONE THOUSAND NINE HUNDRED THIRTY-THREE, RELATING TO THE SETTING OF STEEL TRAPS IN NORTHAMPTON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter two hundred and eighteen of the Public-Local Laws of one thousand nine hundred and thirty-three 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 30th day of April, A.D. 1935.

H. B. 551  CHAPTER 397

AN ACT FOR THE RELIEF OF THE TAXPAYERS OF MACON COUNTY DURING THE ECONOMIC EMERGENCY DECLARED TO EXIST.

That, whereas, for the past several years, there has existed throughout the United States a severe financial and economic depression, and has caused extremely low prices for products of the farm in the agricultural sections of the United States; and

Whereas, the County of Macon is largely an agricultural county with a majority of its population living on farms and no large towns and very few manufacturing enterprises in said county and its citizens depending almost wholly upon the farming industry as a basic money product; and

Whereas, certain agricultural sections of North Carolina, where the basic agricultural products are cotton and tobacco, have been to some extent relieved from said depression, the taxpayers of the County of Macon have received no such relief; and

Whereas, the County of Macon during the period of prosperity prior to the general financial and economic depression incurred a bonded indebtedness for public roads in the sum of over one-half million dollars; and

Whereas, at the time of the creation of said indebtedness the citizens of Macon County were realizing prices for their agricultural products sufficient to enable them to support themselves and to pay their taxes; and

Whereas, the United States Government has purchased and taken over about one hundred and fourteen thousand acres of mountain land in said County of Macon and the same is now and has been for several years exempt from taxation; and
Whereas, for the past several years a majority of the citizens of Macon County have been unable to realize enough from their farms to support themselves and to pay their taxes; and

Whereas, there remains unpaid and uncollected a large percent of the taxes in said county for the years of one thousand nine hundred and twenty-seven, one thousand nine hundred and twenty-eight, one thousand nine hundred and twenty-nine, one thousand nine hundred and thirty, one thousand nine hundred and thirty-one, one thousand nine hundred and thirty-two, one thousand nine hundred and thirty-three, and nearly one-half of the homes of the citizens of said county have already been sold for delinquent taxes, and foreclosure proceedings are now pending against said delinquent taxpayers; and

Whereas, practically all of the owners of real property in said county by reason of said conditions are unable and it is believed will for some time, and during the continuance of said economic depression, be unable to meet the payments of the interest and principal upon the bonded indebtedness of said county and retain their homes; Now, Therefore,

It is believed, and the Legislature of North Carolina hereby declares that the conditions existing as hereinbefore set forth have created an economic emergency of such nature that justifies and renders valid legislation for the purpose of extending the time for the payment of both principal and interest of the bonded indebtedness of the County of Macon; Now, Therefore,

The General Assembly of North Carolina do enact:

Section 1. That the Board of Commissioners of the County of Macon is hereby authorized, empowered and directed to make such levies for the debt service and all necessary county expenses for the County of Macon for the years of one thousand nine hundred and thirty-five and one thousand nine hundred thirty-six as in their opinion and discretion that the taxpayers of said county are able to pay and retain their homes, not to exceed one dollar on the one hundred dollars assessed value of all the real and personal property in said county for said years.

Sec. 2. That the Board of Commissioners of the County of Macon are hereby authorized, empowered and directed to make such settlement and adjustment of the bonded indebtedness of the County of Macon, both as to principal and interest, with the bondholders of said county, as in their opinion the taxpayers of said county may be able to pay, and, if necessary, to issue new bonds of the county in exchange and in settlement of the old bonds, and upon such terms as to payment and rate of interest as may be agreed upon by said bondholders and said Board, it being the purpose of this section of this Act to enable the Board of County Commissioners of the County of Macon to refund the present
bonded indebtedness of said county upon such terms both as to interest and principal of said indebtedness, so that the County of Macon may be able to pay the same without default as to such adjusted indebtedness.

Sec. 3. That after the years of one thousand nine hundred thirty-five and one thousand nine hundred thirty-six it shall be the duty of the Board of County Commissioners of the County of Macon to find as a fact annually before making the annual tax levy for said county whether said economic emergency still exists, and if it shall appear to said Board that the prices of wheat, corn, potatoes, cabbage and other farm products and sources of revenue of said county have returned to the prices or value of the same at the time of the incurring of said bonded indebtedness or substantially so, then and in that event, said Board of County Commissioners shall levy such taxes as may be necessary to pay off and discharge said indebtedness; but if said Board shall find as a fact that said economic emergency still exists they shall levy only such taxes for debt service as in their opinion the taxpayers of said county are able to pay and retain their homes: Provided, however, the findings of fact under this section by the Board of Commissioners may be reviewed by the courts, it not being the purpose of this Act to repudiate the bonded indebtedness of the County of Macon but to so adjust it as to do justice both to the taxpayers and the bondholders of said county.

Sec. 4. That the provisions of this Act are hereby declared to be severable. If one provision hereof shall be found by the decision of the Court of competent jurisdiction to be invalid such decision shall not affect the other provisions of this Act.

Sec. 5. That this Act shall apply to the County of Macon only.

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

Ratified this the 30th day of April, A.D. 1935.

H. B. 916  CHAPTER 398

AN ACT TO AMEND CHAPTER FIVE HUNDRED SEVENTY-NINE, PUBLIC-LOCAL LAWS ONE THOUSAND NINE HUNDRED THIRTY-THREE, RELATING TO GAME LAWS FOR HARNETT COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That Section one, Chapter five hundred and seventy-nine of the Public-Local Laws of one thousand nine hundred and thirty-three, be, and the same is hereby amended by striking out the word "Harnett" in the second line of said section, thus exempt-
ing Harnett County from the provisions of said chapter relating to open season for hunting 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 30th day of April, A.D. 1935.

H.B. 1021  CHAPTER 399
AN ACT REQUIRING A NEW REGISTRATION OF VOTERS IN HAYWOOD COUNTY.
The General Assembly of North Carolina do enact:

SECTION 1. That there is hereby ordered a new registration of the voters in Haywood County for all municipal, county and State elections and primaries to be held in the year one thousand nine hundred and thirty-six, the time for said new registration to be fixed and called by the Chairman of the Board of Elections of Haywood County, in accordance with the General Election Laws affecting registration of voters.

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

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

Ratified this the 30th day of April, A.D. 1935.

H.B. 1011  CHAPTER 400
AN ACT TO DIVIDE MARTIN COUNTY INTO FIVE DISTRICTS, FROM EACH OF WHICH SHALL BE ELECTED A MEMBER OF THE BOARD OF COUNTY COMMISIONERS.
The General Assembly of North Carolina do enact:

That for the purpose of having the County Commissioners of Martin County a body representative of the whole county, the nomination of County Commissioners for said Martin County shall be governed as follows:

SECTION 1. For effectuating the purpose of this Act the County of Martin shall be divided into five districts, each of said districts to comprise two townships, as follows: Jamesville and Wil-
Sec. 1. The Department of Conservation and Development, under the authority granted by law for the regulation of the taking of game, is hereby authorized and directed, under its rules and regulations, to prohibit the setting of steel traps in Hoke 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 30th day of April, A.D. 1935.
H. B. 1150  
CHAPTER 402
AN ACT RELATING TO HUNTING QUAIL IN CATAWBA COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the open season for hunting quail in Catawba County shall be from December, the twentieth, to January, the tenth.

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

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

Ratified this the 30th day of April, A.D. 1935.

S. B. 541  
CHAPTER 403
AN ACT FOR THE RELIEF OF C. C. HOWELL, FORMER SHERIFF OF MONTGOMERY COUNTY.

Whereas, the tax list of Montgomery County for the taxes for the years one thousand nine hundred and twenty-seven and one thousand nine hundred and thirty were duly endorsed by the authorities of said county levying said taxes and delivered to C. C. Howell, Sheriff and tax collector of said county, with an order to said Sheriff and tax collector for the collection of the same;

And whereas, it was ordered by the Board of Commissioners of said County of Montgomery in the settlement with the said C. C. Howell that the uncollected taxes for the year one thousand nine hundred and twenty-seven and year one thousand nine hundred and thirty be delivered to said C. C. Howell, with the right and authority to collect the said uncollected taxes for which the said Sheriff had paid to the said County of Montgomery in making said settlement;

And whereas, the said Sheriff now holds tax receipts for uncollected taxes for the years one thousand nine hundred and twenty-seven and one thousand nine hundred and thirty which were delivered to him in said settlement for the purpose of making collections thereof and applying the proceeds to the said Sheriff for the purpose of reimbursing him for moneys advanced in said settlement by him; Now, Therefore,

The General Assembly of North Carolina do enact:

Section 1. That C. C. Howell, former Sheriff of Montgomery County, is authorized and empowered to collect the taxes for the
years one thousand nine hundred and twenty-seven and one thousand nine hundred and thirty, remaining unpaid, upon the list endorsed by the authorities of Montgomery County, levying the same and delivered to him in his settlement with the Board of Commissioners of Montgomery County; and for that purpose the said C. C. Howell is authorized and empowered to make demand for, levy upon, advertise and sell the property of the several delinquent taxpayers to the same extent and in the same manner provided therefor in Article fourteen, Chapter one hundred thirty-one, Consolidated Statutes of North Carolina.

Sec. 2. Any sales of real estate made hereunder shall be made in accordance with the laws now in force.

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

Ratified this the 2d day of May, A.D. 1935.

S. B. 542

CHAPTER 404

AN ACT TO REQUIRE TESTING FOR CONTAGIOUS ABORTION OF CATTLE 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 sell, distribute or in any manner dispose of milk or milk products for human consumption in the City of Asheville and Buncombe County from any cow or herd of cows that have not been tested by a competent veterinarian within the year, or every ninety days if deemed necessary by the health officer, and found to be free from contagious abortion.

Sec. 2. That after this Act becomes effective a three-tube dilution, serological blood test of all herds of cattle and additions thereto shall be made by the county veterinarian, or some licensed veterinarian approved by him and the health officer, before any milk, or its products, is sold from said cows, or herds of cows, as provided in Section one of this Act. A certificate certifying each animal, signed by the veterinarian making such test, shall be filed with the Health Department of the City of Asheville, and shall be evidence of the test and with the compliance with this Act.

Sec. 3. That it shall be the duty of the County of Buncombe and the City of Asheville, through the respective governing bodies of said County and City, to immediately employ a competent veterinarian, or authorize and direct the veterinarian employed under Chapter three hundred thirty-four, Public-Local Laws, Session one thousand nine hundred twenty-one, to make the test provided
for herein, and furnish such veterinarian or veterinarians with all necessary expenses and equipment, at an adequate salary payable monthly, said County and City each paying one-half of the cost of such necessary expenses, equipment and salary to test for contagious or bangs abortion all cattle whose milk, or the products thereof, are sold in the City of Asheville or Buncombe County and all other cattle that come in contact with, or are pastured with, or that are placed in pastures or otherwise in close proximity to said milking cows or herd; and such tests and all other duties required of the veterinarian, or veterinarians, employed hereunder shall be without charge to the individual person or corporation requiring such service.

SEC. 4. That the governing bodies of the City of Asheville and County of Buncombe may, by joint resolution upon the recommendation of the health officer, in writing, make such rules and regulations as they, in their discretion, may deem necessary, to make this Act more effective.

SEC. 5. That any person, firm or corporation violating the terms of this Act shall, upon conviction, be fined not exceeding fifty dollars ($50.00) or imprisoned not exceeding thirty days, and each day of such violation shall constitute a separate and distinct offense.

SEC. 6. That this Act shall be construed as an addition to all laws and clauses of laws, or ordinances, relative to health, sanitation or cows and herds of cows and the sale of milk and milk products in the City of Asheville and Buncombe County not in conflict herewith.

SEC. 7. That this Act shall apply to the County of Buncombe.

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

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

Ratified this the 2d day of May, A.D. 1935.

H. B. 1096  CHAPTER 405

AN ACT FIXING THE FEES OF JURORS IN MACON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the fees of all jurors serving in the Superior Court of Macon County shall be two dollars and fifty cents ($2.50) 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.
Sec. 2. That this Act shall be construed as repealing Chapter four hundred and three of the Public-Local Laws of one thousand nine hundred thirty-three, or any other Act relating to pay for jurors in the Superior Court of Macon County.

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

Ratified this the 2d day of May, A.D. 1935.

H. B. 1078 CHAPTER 406

AN ACT TO AMEND HOUSE BILL SIX HUNDRED TWENTY-THREE, SAME BEING "AN ACT TO FIX THE FEES TO BE COLLECTED BY THE CLERK OF THE RECORDER'S COURT OF GRANVILLE COUNTY, NORTH CAROLINA," RATIFIED MARCH TWENTY-SECOND, ONE THOUSAND NINE HUNDRED THIRTY-FIVE.

The General Assembly of North Carolina do enact:

Section 1. That Section one of House Bill six hundred and twenty-three, same being "An Act to fix the fees to be collected by the Clerk of the Recorder's Court of Granville County, North Carolina," ratified March twenty-second, one thousand nine hundred and thirty-five, be, and the same is hereby amended by inserting after the words "Docketing summons, twenty-five cents" and before the word "execution," the words "Docketing warrant or other original process, twenty-five cents."

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

Ratified this the 2d day of May, A.D. 1935.

H. B. 1112 CHAPTER 407

AN ACT TO REPEAL PORTIONS OF CHAPTER TWO HUNDRED AND TWENTY-FIVE, PUBLIC-LOCAL LAWS OF THE GENERAL ASSEMBLY OF ONE THOUSAND NINE HUNDRED THIRTY-THREE.

The General Assembly of North Carolina do enact:

Section 1. That all of Sections twenty-three and twenty-four of Chapter two hundred twenty-five, Public-Local Laws of the Session of the General Assembly of North Carolina of one thousand nine hundred thirty-three, be, and the same are hereby repealed.
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Sec. 2. That Section twenty-six of said Chapter two hundred twenty-five, Public-Local Laws of the General Assembly, Session one thousand nine hundred thirty-three, be amended by placing a period after the word "Hanover," being the first word in line two of said Section twenty-six, and that said section be further amended by striking out the remaining words in said line two after the word "Hanover" as follows: "and the City of Wilmington."

Sec. 3. That all laws and parts 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 2d day of May, A.D. 1935.

H. B. 1168

CHAPTER 408

AN ACT AUTHORIZING THE COMMISSIONERS OF BERTIE COUNTY TO FIX THE SALARIES OF THE VARIOUS OFFICERS OF BERTIE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the Board of County Commissioners of Bertie County be, and it is hereby authorized and empowered to increase the salaries of all officers of Bertie County, as it may deem best in its discretion; but in no event to exceed the salaries paid to the various officials of Bertie County on January first, nineteen hundred thirty-two.

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 2d day of May, A.D. 1935.

H. B. 1231

CHAPTER 409

AN ACT TO FIX THE COMPENSATION OF THE SHERIFF, AND CREATE THE OFFICE OF TAX SUPERVISOR AND TAX COLLECTOR FOR AVERY COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the salary of the Sheriff of Avery County is hereby fixed at twenty-four hundred dollars per annum, and shall be payable monthly at the rate of two hundred dollars per month.
by the Board of Commissioners of said county. In addition to said salary, the Sheriff shall be allowed the fees and expenses as set forth in Section three thousand nine hundred and eight of the Consolidated Statutes of North Carolina: Provided, however, that this section shall not repeal House Bill number three hundred and four, ratified March eleventh, one thousand nine hundred and thirty-five, and being entitled "An Act to authorize the County Commissioners of Avery County to fix, raise, lower, or adjust the 'turn-key' fees paid the jailer for prisoners of Avery County."

Sec. 2. That there is hereby created the office of Tax Supervisor and Tax Collector, upon whom there is hereby imposed all duties and powers now, or which may hereafter be, by law, imposed and conferred upon tax supervisors and tax collectors. After said Tax Supervisor and Tax Collector has qualified as herein-after provided, he shall receive the tax books of the levy of the year one thousand nine hundred and thirty-five, and all duties and powers now or hereafter imposed by law relating to the collection of taxes are hereby imposed and conferred upon him. The Board of County Commissioners shall require the Tax Supervisor and Tax Collector to furnish good and sufficient bond for the faithful performance of his duties as provided by law, the amount of said bond to be fixed by the Board, the premium, if any, for said bond to be paid by said Board of Commissioners. Before receiving the tax books or collecting the taxes of any year, the County Tax Supervisor and Tax Collector shall qualify by furnishing such bond as provided herein and by making a full and complete settlement of the taxes for the previous year as required by the general law. The County Tax Supervisor and Tax Collector shall collect all current and delinquent taxes. As Tax Supervisor, he shall supervise the listing of taxes beginning with those listed for the year one thousand nine hundred and thirty-six.

Sec. 3. After making a full and complete settlement of the taxes of the levy of the year one thousand nine hundred and thirty-four and any delinquent taxes, the Sheriff of Avery County shall be relieved of all duties and powers relating to the collection of taxes, which settlements shall be made prior to the first Monday in December, one thousand nine hundred and thirty-five.

Sec. 4. That the salary for the Tax Supervisor and Tax Collector is hereby fixed at one thousand and eighty dollars per annum, payable monthly, by the Board of Commissioners of said county.

Sec. 5. That the said Tax Supervisor and Tax Collector shall receive no additional compensation or remuneration except that set forth in Section four for conducting land sales and preparing tax certificates, or levying on personal property, or preparing the insolvent list, but such fees as allowed by law for the conducting of said land sales and preparing tax certificates, and levying on
personal property or preparing the insolvent list is hereby assessed against the taxpayer as now provided by law and shall be paid to the county under and by virtue of the laws governing penalties and costs as applicable to delinquent taxes. It is the intent and purpose of this Act that the amount of salary designated herein shall cover all traveling expenses, clerical assistance and other expenses incident to the duties of said office, except that the said Board of Commissioners shall pay for postage and the printing of all notices and forms required or authorized by law: Provided, that this Act shall not be construed to require said Tax Supervisor and Tax Collector to institute and/or pay the costs of tax foreclosure suits.

Sec. 6. That said Tax Supervisor and Tax Collector shall make settlement and pay over to the county each day all monies collected.

Sec. 7. That Howard Daniels is hereby appointed Tax Supervisor and Tax Collector for a period of two years, subject, however, to the provisions of this Act, and to removal for good cause by the Board of Commissioners of said county. Upon the termination of the term of office of Howard Daniels, or his failure to qualify, the Board of County Commissioners is hereby authorized to appoint some competent and trustworthy person as Tax Supervisor and Tax Collector for a term of two years; and biennially thereafter a Tax Supervisor and Tax Collector shall be appointed by said Board, subject to removal for good cause.

Sec. 8. That the provisions of this Act shall become operative from and after the first Monday in December, one thousand nine hundred and thirty-five.

Sec. 9. That all laws or clauses of laws in conflict herewith are hereby repealed.

Sec. 10. That this Act shall be in full force and effect from and after its ratification.

Ratified this the 2d day of May, A.D. 1935.

S. B. 508 CHAPTER 410

AN ACT TO PREVENT INTERFERENCE WITH GRAVE YARDS IN DUPLIN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. If any person shall unlawfully remove or take away from any grave yard and/or cemetery in Duplin County, any materials, ornaments, flower wreaths, flower containers, flowers, plants, trees or shrubbery of any kind or description without the consent of the next of kin of the deceased, or the person
having charge of such grave, grave yard or cemetery shall be
guilty of a misdemeanor, and on conviction shall be fined or
imprisoned in the discretion of the Courts.

Sec. 2. That nothing in the provisions of this Act shall con-
flict or repeal any of the provisions of Sections four thousand
three hundred twenty, four thousand three hundred twenty-one,
and four thousand three hundred twenty-two, of the Consolidated
Statutes of North Carolina.

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

Ratified this the 2d day of May, A.D. 1935.

S. B. 534  CHAPTER 411
AN ACT TO REGULATE THE HUNTING OF FOXES IN
GRANVILLE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That it shall be unlawful for any person to hunt or
kill foxes in Granville County except during the open season
which shall be from the fifteenth day of September to the fif-
teenth day of January, inclusive.

Sec. 2. That any person violating any of the provisions of this
Act shall be guilty of a misdemeanor and upon conviction shall
be fined not less than ten nor more than fifty dollars or impris-
oned not exceeding 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 2d day of May, A.D. 1935.

H. B. 1238  CHAPTER 412
AN ACT TO VALIDATE TAX SALE CERTIFICATES AND
FORECLOSURE SUITS OF TAX SALE CERTIFICATES
IN BUNCOMBE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That all sales of lands for taxes made by the
sheriffs or any tax collecting authorities in Buncombe County,
and all tax sale certificates issued for such tax sales for the years
one thousand nine hundred and twenty-seven, one thousand nine hundred and twenty-eight, one thousand nine hundred and twenty-nine, one thousand nine hundred and thirty, one thousand nine hundred and thirty-one, one thousand nine hundred and thirty-two, one thousand nine hundred and thirty-three, be, and same are hereby validated irrespective of the date on which such tax sales may have been held, or by reason of any other deficiency in the advertisement of such sales, or by reason of any other defects or informalities of any nature whatever.

Sec. 2. That all tax sale certificates foreclosure suits heretofore instituted in the County of Buncombe or any municipality in said county, in which summons has not been served, or in which alias or pluries summons has not been regularly issued, as prescribed by law, or in which any notice or publication prescribed by law had not been regularly given, then such summons may be served and alias or pluries summons may be issued, and in all cases where summons in such tax foreclosure suits has been issued and served, but such service has not been within the time prescribed by law, or in which alias or pluries summons has been issued, and served, but such issuance or service has not been within the time prescribed by law, such summons and the issuance and service thereof in all tax foreclosure suits heretofore instituted are hereby validated, and any notice or publication required by law may be issued or such notice or publication given at any time prior to the first day of October, one thousand nine hundred and thirty-five, and thereafter such tax foreclosure suits may be prosecuted as now prescribed by law.

Sec. 3. The time for the institution of the tax sale certificate foreclosure suits of Buncombe County or any municipality or political subdivision thereof upon tax sale certificates for taxes due in the years of one thousand nine hundred and thirty-three and prior thereto back to and including the year of one thousand nine hundred and twenty-seven, is hereby extended until the first day of April, one thousand nine hundred and thirty-six, and tax sale certificates for ensuing years shall be brought within the time prescribed by existing law regulating such time.

Sec. 4. That in all cases where the tax collectors of the various municipalities in Buncombe County or any political subdivision thereof have not sold lands by reason of the nonpayment of taxes in the years one thousand nine hundred and thirty-three and prior thereto until and including the year one thousand nine hundred and twenty-seven, and such taxes are still due such municipality, then the governing body of such municipality be and they are hereby authorized and empowered to cause sales of such lands to satisfy such taxes to be made by the tax collectors of such municipalities at any time prior to July one, one thousand nine hundred and thirty-five, upon the first Monday of any month,
such sales to be advertised and made in accordance with the provision of existing law, and tax sale certificates to be issued therefor.

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

Ratified this the 2d day of May, A.D. 1935.

H. B. 1129 CHAPTER 413

AN ACT FOR PROVIDING FOR THE ADJUSTMENT OF DELINQUENT TAXES IN PENDER COUNTY AND TO CREATE A COMMISSION FOR EFFECTING SUCH ADJUSTMENTS.

The General Assembly of North Carolina do enact:

SECTION 1. That there is hereby created for the County of Pender a body which shall be known as "The Delinquent Tax Adjustment Commission of Pender County" and which shall be hereinafter referred to as "The Commission." The membership of the Commission shall consist of the members of the Board of County Commissioners, who shall serve ex officio, and four other persons who are freeholders in the County and who have paid their taxes in full for all years prior to the year one thousand nine hundred thirty-four. R. V. Eakins, D. J. Farrior, T. J. Henry and Joe F. Howard are hereby appointed as members of the Commission. Any vacancies occurring in the appointed membership of the Commission shall be filled by appointment by the Commission with due regard to the qualifications for membership herein provided. The Chairman of the Board of County Commissioners shall serve as ex officio Chairman of the Commission. Each member of the Commission shall be entitled to a fee of five dollars per diem as compensation for his services while actually engaged in the performance of his duties as a member of the Commission.

Sec. 2. After the ratification of this Act and before the first day of May, one thousand nine hundred thirty-five, the Commission shall meet and organize. They shall cause to be mailed to each delinquent taxpayer for the year one thousand nine hundred thirty-two and all years prior thereto a notice calling upon them to file application with the Commission on or before the first Monday in July, one thousand nine hundred thirty-five, which application shall be in writing and shall contain a description of the property upon which such taxes are unpaid, stating the year in which such taxes were levied and the amount of such taxes, by years, and shall contain a request to the Commission.
that such taxes and any accrued penalties and interest thereon be adjusted and reded, setting forth in such request the reasons why the request is made. Failure to file such application shall prevent any consideration or action by the Commission for adjustment and reduction of taxes. The Commission shall between the first Monday in July and the first Monday in September file a complete report of all adjustments to the Board of Commissioners of Pender County, and the Commission shall on the first Monday in September, one thousand nine hundred thirty-five, be dissolved. All delinquent taxpayers that have applied for adjustment and adjustments have been made by the Commission shall have until the first Monday in July, one thousand nine hundred thirty-six, in which to make final settlement. The Board of Commissioners of Pender County shall pay all expenses of the Commission and any clerical help employed out of the general county fund. The Commissioners shall cause the county fund to be reimbursed from moneys collected out of the adjusted tax fund. After the general fund has been reimbursed for the expenses of the Commission, the County Commissioners of Pender County shall cause the amount due the State to be paid, and the amount due the general county fund, to be paid into the general county fund of Pender County. All of the balance and residue collected from delinquent taxes for one thousand nine hundred thirty-two and years prior thereto shall be set up by the County Commissioners in the debt service fund, for the purpose of paying the outstanding debt service obligations of Pender County.

Sec. 3. That the Commission shall meet at the courthouse on the first Monday in July, one thousand nine hundred thirty-five, for the purpose of acting upon such applications as have been filed in accordance with Section two of this Act and shall continue in session until all applications have been acted upon: Provided, however, the deliberations of this body shall not extend beyond the first Monday in September, one thousand nine hundred thirty-five. The Commission shall, in its discretion, adjust and reduce any of such taxes, including accrued penalties and interest thereon, or shall decline to make such adjustment and reduction. Action of the Commission shall be final with respect to the said taxes owing the County and its subdivisions. The proceedings of the Commission shall be recorded by the Clerk of the Board of County Commissioners, who shall act as ex officio Clerk of the Commission, and such proceedings shall be permanently filed with the Clerk of the Board of County Commissioners for public inspection.

Sec. 4. That any action or proceedings now prescribed by law for the collection of delinquent taxes shall be held in abeyance until after July first, one thousand nine hundred thirty-six:
Provided, however, such extension shall apply only to those taxes adjusted and reduced by the Commission.

Sec. 5. After the first Monday in September, one thousand nine hundred thirty-five, the Commissioners of Pender County may, in their discretion, designate some proper citizen to act as collector for all delinquent taxes now owing Pender County, and shall have authority to turn over the tax books and records to said collector and shall require of him a bond in an amount to be designated by the Commissioners of Pender County.

Sec. 6. That 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 2d day of May, A.D. 1935.

H. B. 1274  CHAPTER 414

AN ACT TO PERMIT THE COUNTY COMMISSIONERS OF MECKLENBURG COUNTY TO EMPLOY AN ATTORNEY TO ASSIST IN THE PROSECUTION OF THE CRIMINAL DOCKET OF MECKLENBURG COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. The Board of County Commissioners of Mecklenburg County are hereby authorized and empowered to employ a competent attorney of Mecklenburg County to assist in the prosecution of the criminal docket of the Superior Court of Mecklenburg County for a period of two years, or until the Board of Commissioners of Mecklenburg County shall find as a fact that such assistance is no longer necessary.

Sec. 2. The selection of an attorney of Mecklenburg County to assist the solicitor of the district in the prosecution of the criminal docket of the Superior Court of Mecklenburg County, and the salary to be paid, shall be entirely within the discretion of the Board of County Commissioners of Mecklenburg County.

Sec. 3. The salary to be paid for assisting the solicitor of the district in the prosecution of the criminal docket of Mecklenburg County shall be paid from the general funds of the County of Mecklenburg, and shall be paid in such manner as shall be prescribed by the Board of County Commissioners of Mecklenburg County.

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

Ratified this the 2d day of May, A.D. 1935.
CHAPTER 415

AN ACT TO AMEND CHAPTER TWO HUNDRED AND TWENTY-FIVE, PUBLIC-LOCAL LAWS ONE THOUSAND NINE HUNDRED AND THIRTY-THREE, RELATING TO DEPUTY CLERKS OF THE COURT OF NEW HANOVER COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That Section ten of Chapter two hundred twenty-five of the Public-Local Laws of North Carolina, Session of one thousand nine hundred thirty-three, be, and the same is, hereby amended by striking out the letter “a” in line five, and inserting in lieu thereof the word “two”; and by striking out the word “Clerk” in line six, and inserting in lieu thereof the word “Clerks”; and by inserting after the word “Court” in line six, the words “one of”; and by inserting after the word “annum” in line seven, the words “and the other whose salary shall be fifteen hundred ($1,500.00) dollars per annum.”

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 2d day of May, A.D. 1935.

CHAPTER 416

AN ACT TO VALIDATE TAX SALES IN PASQUOTANK COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That all sales of real estate for delinquent taxes conducted by the Sheriff of Pasquotank County during the year 1934 or prior thereto, whether held on the day or days provided by law or not, are hereby ratified, and the rights of Pasquotank County or any purchaser at such sales shall have the same force and effect as though said sale had been conducted at the times and in the manner heretofore provided for in the Consolidated Statutes of North Carolina.

Sec. 2. That all laws and clauses of laws in conflict herewith be, and the same are hereby repealed.

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

Ratified this the 2d day of May, A.D. 1935.
H. B. 1287  CHAPTER 417

AN ACT TO ALLOW FURTHER TIME IN WHICH TO BRING TAX FORECLOSURE SUITS IN HYDE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That suits to foreclose tax sales certificates issued for delinquent taxes due Hyde County for the year one thousand nine hundred and thirty-two and for subsequent years shall not be brought within two years from and after the ratification of this Act but that said suits may be brought within six months from and after the expiration of said time.

Sec. 2. That all tax sales certificates heretofore issued by the sheriff of Hyde County or the proper officer thereof are hereby declared to be in all respects valid and regular.

Sec. 3. That all tax foreclosure suits heretofore instituted by said county are hereby declared to be valid and binding upon the owners and any other person interested in the lands therein referred to respectively.

Sec. 4. That this Act shall apply only to Hyde 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 2d day of May, A.D. 1935.

H. B. 313  CHAPTER 418

AN ACT RELATING TO JOINT ACTS OF MUNICIPALITIES AS TO WATER SYSTEMS AND SEWERAGE WORKS.

The General Assembly of North Carolina do enact:

SECTION 1. That two or more municipal corporations shall have authority as hereinafter provided and set forth, by the adoption of a resolution or resolutions agreeing thereto, to be passed by the governing bodies of said municipalities, to establish, construct, maintain and operate a joint water system or joint sewerage works including sewage treatment facilities.

Sec. 2. That said municipalities determining upon such water and/or sewerage works are hereby authorized and given the same authority to issue bonds for the establishment and construction of said water and/or sewerage systems as any municipal corporation now has under the general or special laws of North Carolina, and the bonds issued therefor shall be issued jointly or separately.
by said municipal corporations, and a uniform tax rate levied in each of said municipal corporations, or separate tax notes, as may be determined by agreement, in order to pay off and discharge the principal and interest of said bonds in proportion to the tax valuation of the property in each of said municipal corporations, or as may be agreed upon.

Sec. 3. That the said municipalities, so agreeing to establish said water and/or sewerage works are hereby given the joint right of eminent domain to condemn rights of way for said water and sewer lines, with the right of eminent domain to condemn land for water protection or for sewage treatment facilities, or for other necessary purposes as is now provided by the general laws of North Carolina or any special Acts relating to said municipalities; and procedure for such condemnation, and for the payment of damages thereon awarded, shall be as in other cases, as provided under the general laws of North Carolina under the chapter of Eminent Domain in the Consolidated Statutes of North Carolina.

Sec. 4. That in order to pay the cost of the construction, maintenance, and operation of said water and/or sewerage works the municipal corporations are hereby given the right to fix and establish a charge as may be agreed upon between the governing bodies of said municipalities against all persons, firms, or corporations within said municipal corporations for the use of said water and/or sewerage works, such charge to be in proportion to the amount of water used by each person, firm, or corporation. Which rate for said sewerage works in addition to charges for water, shall not exceed the rate of fifteen (15) cents per thousand gallons of water so used and disposed of, and after the completion of the payment of the cost of said sewerage works the said municipal corporations may continue to charge such reasonable amount not to exceed the sum hereinbefore specified for the use of said sewerage works.

Sec. 5. That the charges or rents made for the use of said water and sewerage works shall be a lien upon the property served, and if any such charge or rent shall not be paid within fifteen days after the same becomes payable, it may be collected as herein otherwise provided, or by suit in the name of the municipal corporation, or the property subject to the lien thereof may be sold by the municipality under the same rules, regulations, rights of redemption and savings as are now or may hereafter be prescribed by law for the sale of land for unpaid taxes.

Sec. 6. That said municipalities are also hereby authorized and empowered to charge any person, firm, or corporation or other municipality not joining in said enterprise, outside of the corporate limits of said corporations, which may desire to use said water or sewerage works, a rent or charge for the use of
said water or sewerage works based on the same rates charged against the users of said water or sewerage works within said corporate limits, plus not to exceed twenty-five per cent additional.

Sec. 7. That the said municipal corporations shall have the right to establish reasonable rules and regulations for the use of said water or sewerage works and for the collection of charges therefor, and said municipalities, through their officers or agents, are hereby authorized and empowered to enter upon the premises of any person, firm or corporation using the said water or sewerage works who or which shall have failed to pay the charges therefor, in accordance with the reasonable regulations, and disconnect the water or sewer line of such person, firm, or corporation from the public water or sewer line or disposal plant; and any person, firm, or corporation who shall connect with such public water or sewer line or disposal plant, or reconnect his or their property therewith, without a permit from the officer authorized to give the same, such person, firm or corporation shall be guilty of a misdemeanor and fined or imprisoned at the discretion of the Court.

Sec. 8. That it shall be lawful for said municipal corporations, by joint or separate act, to enter into a contract with any industrial plant within or without the corporate limits for the use of the sewerage works for the disposal of its wastes, whether such industrial plant shall use the municipal water system or derive water from some other source, and the charges made for such use by such industrial plant, on account of the quantity of sewage or wastes and the extent of the use of the same, may in the discretion of said municipalities through their governing boards be fixed at a reasonably lower rate by reason of the quantity of sewage or wastes produced than the charge fixed against persons, firms, or corporations using a less quantity of water; and said municipalities may regulate the charges for all persons, firms, and corporations on a graduated scale, reducing the rate as the quantity of sewage or wastes disposed of through said sewerage works increases. However, the said municipal corporations, by joint or separate act, may require an industrial plant to pretreat its waste and/or may charge such industrial plant an additional amount because of increased operating costs at the sewage treatment works due to the presence of such industrial waste and the increased cost of treating such wastes.

Sec. 9. That it shall be lawful for the State Board of Health, or the local Health Officer where it may be deemed expedient for the health of any community or vicinity and for the proper sanitation thereof, to require all persons, firms, or corporations within reasonable distance of such sewerage system to connect to said sewerage system, and to pay said municipalities the charges
fixed by them thereafter, or to otherwise dispose of sewage so as not to pollute any stream or body of water as now provided by law, or as may hereafter be provided.

Sec. 10. This Act shall apply only to municipal corporations in Haywood County.

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

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

Ratified this the 3d day of May, A.D. 1935.

H. B. 1207

CHAPTER 419

AN ACT TO FIX THE JURISDICTION OF THE COUNTY CRIMINAL COURT IN CABARRUS COUNTY, AND TO MORE DEFINITELY DEFINE THE PROCEDURE THEREIN, AND TO REGULATE THE COSTS, FEES, ETC.

The General Assembly of North Carolina do enact:

Section 1. That whenever a county criminal court shall be established for the County of Cabarrus under the provisions of Chapter eighty-nine of the Public Laws of one thousand nine hundred and thirty-one, the following provisions of law shall apply thereto with regard to the jurisdiction of said court, the practice and procedure therein and the fees and costs to be charged.

Sec. 2. That the said county criminal court shall have, in addition to the jurisdiction provided in the aforesaid Chapter eighty-nine of the Public Laws of one thousand nine hundred and thirty-one, the following jurisdiction in criminal actions within the county:

1. Original, exclusive and concurrent jurisdiction, as the case may be, of all offenses within said county which are now or may hereafter be given to justices of the peace under the Constitution and general laws of the State, including all offenses of which mayors of towns or other municipal courts now have jurisdiction.

2. Original and concurrent jurisdiction with justices of the peace to hear and bind over to the Superior Court all persons charged with any crime within the territory of the county criminal court and of which said court is not herein given final jurisdiction.

Sec. 3. Upon establishment of the county criminal court as herein provided, the police justice court for the City of Concord, established under Chapter three hundred and forty-four of the Private Laws of North Carolina, Session of one thousand nine hundred and seven, and amendments thereto, shall be temporarily
Transfer of jurisdiction to County Criminal Court.

Place of sitting.

Time of sessions.

Appeals to Court from J. P.'s.

Practice and procedure.

Solicitor's fee charged in costs where conviction obtained.

Judgment fee also charged.

Concord police chief directed to issue warrants returnable to Court.

Fixing bail.

Disposition of fees of salaried officers.

Limitation on clerk's fee.

Conflicting laws repealed.

suspended during the continuance of the county criminal court, and all of the jurisdiction heretofore exercised by the police justice court is hereby transferred to the said county criminal court.

Sec. 4. That the said county criminal court shall sit for the dispatch of business at the county seat in the courthouse or other buildings, and/or at such other places as may be provided and established therefor by the Board of County Commissioners, and at such times as in the sound discretion of the court sittings and hearings should be had so as to promote the best interests of the county and the efficient enforcement of the law therein.

Sec. 5. That all appeals shall lie to the said county criminal court from criminal matters finally heard and determined by the justices of the peace in said county.

Sec. 6. That the practice and procedure in the trial of criminal cases in said county criminal court shall be according to the rules of practice and procedure in the Superior Court as nearly as the same is practicable.

Sec. 7. That in all cases where the defendant shall plead guilty or shall be convicted, there shall be taxed in the bill of costs in cases wherein justices of the peace have not final jurisdiction a fee of not more than four dollars in lieu of prosecuting attorney's fees and in all cases tried in said court, wherein the defendant is convicted or pleads guilty, regardless of the jurisdiction of the offense committed, there shall be taxed in the bill of costs a judgment fee of not more than two and one-half dollars, which shall be paid by the defendant, which said fees shall go into the general county fund.

Sec. 8. That the chief of police for the City of Concord is hereby authorized and directed to issue warrants for crimes committed within the corporate limits of said city, and within a mile beyond said corporate limits returnable to the said county criminal court, and all fees for issuing such warrants, subpoenas, fixing bail, executing commitments and other processes shall be paid into the treasury of the said City of Concord.

Sec. 9. That all fees claimed in the bill of costs by officers who receive a monthly salary from the City of Concord shall be paid into the treasury of said city.

Sec. 10. That in all cases wherein a justice of the peace has final jurisdiction, the clerk's fees shall not exceed the amount authorized to be charged by justices of the peace.

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

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

Ratified this the 3d day of May, A.D. 1935.
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 be allowed the following fees and expenses, namely:

Issuing attachment papers, fifty (50c) cents for the original and twenty-five (25c) cents for each copy thereof; for transcript of judgment twenty-five (25c) cents; for issuing summons twenty-five (25c) cents and twenty (20c) cents for each additional defendant; issuing subpoena twenty-five (25c) cents for each witness; for trial and judgment one ($1.00) dollar; for taking affidavit twenty-five (25c) cents; for jury trial and verdict one ($1.00) dollar; for issuing execution fifty (50c) cents, and twenty (20c) cents for each renewal of execution; for return to notice of appeal fifty (50c) cents; for order of arrest in civil and criminal cases fifty (50c) cents; for warrant of arrest (criminal cases) twenty-five (25c) cents; for warrant of commitment twenty-five (25c) cents; for taking deposition fifteen (15c) cents for each copy sheet; for garnishment of taxes fifty (50c) cents; for certificate of return fifty (50c) cents; for examination of woman in bastardy proceedings fifty (50c) cents; for widow’s year’s allowance one ($1.00) dollar; for filing and docketing lien fifty (50c) 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 two and fifty one-hundredths ($2.50) dollars; for recognizing witnesses ten (10c) cents for each witness; for order or removal twenty-five (25c) cents; for capias and order one ($1.00) dollar.

Sec. 2. The Board of County Commissioners shall immediately upon ratification of this Act print, at the expense 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 justice of the peace to post a copy of same in his office.

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

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

Ratified this the 3d day of May, A.D. 1935.
H. B. 1309  
CHAPTER 421

AN ACT TO AMEND HOUSE BILL NUMBER NINE HUNDRED NINETY-SIX, ENTITLED "AN ACT TO ENABLE CABARRUS COUNTY TO ESTABLISH AND MAINTAIN A PUBLIC HOSPITAL, TO LEVY A TAX AND ISSUE BONDS THEREFOR, APPOINT HOSPITAL TRUSTEES, MAINTAIN A TRAINING SCHOOL FOR NURSES," ETC., RATIFIED APRIL SEVENTEENTH, ONE THOUSAND NINE HUNDRED AND THIRTY-FIVE.

The General Assembly of North Carolina do enact:

Section 1. That House Bill number nine hundred and ninety-six, entitled "An Act to enable Cabarrus County to establish and maintain a public hospital, to levy a tax and issue bonds therefor, appoint hospital trustees, maintain a training school for nurses," etc., ratified April seventeenth, one thousand nine hundred and thirty-five, be, and the same is hereby amended by striking out after the word "medicine" in line three of section ten of said Act the following words: "or allied occupations recognized by the laws of the State of North Carolina as contained in Chapter one hundred and ten of the Consolidated Statutes."

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

Ratified this the 3d day of May, A.D. 1935.

H. B. 1299  
CHAPTER 422

AN ACT TO AMEND HOUSE BILL SIX HUNDRED TWENTY-THREE, SAME BEING "AN ACT TO FIX THE FEES TO BE COLLECTED BY THE CLERK OF THE RECORDER'S COURT OF GRANVILLE COUNTY, NORTH CAROLINA," RATIFIED MARCH TWENTY-SECOND, ONE THOUSAND NINE HUNDRED THIRTY-FIVE.

The General Assembly of North Carolina do enact:

Section 1. That that part of Section one of House Bill six hundred and twenty-three, same being "An Act to fix the fees to be collected by the Clerk of the Recorder's Court of Granville County, North Carolina," ratified March twenty-second, one thousand nine hundred thirty-five, fixing the charges to be made for a jury be, and the same is hereby stricken out and the following be and the same is hereby substituted in lieu thereof, "Jury, a jury tax in civil actions of one dollar per hour for such time as the jury is engaged in the trial of the particular case, with a
minimum charge of five dollars to be taxed against the losing party. In criminal actions, a jury tax of five dollars shall be taxed against each defendant demanding a jury. Whenever a jury is demanded in a civil action the demand shall be in writing and be signed by the party making it or by his attorney, and shall be accompanied by a deposit of five dollars to insure the payment of the minimum jury tax."

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

Ratified this the 3d day of May, A.D. 1935.

S. B. 464  CHAPTER 423

AN ACT TO CREATE THE OFFICE OF TAX COLLECTOR FOR SURRY COUNTY, AND TO PROVIDE FOR THE COLLECTOR OF COUNTY TAXES, AND OTHER TAXES AND LEVIES NOW AND HERETOFORE DEVOLVING UPON THE SHERIFF OF SURRY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That on or before the First Monday in November, one thousand nine hundred and thirty-six, the Board of Commissioners of the County of Surry, State of North Carolina, shall designate, name and appoint some suitable and competent person as Tax Collector for the County of Surry, who shall, thereupon and on or before the First Monday of December, one thousand nine hundred and thirty-six, furnish required bond or bonds, shall take oath of office and enter upon his duties as such Tax Collector.

Sec. 2. That the term of office of said appointed Tax Collector shall be for four years, beginning December (First Monday thereof) of the year one thousand nine hundred thirty-six; but such person shall be subject to be removed during such term, on account of determined incompetency, failure to discharge his duty or for other act or neglect rendering him unfit to discharge the duties of such office, removal in such case and for any of said causes to be by the Board of Commissioners, approved by the Resident Judge of the District.

Sec. 3. That on the First Monday in December, one thousand nine hundred thirty-six, all tax books and other necessary books and papers, pertaining to the office of Tax Collector shall be delivered to said appointed Tax Collector, who thereafter shall be responsible and liable as the Sheriff in his capacity as Tax Collector has heretofore been and whose bond or bonds shall be conditioned as heretofore obtained in the case of the Sheriff in his capacity as Tax Collector.
Sec. 4. That such Tax Collector, immediately upon entering upon the duties of his said office, shall have power and authority and be chargeable with all such duties as heretofore by law devolved upon the Sheriff of Surry County in his capacity as Tax Collector, under the general laws of the State of North Carolina, relating thereto; and in addition to such duties shall make and render statements and accounts, settlements and reports as in this Act required.

Sec. 5. That said Tax Collector shall maintain an office in the courthouse in Dobson, N. C., to be provided therein by the Board of Commissioners of said county, and he shall, moreover, at the county's expense, as to rental only, maintain an office in the Town of Mount Airy, for collection and receipt of taxes, especially for the following townships: Mount Airy, Stuart's Creek, Long Hill, Pilot and Westfield; and in the Town of Elkin an office, at the county's expense for rental only, for collection of and receipt of taxes for the following townships: Elkin, Bryan and Marsh.

Sec. 6. That the Tax Collector's office at Dobson, N. C., shall be open at all times during business hours of the day, Sundays and holidays excepted, for the receipt and collection of taxes; and in Mount Airy such office shall be kept open for the collection and receipt of taxes at least five days in the week, including Saturdays, and during business hours, Sundays and holidays excepted. And in the Town of Elkin he shall cause to be kept open for the collection and receipt of taxes the said office for at least three days in the week (Saturdays included) and during business hours, Sundays and holidays excepted. That "Business hours" herein used or referred to shall mean from Nine o'clock A.M. to Four-thirty o'clock P.M.

Sec. 7. That it shall be the duty of said Tax Collector to use due diligence and faithful effort to collect all the taxes, as and when the collection thereof is contemplated by law, and such collections faithfully to account for and turn over to the Treasury of the county and/or other proper legal authority; and he shall keep and observe the requirements of Article seven (b) Sections 1334 (47), 1334 (48); 1334 (49) and 1334 (50) of North Carolina Code of one thousand nine hundred and thirty-one, which sections, pertinent, shall apply to said Tax Collector. The Board of Commissioners of Surry County may, however, for cause postpone the day of sale of lands to any other First Monday of any month in the year; but such authority shall not relieve the Tax Collector of the duty to make and file the reports required by Article seven (b) Section 1334 (48) of North Carolina Code, or other requirements of him in said section except the postponement of advertising of taxes, if so ordered by the Board of Commissioners.
SEC. 8. That the said Tax Collector shall daily deposit all collections of taxes in that depository designated by the Board of County Commissioners to the credit of the county and of the funds to which they belong and shall daily report said deposits to the County Auditor by means of duplicate deposit receipt signed by the depository, *provided, however,* that with the approval of the Board of County Commissioners it shall be sufficient to deposit such collections in the name of the county, to the credit of a special account, from which distribution shall be made bi-weekly to the credit of the various funds to which such collections belong. The said Tax Collector shall render to the Board of Commissioners on the first Monday in each month a full accounting and showing of all moneys by him collected by virtue of his office and the application of the same, if any.

SEC. 9. That from and after the first Monday in December, one thousand nine hundred thirty-six, the salary of the Sheriff of Surry County shall be two thousand ($2,000.00) dollars per annum; he shall then be relieved of the duties of collecting taxes, all of which duties as heretofore pertaining to that said office being transferred to the Tax Collector. The Tax Collector shall receive a salary of two thousand ($2,000.00) dollars per annum and there shall be paid by the County of Surry for the employment and in the employment of assistants at Mount Airy and Elkin the sum of not exceeding seventy-five ($75.00) dollars per month for such assistant at Mount Airy and not exceeding the sum of forty-five ($45.00) dollars per month for such assistant at Elkin. That the salaries provided herein for the Tax Collector and the assistants shall be paid monthly and by and from the general fund of the county, but the said county general fund shall be reimbursed *pro rata* from the various funds and/or purposes for which taxes are levied on the basis of the amount so severally levied. The Sheriff's salary shall be payable in monthly installments from the general fund of the county. The Sheriff of said county shall receive such fees, pertaining to his duties as Sheriff of said county, as are now or may be hereafter fixed by law, but shall receive no fees or salary as or in the capacity of Tax Collector.

SEC. 10. That the salary and other provisions for payment of the expenses of the Tax Collector's office shall be in lieu of all other charges, fees and allowances, and said Tax Collector is required to do and perform all things necessary and connected with his said office, including making of lists, advertising of taxes or property for taxes, and all other things pertaining to his said office.

SEC. 11. On the first Monday of December, one thousand nine hundred thirty-six, there shall be turned over to the said Tax Collector not only current tax lists and books, but all delinquent
Chapter 423

Taxes and levies, and it shall be the said Tax Collector's duty to collect the same as provided by law. The said Tax Collector shall present to the Board of County Commissioners at each regular monthly meeting of said Board a full and itemized statement of all taxes collected by him since the last previous meeting of said Board.

Sec. 12. That this Act shall be in force from and after the first Monday in December, one thousand nine hundred thirty-six, provided the Board of Commissioners shall make appointment according to the requirements herein made and fix the bond of the said Tax Collector, and this Act shall apply to Surry County only.

Ratified this the 3d day of May, A.D. 1935.

H. B. 326

CHAPTER 424

AN ACT TO AMEND CHAPTER ONE HUNDRED ELEVEN OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED TWENTY-NINE WITH REFERENCE TO TAX COLLECTOR FOR RUTHERFORD COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That Section one of Chapter one hundred and eleven of the Public-Local Laws of one thousand nine hundred and twenty-nine shall be amended so as to read as follows: "That the office of Tax Collector of Rutherford County be, and the same is hereby created; that said Tax Collector shall be elected at the regular biennial election for the term of two (2) years to take office the First Monday in December as other local officers qualify; and the candidates therefor shall be selected in the primary election to be held in said county as other county officers. That until the next biennial election the present Tax Collector, namely: M. Y. Tate, shall continue to hold the office of Tax Collector until his successor is elected and qualifies. That any vacancy occurring in the office of Tax Collector by death, resignation or otherwise shall be filled by appointment by the Clerk of the Superior Court 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. This Act shall be in force from and after its ratification.

Ratified this the 3d day of May, A.D. 1935.
S. B. 517  

CHAPTER 425  

AN ACT TO PROVIDE FOR A TAX ON ITINERANT SECOND-HAND OR USED CAR DEALERS FOR ROBESON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That it shall be unlawful for any person, firm or corporation to operate as an itinerant second-hand or used car dealer in any county in the State of North Carolina without first having obtained from said county a license to so operate and pay the fee hereinafter provided for.

Sec. 2. That for the purpose of this Act an itinerant second-hand or used car dealer shall be a person, firm or corporation who deals in or sells second-hand or used automobiles and who has not been a bona fide resident of or has a fixed place of business in the county in which he operates for a period of six months prior to engaging in said business.

Sec. 3. That the license tax for each itinerant second-hand or used car dealer shall be two hundred and fifty ($250.00) dollars per year.

Sec. 4. That the taxes levied by this Act shall be in addition to and not in subrogation of any other tax levied by the State of North Carolina on automobiles.

Sec. 5. That this Act shall apply only to Robeson County.

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

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

Ratified this the 3d day of May, A.D. 1935.

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S. B. 489  

CHAPTER 426  

AN ACT DESCRIBING THE MANNER OF ADVERTISING AND SALE OF SCHOOL PROPERTY IN RANDOLPH COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That when in the opinion of the County Board of Education of Randolph County any school house, school house site, or other public school property in Randolph County has become unnecessary for public school purposes it may sell the same at public auction after advertising a sale of said property for the period of time and in like manner as to place and

Sale of unused school property in Randolph County authorized.

Advertising required.
confirming sales. disposition of proceeds. conflicting laws repealed. application of act.

publication in newspapers as now prescribed for the sale of real estate under deeds of trust; provided, that the sale shall be reported to the office of the clerk of superior court and remain open for ten (10) days for an increased bid, and if said bid is increased the property shall be readvertised, in the manner of resales under deeds of trust, and the property shall be readvertised and sold one time. if the price bid at said resale is less than three hundred ($300.00) dollars the chairman and secretary of the said board may execute a deed to the purchaser and the proceeds received from such bid shall be paid to the treasurer of the county school fund. the county board of education in all cases may reserve the right to refuse such bid and to refuse to execute a deed for such property.

sec. 2. all laws and clauses of laws in conflict with the provisions of this act are hereby repealed, in so far as they are in conflict herewith.

sec. 3. the provisions of this act shall apply to randolph county only.

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

ratified this the 3d day of may, a.d. 1935.

s. b. 527 chapter 427

an act to amend chapter five hundred and seventy-six, public-local laws, session nineteen hundred and nineteen, relative to schedule of fees in guilford county.

the general assembly of north carolina do enact:

section 1. that chapter five hundred and seventy-six of the public-local laws of north carolina, session nineteen hundred and nineteen, entitled "an act to provide schedule of fees to be collected by the clerk of the superior court of guilford county," be, and the same is hereby amended as follows:

(a) that paragraph nine, page seven hundred and ninety-four be stricken out and in lieu thereof the following be substituted therefor:

"auditing account of receiver, executor, administrator, guardian, trustee or other fiduciary required to render accounts, if not over three hundred dollars, fifty cents; if over three hundred dollars and not exceeding one thousand dollars, one dollar; if over one thousand dollars and not exceeding ten thousand dollars, one dollar and a half; if over ten thousand dollars, two dollars."
(b) That paragraph ten, page seven hundred and ninety-four be stricken out and the following substituted in lieu thereof:

"Auditing final settlement of receiver, executor, administrator or guardian, trustee or other fiduciary required to render accounts, one-half of one per cent on the amount on which commissions are allowed to such receiver, executor, administrator, guardian, trustee or other fiduciary for all sums not exceeding one thousand dollars; and on all sums in excess thereof, one-tenth of one per cent as follows: over one thousand dollars and not exceeding thirty thousand dollars, not to exceed twenty dollars; over thirty thousand dollars and not exceeding fifty thousand dollars, not to exceed twenty-five dollars; over fifty thousand dollars and not exceeding one hundred and fifty thousand dollars, not to exceed thirty dollars; over one hundred and fifty thousand dollars and not exceeding three hundred thousand dollars, not to exceed forty dollars; and over three hundred thousand dollars, not to exceed fifty dollars."

(c) That paragraph eleven be amended by adding at the end thereof the following: "not to exceed fifteen dollars."

(d) That paragraph eighteen on page seven hundred and ninety-five be amended by inserting between the word "Clerk" and the word "one" the words "each defendant," and by adding at the end of said paragraph the following: "However, judgments rendered by the Clerk in Special Proceedings before the Clerk, one dollar, regardless of the number of defendants."

(e) That paragraph eleven on page seven hundred and ninety-five be amended by striking out the words "the judgment regardless of the number of parties" and inserting in lieu thereof the following: "the first defendant, and ten cents for each additional defendant in the judgment."

(f) By inserting after paragraph two on page seven hundred and ninety-six, as a separate paragraph, the following:

"PETITIONS AND ORDERS:—Petitions one dollar, and any interlocutory order, fifty cents."

(g) By inserting after paragraph fourteen on page seven hundred and ninety-six, as a separate paragraph:

"RECORDS, CERTIFIED COPIES OF:—Transcript of any record, or papers on file when prepared by other than the Clerk's office, for verification thereof, ten cents per copy sheet for the first two copy sheets and five cents per copy sheet for any excess, and fifty cents additional for certificate and seal."

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

Ratified this the 3d day of May, A.D. 1935.
H. B. 1039  
CHAPTER 428

AN ACT TO MAKE IT MANDATORY ON THE PART OF THE BOARD OF COUNTY COMMISSIONERS OF RICHMOND COUNTY TO ASSUME, IN BEHALF OF SAID COUNTY, ALL OF THE DEBTS AND OBLIGATIONS OF SCHOOL DISTRICTS, SPECIAL SCHOOL DISTRICTS AND MUNICIPALITIES LOCATED IN SAID COUNTY INCURRED FOR PURPOSES OF BUILDING SCHOOL BUILDINGS AND PURCHASE OF EQUIPMENT.

The General Assembly of North Carolina do enact:

Section 1. From and after the ratification of this Act it shall be mandatory upon the County of Richmond, and the Board of Commissioners thereof, to take over, assume and pay all of the debts and obligations of the respective school districts, special school districts and municipalities within said County incurred in connection with the erection of school buildings and the purchase of school equipment now remaining due by said school districts, special school districts and municipalities.

Sec. 2. That the Board of County Commissioners of Richmond County are hereby required to levy annually a sufficient tax to pay off and fully discharge all of the indebtedness assumed by this Act.

Sec. 3. 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 4th day of May, A.D. 1935.

S. B. 546  
CHAPTER 429

AN ACT TO AMEND CHAPTER FOUR HUNDRED TWENTY-FIVE OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTEEN RELATING TO THE RECORDER'S COURT OF STANLY COUNTY AND TO PROVIDE FOR THE ELECTION OF THE RECORDER AND PROSECUTING ATTORNEY OF SAID COURT BY A VOTE OF THE PEOPLE.

The General Assembly of North Carolina do enact:

That Chapter four hundred twenty-five of Public-Local Laws of one thousand nine hundred thirteen be, and the same is hereby amended as follows:
Section 1. That the recorder and prosecuting attorney of the recorder's court for Stanly County each shall be nominated and elected by the electors of Stanly County in one thousand nine hundred thirty-six, and every two years thereafter, at the same time and in the same manner as the other county officers of Stanly County are now or may hereafter be nominated and elected.

Sec. 2. That the present recorder and prosecuting attorney shall hold office until the first Monday in January, one thousand nine hundred thirty-seven, and until their successors are elected and qualified under the provisions of this Act.

Sec. 3. The officers elected under the provisions of this Act shall not be eligible to succeed themselves.

Sec. 4. That all provisions of said Chapter four hundred twenty-five of Public-Local Laws of one thousand nine hundred thirteen, as well as all other laws and clauses of laws in conflict with this Act, be, and the same are hereby repealed.

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

Ratified this the 4th day of May, A.D. 1935.

H. B. 1118   CHAPTER 430

AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF WATAUGA COUNTY TO MAKE ADJUSTMENTS WITH DELINQUENT TAXPAYERS.

The General Assembly of North Carolina do enact:

Section 1. That the County Commissioners of Watauga County be, and they are, hereby authorized and empowered to make such adjustments with the taxpayers of said county, whose taxes are unpaid for the years prior to one thousand nine hundred and thirty-two, of the principal, interest, penalties and costs due by such delinquent taxpayers, as in their discretion may be for the best interests of both the county and the taxpayers.

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

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

Ratified this the 4th day of May, A.D. 1935.
H. B. 1331  
CHAPTER 431

AN ACT TO PROVIDE FOR A JURY OF TWELVE MEN IN THE RECORDER'S COURT OF HENDERSON COUNTY UPON DEMAND OF EITHER THE STATE OR THE DEFENDANT.

The General Assembly of North Carolina do enact:

SECTION 1. That a trial by jury may be had in the Recorder's Court of Henderson County upon demand made by the defendant or the State at any time before trial, and according to the provisions of this Act and not otherwise.

Sec. 2. That all jury trials in the Recorder's Court of Henderson County shall be by a jury of twelve men to be selected in the way and manner provided for by this Act.

Sec. 3. That whenever demand is made for a jury trial in said court the cause shall be set for trial at a term to be known as "Jury Week Term." There shall be as many Jury Week Terms of said court as the Recorder may think proper and necessary: Provided, said Jury Week Terms shall not be oftener than once in every four weeks and shall be fixed at such time or times as in the discretion of the Recorder the same may be necessary for the proper dispatch of such cases before the court wherein a jury trial has been demanded. If demand shall be made for a jury trial during a Jury Term the same shall be tried at that term, unless for good cause shown the same shall be continued as in the case of other continuances.

Sec. 4. It shall not be necessary for any defendant to make any deposit of money before demanding a jury trial, but any defendant convicted by a jury and adjudged to pay the costs shall be required to pay a jury fee of five ($5.00) dollars which shall be part of the costs in the case.

Sec. 5. At least ten days before the beginning of any jury term the clerk of the Recorder's Court shall notify the Board of Commissioners that a jury is to be drawn for said term, whereupon the said board shall cause to be drawn from the regular jury box of Henderson County the names of eighteen men who shall be drawn, summoned, selected and empaneled in the same way, and under the same provisions as if they had been drawn for jury duty in the Superior Court. And they shall be subject to challenge for the same causes as regular jurors in the Superior Court, and not otherwise.

Sec. 6. All jurors summoned under the provisions of this Act shall receive the sum of one and fifty one-hundredths dollars per day for each day served, or for each day required to attend court, and they shall each be required to attend throughout the term, unless sooner discharged by the court.
Sec. 7. In all trials in the Recorder's Court of Henderson County the Recorder shall have power, in his discretion, to transfer any case to the Superior Court of Henderson County for trial, if for any reason he may consider himself disqualified to try the case, and any such case so transferred, the Superior Court shall have jurisdiction to hear and dispose of same. The Recorder shall make an appropriate order transferring said case to the Superior Court of Henderson County and shall cause the defendant to enter into a new bond in a sum to be fixed by the Recorder for his appearance at the next term of the Superior Court of Henderson County.

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 4th day of May, A.D. 1935.

S. B. 449

CHAPTER 432

AN ACT TO AMEND CHAPTER FIVE HUNDRED TWENTY-EIGHT, PUBLIC-LOCAL LAWS ONE THOUSAND NINE HUNDRED THIRTY-THREE, RELATIVE TO THE SALARY OF THE DEPUTY SHERIFF OF COLUMBUS COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That Section one of Chapter five hundred and twenty-eight of the Public-Local Laws of one thousand nine hundred and thirty-three be and the same is hereby amended to read as follows:

Sec. 2. That the salary of the Chief Deputy Sheriff of Columbus County is hereby fixed at twelve hundred ($1,200.00) dollars per annum and three hundred ($300.00) dollars per annum for traveling 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. 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 the first day of May, one thousand nine hundred and thirty-five.

Ratified this the 7th day of May, A.D. 1935.
S. B. 487  CHAPTER 433
AN ACT TO FIX THE FEES OF THE SHERIFF OF NEW HANOVER COUNTY IN CERTAIN CASES.

The General Assembly of North Carolina do enact:

SECTION 1. That when a Summons in a Civil action or Special Proceeding shall be issued from the Superior Court of New Hanover County, the Sheriff's fees for serving same shall be One Dollar ($1.00), for each Defendant named therein, and such service shall include the delivery of copy of said Summons and Complaint or Petition attached to the original Summons.

SEC. 2. That the Sheriff of New Hanover County shall have and receive the sum of Thirty cents (30c), for each man summoned on a special venire, and Ten cents (10c), for each person summoned to serve as a tales juror in the Superior Court of New Hanover County.

SEC. 3. That this Act shall apply to New Hanover County only.

SEC. 4. That all laws and clauses of laws in conflict with the provisions of this Act be and the same are hereby repealed.

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

Ratified this the 7th day of May, A.D. 1935.

S. B. 496  CHAPTER 434
AN ACT TO AMEND SECTION EIGHT, CHAPTER SIX HUNDRED AND THIRTY-FOUR, PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND FIFTEEN, INCREASING THE COMPENSATION OF JURORS IN RECORDER'S COURTS IN ROBESON COUNTY TO ONE DOLLAR EACH PER DAY.

The General Assembly of North Carolina do enact:

SECTION 1. That Section eight, Chapter six hundred and thirty-four, Public-Local Laws of one thousand nine hundred and fifteen, be amended to read as follows: that either plaintiff or defendant in actions in said court may demand and have a jury, as provided in courts of justices of the peace; and the County Commissioners shall provide a jury box for each Recorder's Court, and the jurors each shall receive a per diem compensation of one dollar ($1.00).
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 7th day of May, A.D. 1935.

S. B. 560  CHAPTER 435

AN ACT TO AUTHORIZE THE BOARD OF EDUCATION AND THE BOARD OF COMMISSIONERS OF DUPLIN COUNTY TO MAKE CERTAIN EXPENDITURES FROM THE CURRENT EXPENSE FUND OF THE COUNTY.

Whereas, Superintendent J. O. Bowman's salary for the school year 1930-31 should have been thirty-five hundred dollars as set up under the State's Salary scale in operation at that time; and

Whereas, he was paid only three thousand ($3,000.00) dollars for that year's services as Superintendent of the County's system of schools; and

Whereas, it was definitely agreed and understood by and between the Board of Education and the then Board of County Commissioners and Superintendent J. O. Bowman, that in the event a sufficient saving in school expenditures could be effected by the County Superintendent in the operation of the schools during the school year above mentioned, to leave a budget balance of adequate proportions to pay the remainder of the above-mentioned salary, that such would be paid at the end of the fiscal school year; and

Whereas, such a saving was effected in the Current and Expense Fund Budget for the 1930-31 school year; and

Whereas, under the advice and direction of State Superintendent A. T. Allen, a supplement to the 1930-31 Current Expense Budget covering this item was prepared, and approved by both the Duplin County Board of Education and the State Department of Education before the close of the above named school year; and

Whereas, the State Superintendent of Public Instruction, the Executive Secretary of the former State Board of Equalization and the Attorney General all gave written rulings vouching for both the moral and legal validity of the claim for balance of Salary remaining due Superintendent J. O. Bowman; Now, Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Education of Duplin County and the Board of Commissioners of Duplin County be and they are
hereby authorized and empowered to pay to J. O. Bowman the sum of five hundred ($500.00) dollars whenever funds are available in the County current expense fund, the same being for the balance due him under the State Salary Schedule for the school year, 1930-31, as per an agreement, as shown in the preamble of 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 7th day of May, A.D. 1935.

S. B. 573  CHAPTER 436

AN ACT LIMITING THE TERM OF OFFICE OF DENNIS MASON, A MEMBER OF THE BOARD OF EDUCATION OF CARTERET COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the term of office of Dennis Mason, who is hereby appointed a member of the Board of Education of Carteret County, shall be for a period of four years.

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

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

Ratified this the 7th day of May, A.D. 1935.

H. B. 341  CHAPTER 437

AN ACT TO AUTHORIZE THE COMMISSIONERS OF PASQUOTANK COUNTY TO DEFER SALES OF REAL ESTATE FOR UNPAID TAXES NOT EXCEEDING FIVE DOLLARS.

The General Assembly of North Carolina do enact:

Section 1. That discretion is hereby vested in the Board of Commissioners of Pasquotank County to defer for a period of one to five years from the time required by law for the sales of real estate for taxes, which are unpaid, on real estate on which the annual tax does not exceed five dollars.

Sec. 2. That Pasquotank County by failing to advertise shall not lose the lien now vested in it by law upon such real estate.
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 force from and after its ratification.

Ratified this the 7th day of May, A.D. 1935.

H. B. 632  CHAPTER 438

AN ACT TO REPEAL CHAPTER TWO HUNDRED TWENTY-ONE, PUBLIC-LOCAL LAWS ONE THOUSAND NINE HUNDRED THIRTY-THREE, ENTITLED "AN ACT TO APPOINT A BOARD OF REVALUATION AND REVIEW IN YANCEY COUNTY" AND CHAPTER THREE HUNDRED FORTY, PUBLIC-LOCAL LAWS ONE THOUSAND NINE HUNDRED THIRTY-THREE, AMENDATORY THERETO, AND ALL OTHER AMENDATORY ACTS THERETO.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter two hundred and twenty-one, Public-Local Laws of one thousand nine hundred thirty-three, and Chapter three hundred forty, Public-Local Laws one thousand nine hundred thirty-three, and all amendatory Acts thereto, creating a Board of Revaluation and Review in Yancey be and are hereby repealed.

Sec. 2. That during the remaining terms of office of said Board, its members shall receive the sum of three dollars ($3.00) per day for their services.

Sec. 3. That this Act shall be in full force and effect from and after the first day of July, one thousand nine hundred thirty-five.

Ratified this the 7th day of May, A.D. 1935.

H. B. 687  CHAPTER 439

AN ACT TO AMEND CHAPTER FIVE HUNDRED AND SIXTEEN OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-THREE RELATING TO CASWELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. Amend Section two of Chapter five hundred and sixteen of the Public-Local Laws of one thousand nine hundred and thirty-three by striking out in line two thereof the words Conflicting laws repealed.

Ch. 221, Public-
Local Laws 1933,
and ch. 340, Pay of members to
Public-Local Laws
1933, repealed,
abolishing Yancey
County Board of
Revaluation and
Review.

Effective date.

Ch. 516, Public-
Local Laws 1933,
amended, as to
pay of Caswell
County Register of
Deeds as Clerk to
Commissioners.
and figures “Forty Dollars ($40.00)” and inserting in lieu thereof the words and figures “Twenty Dollars ($20.00).”

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 April first, one thousand nine hundred and thirty-five.

Ratified this the 7th day of May, A.D. 1935.

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H. B. 799 CHAPTER 440

AN ACT TO AMEND CHAPTER TWO HUNDRED FORTY-ONE, PUBLIC-LOCAL LAWS, ONE THOUSAND NINE HUNDRED TWENTY-SEVEN, AS AMENDED, BEING AN ACT TO DEFINE, REGULATE AND LICENSE REAL ESTATE BROKERS AND REAL ESTATE SALESMEN: TO CREATE A STATE REAL ESTATE COMMISSION AND TO PROVIDE A PENALTY FOR A VIOLATION OF THE PROVISIONS HEREOF.

The General Assembly of North Carolina do enact:


Examination of brokers and salesmen for licenses.

Effective date of restriction.

Conflicting laws repealed.

Again amended.

Again amended.

Effective date.

Conflicting laws repealed.

 Sec. 2. That Section five be amended so as to insert after the words “dollars,” at the end of paragraph seven, the following:

“On and after May first, one thousand nine hundred and thirty-five, every person who applies for an original license as a real estate broker and/or real estate salesman shall, if required by the Commission, personally appear before the Commission for an examination by said Commission, to determine his competency. No original license shall be granted on and after May first, one thousand nine hundred and thirty-five, unless the applicant gives satisfactory proof, in addition to all other requirements of this Act of his competency, by satisfactorily answering questions prepared by the Commission giving proof that the applicant has a fair understanding of the principles of the real estate business.”

Sec. 3. That Section seven of said Act be amended so as to strike out paragraphs three, four and five.

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

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

Ratified this the 7th day of May, A.D. 1935.
CHAPTER 441

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF IREDELL COUNTY TO ADJUST ALL UNPAID TAXES PRIOR TO THE YEAR ONE THOUSAND NINE HUNDRED AND THIRTY-FOUR.

The General Assembly of North Carolina do enact:

Section 1. That the Board of County Commissioners of Iredell County, North Carolina, are hereby authorized and empowered to adjust, compromise and/or otherwise settle and collect all taxes unpaid prior to the year one thousand nine hundred and thirty-four.

Sec. 2. That the acts of the said Board of County Commissioners shall be legal and binding in every respect in connection with the settlement and adjusting of all taxes prior to the year one thousand nine hundred and thirty-four.

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 May, A.D. 1935.

CHAPTER 442

AN ACT TO AUTHORIZE AND DIRECT THE TAX COLLECTOR OF CARTERET COUNTY TO ACCEPT CERTAIN COUNTY VOUCHERS OR NOTES IN PAYMENT OF TAXES.

The General Assembly of North Carolina do enact:

Section 1. That the Tax Collector of Carteret County be, and he is hereby, authorized, empowered and directed to accept in payment of county taxes for the year nineteen hundred and thirty-three and years prior county vouchers or notes issued by and/or under authority of the Board of Commissioners of the said county when such vouchers or notes have been or are issued in satisfaction and settlement of the obligations of the said county to and in favor of any of the teachers in the public schools of the county, and for the payment of which Carteret County is now responsible; and said vouchers or notes so accepted by the Tax Collector shall be received by the Board of Commissioners of said county, or by its duly authorized agent empowered to receive moneys collected by said Tax Collector, and full credit shall be given therefor in lieu of cash: Provided, however, that said vouchers or notes shall not be accepted in payment of delinquent Carteret County authorized to accept vouchers and notes in payment of back taxes.

Restrictions.

Allowed as credit in settlement.

1934 taxes first to be paid.
taxes unless at the time of the tender of said vouchers or notes for the year nineteen hundred and thirty-four against the properties listed in the name of the person or persons seeking to use such vouchers or notes have been or are paid in 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 7th day of May, A.D. 1935.

H. B. 1091  CHAPTER 443

AN ACT TO PERMIT THE COUNTY COMMISSIONERS OF BEAUFORT COUNTY TO FIX THE DATE OF SHERIFF'S SALES OF LANDS FOR FAILURE TO PAY TAXES.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be lawful for the Board of Commissioners of Beaufort County, by resolution duly passed, to designate the date of sale by the Sheriff or other officer of said county of the lands for failure to pay taxes: Provided, said sale shall be held not later than the first Monday in October, and after due advertisement as 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 force from and after its ratification.

Ratified this the 7th day of May, A.D. 1935.

H. B. 1188  CHAPTER 444

AN ACT TO REPEAL CHAPTER ONE HUNDRED AND SIXTY-TWO OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-ONE, BEING "AN ACT TO PREVENT THE ERECTION OF A NEW COURTHOUSE IN DAVIDSON COUNTY WITHOUT A VOTE OF THE PEOPLE."

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter one hundred and sixty-two 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 7th day of May, A.D. 1935.
H. B. 1204  CHAPTER 445

AN ACT TO EXEMPT A CERTAIN PARK IN DAVIE COUNTY FROM COUNTY AND TOWN TAXES, AND TO PROVIDE FOR THE PROTECTION OF THE SAME.

Whereas, Thomas W. Rich, of Davie County, has donated for use as a park and playground a certain parcel of land in Davie County containing forty-five and twelve one-hundredths acres, bounded and described as follows: Beginning at a stake and running South 5 degrees, West 24.87 chains to a stone, corner of Jacob Stewart and E. L. Gaither; thence North 27 degrees, West 24.12 chains to an oak stump; thence North 72 degrees, West 6.95 chains to an oak stump; thence North 20 degrees, West 7.25 chains to a stone; thence North 5 degrees, East 8.81 chains to a stone; thence East 3 degrees, South 3 chains to stone at old gate post; thence 8.71 chains to a stone near a bush; thence East 65 degrees, 4.84 chains to a corner of J. L. Sheets; thence South 12.67 chains to a stone, J. L. Sheets’ corner; thence South 69 degrees, East 7.05 chains to a stone; thence South 2 degrees, West 4.92 chains to a stone; thence South 70 degrees, East 4.70 chains to a stake, the beginning corner; and

Whereas, the said Thomas W. Rich has built a playground on said land consisting of a concrete pool and various other playground equipment for use of the children, has built houses, tennis courts, and a number of other places of amusement and has donated the same to be used by the people of Mocksville and Davie County and other persons who wish to use it as a park; and

Whereas, certain persons have wilfully damaged said property, thereby putting the said Thomas W. Rich to the unnecessary expense of repairs, the said Thomas W. Rich also providing a keeper for said park and paying all expenses of upkeep; Now, Therefore,

The General Assembly of North Carolina do enact:

Section 1. That the property hereinabove described shall be exempt from all county and town taxes so long as the same shall be donated free for a park and playground and no charge is made for the use of same.

Sec. 2. That any person trespassing upon or wilfully injuring the property herein described shall be guilty of a misdemeanor and upon conviction shall be fined not less than five dollars nor more than fifty dollars or imprisoned not more than thirty days for each and every offense. The keeper of said park is hereby vested with power to arrest any person so trespassing on or damaging said property or violating any other law of the State within the confines of said park or while fleeing from park.
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 May, A.D. 1935.

H. B. 1220  CHAPTER 446

AN ACT TO ENLARGE THE TIME FOR FORECLOSURE OF TAX SALES CERTIFICATES ISSUED TO WILSON COUNTY IN ALL CASES WHERE TAXES ARE LESS THAN FIFTEEN DOLLARS.

The General Assembly of North Carolina do enact:

Section 1. That on any tax sales certificate issued to and owned by Wilson County, issued at any time after year one thousand nine hundred and thirty-one, where the taxes, exclusive of penalty, interest and costs, is less than fifteen dollars, the County of Wilson may, at any time after twenty-four months from date of Certificate of Sale and before five years from date of said Certificate of Sale, institute tax foreclosure suit or proceedings thereon.

Sec. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed so far as Wilson County is concerned.

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

Ratified this the 7th day of May, A.D. 1935.

H. B. 1227  CHAPTER 447

AN ACT TO ENABLE MECKLENBURG COUNTY TO INSTALL A PERMANENT SYSTEM OF LISTING REAL PROPERTY BY ELIMINATING THE NECESSITY FOR THE TAXPAYER TO SIGN TAX SCROLL UNDER OATH AND TO ELIMINATE THE NECESSITY FOR FURNISHING NAMES AND ADDRESSES OF LIENHOLDERS.

The General Assembly of North Carolina do enact:

Section 1. That no person, firm, or corporation, required by law to list real property for taxation in Mecklenburg County, is required to sign the tax scroll verified by his oath, upon which the real property of the taxpayer is listed.
Sec. 2. That no person, firm, or corporation, required by law to list real property for taxation in Mecklenburg County, is required to furnish the name and address of persons, firms, or corporations holding liens against said real property.

Sec. 3. That no person, firm, or corporation, listing both real and personal property for taxation in Mecklenburg County, shall be entitled to a release of any part of the taxpayer's real property, unless and until all of the personal property taxes of said taxpayer have been paid in full.

Sec. 4. That the provisions of this Act shall apply only to Mecklenburg County, North Carolina.

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 at such time as the Board of County Commissioners for Mecklenburg County, North Carolina, may adopt same by a resolution of said Board.

Ratified this the 7th day of May, A.D. 1935.

H. B. 1286 CHAPTER 448

AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF CALDWELL COUNTY AND/OR THE GOVERNING BODY OF ANY MUNICIPALITY IN SAID COUNTY TO MAKE ADJUSTMENTS WITH TAXPAYERS AS TO PENALTIES, INTEREST AND COST.

The General Assembly of North Carolina do enact:

SECTION 1. That the County Commissioners of Caldwell County and/or the governing body of any municipality in said County be, and they are, hereby authorized and empowered to make such adjustments of any penalties, costs and interest, which may be due by any taxpayer to Caldwell County and/or any municipality therein by reason of unpaid taxes for the year one thousand nine hundred and thirty-two and all years prior thereto, as in their discretion may be for the best interest of both the County, municipality and the taxpayer.

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 7th day of May, A.D. 1935.
H. B. 1308  CHAPTER 449

AN ACT TO REGULATE THE CLOSING OF FILLING STATIONS AND PLACES OF BUSINESS ON SUNDAY IN HYDE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That it shall be unlawful for any person, firm or corporation to operate any filling station, store, cafe, or other place of business in Hyde County on Sunday between the hours of ten o'clock A.M. and twelve o'clock M.

Sec. 2. That any person violating the provisions of Section one of this Act shall be guilty of a misdemeanor and upon conviction fined not more than 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 July first, one thousand nine hundred and thirty-five.

Ratified this the 7th day of May, A.D. 1935.

H. B. 1323  CHAPTER 450

AN ACT, SUPPLEMENTAL TO AN ACT, BEING AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF COLUMBUS COUNTY TO MAKE ADJUSTMENTS WITH DELINQUENT TAXPAYERS AS TO PENALTIES, INTEREST AND COST, AND BEING HOUSE BILL NUMBER NINE HUNDRED AND TWENTY-SIX, SO THAT SAID ACT MAY APPLY TO THE COUNTIES OF CASWELL, HAYWOOD AND JONES.

The General Assembly of North Carolina do enact:

Section 1. Amend House Bill number nine hundred and twenty-six, Section one, by adding at the end thereof the following: "Provided this Act shall also apply to Caswell, Haywood and Jones Counties."

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 7th day of May, A.D. 1935.
H. B. 1311  CHAPTER 451

AN ACT TO EMPOWER THE COUNTY COMMISSIONERS OF WILSON COUNTY TO MAKE AN ANNUAL APPROPRIATION TO THE WILSON CHAMBER OF COMMERCE NOT EXCEEDING TWO HUNDRED AND FIFTY DOLLARS.

The General Assembly of North Carolina do enact:

Section 1. That the Board of County Commissioners of Wilson County is hereby empowered, in its discretion, to appropriate annually a sum not exceeding two hundred and fifty ($250.00) dollars to be used by the Chamber of Commerce of the Town of Wilson in advertising the natural, business and other resources of Wilson County.

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

Ratified this the 7th day of May, A.D. 1935.

H. B. 480  CHAPTER 452

AN ACT TO AMEND CHAPTER THIRTY-THREE, PUBLIC-LOCAL LAWS ONE THOUSAND NINE HUNDRED AND THIRTY-THREE, PROVIDING FOR THE ELECTION OF THE JUDGE OF THE RECORDER’S COURT OF RUTHERFORD COUNTY.

The General Assembly of North Carolina do enact:

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

"Section 1. That the Judge or recorder 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 in November, nineteen hundred and thirty-six, and biennially thereafter, and shall hold office for a term of two years from January one, one thousand nine hundred and thirty-seven, or until his successor shall be elected and qualified. All vacancies in said office occurring either by death, resignation or otherwise shall be filled by the County Commissioners of Rutherford County. Upon the request of the recorder, the County Commissioners 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. The county shall not be liable to the re-

Annual appropriation of Wilson County to Wilson Chamber of Commerce.

Biennial election of Judge of Rutherford County Recorder’s Court.

Vacancy appointments.

Recorder pro tem.

No pay provided for Recorder pro tem."
H. B. 545 CHAPTER 453

AN ACT VALIDATING JUDGMENTS FOR DELINQUENT TAXES AND STREET ASSESSMENTS IN MECKLENBURG COUNTY AND CITY OF CHARLOTTE. (APPLICABLE ALSO TO STOKES COUNTY AND ALL MUNICIPALITIES THEREIN.)

The General Assembly of North Carolina do enact:

SECTION 1. That any and all acts heretofore done and steps taken by Mecklenburg County and the City of Charlotte in securing judgments against persons, firms or corporations for delinquent taxes and street assessments and the judgments rendered therefor are hereby in all respects approved and validated.

SECTION 2. That the provisions of this Act shall apply to Stokes County and all the municipalities therein.

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 7th day of May, A.D. 1935.

H. B. 734 CHAPTER 454

AN ACT TO PROHIBIT FISHING IN THE WATERS OF SHULER'S CREEK IN CHEROKEE COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That the taking of fish in any manner whatsoever, either by rod, seine, gig, trap or by the shooting of dynamite, in the waters of Shuler's Creek, in Cherokee County, North Carolina, or any of the tributaries thereof, is hereby prohibited for a period of two years from and after the passage of this Act.
SEC. 2. That any person violating the provisions of this Act shall be guilty of a misdemeanor and fined not more than fifty dollars or imprisoned for not more than thirty days.

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 7th day of May, A.D. 1935.

H. B. 1352  CHAPTER 455

AN ACT TO APPOINT T. H. MORGAN A JUSTICE OF THE PEACE FOR GOLD HILL TOWNSHIP, ROWAN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That T. H. Morgan be and he is hereby appointed a Justice of the Peace in and for Gold Hill Township, Rowan County, to serve for a term of four years from the date of his qualification.

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

Ratified this the 7th day of May, A.D. 1935.

H. B. 1145  CHAPTER 456

AN ACT AUTHORIZING THE LEASE OF SCHOOL PROPERTY IN BUNCOMBE COUNTY NOT NECESSARY FOR SCHOOL PURPOSES.

The General Assembly of North Carolina do enact:

SECTION 1. That when in the opinion of the Board of Education of Buncombe County any school house, school house site or other public school property in Buncombe County has become unnecessary for public school purposes, it may lease the same to the United States or to the State of North Carolina or to any political subdivision or agency thereof, for use by the lessee for public playground or recreational purposes or for public educational purposes or for other public purposes, for such period of time and upon such terms and conditions as the said Board of Education shall by resolution determine: Provided, that when such property is situated within the city administrative unit of Asheville, said lease be authorized and approved by the Asheville City school property.

Lease of unused school property for public recreational centers authorized in Buncombe County.

Terms.

Also as to Asheville City school property.
Provision for termination.

School Board; and Provided, further, that said lease shall be terminated upon one year's notice by the Board of Education of Buncombe County to the lessee.

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 7th day of May, A.D. 1935.

H. B. 1201

CHAPTER 457

AN ACT TO AMEND THE LOCAL GOVERNMENT LAW RELATING TO ISSUING AND SELLING COURTHOUSE BONDS IN GRAHAM COUNTY.

The General Assembly of North Carolina do enact:

Courthouse bonds authorized for Graham County.

Section 1. That the Board of County Commissioners of Graham County is hereby authorized and empowered to issue courthouse bonds of the County of Graham in the principal sum of seventy-five thousand dollars ($75,000.00), said bonds to be dated on the date of the issuance thereof and to bear interest from their date at the rate of.............per cent per annum, 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 shall be required, and the said Board of County Commissioners is hereby authorized to dispose of said bonds at public or private sale and when issued and sold, shall constitute a valid and binding obligation on the County of Graham.

Amount.

Sec. 2. That the Board of County Commissioners of Graham County is hereby authorized, empowered, and directed to levy annually upon the real and personal property in said Graham 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.

Interest rate.

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

Sale.

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

Declared valid and binding.

Ratified this the 7th day of May, A.D. 1935.

Special tax to pay bonds authorized.
H. B. 1215  

CHAPTER 458  

AN ACT STRENGTHENING THE AUSTRALIAN BALLOT IN WILSON COUNTY.  

The General Assembly of North Carolina do enact:  

SECTION 1. That no person shall be allowed to mark a ballot for another in any primary election in Wilson County, except a member of said voter's immediate family, such as husband, wife, father, mother, sister, brother or child, regardless of age: Provided, however, that if any person who desires to vote and is unable to read and has no member of his or her immediate family as enumerated above, such person may call for another to mark his or her ticket; but no one person shall be permitted to mark in excess of five tickets in addition to his or her own ticket.  

Sec. 2. The rules and regulations governing primary elections in Wilson County, except as herein provided, shall be the same as now provided by statute.  

Sec. 3. That anyone violating the provisions of this Act shall be guilty of a misdemeanor and upon conviction shall be fined not to exceed one hundred ($100.00) dollars, or imprisonment not to exceed sixty days, or both, in the discretion of the court.  

Sec. 4. This Act shall apply to Wilson County only and the provisions hereof shall only apply to primary elections in 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 7th day of May, A.D. 1935.  

H. B. 1239  

CHAPTER 459  

AN ACT RELATING TO INEBRIATES IN NEW HANOVER COUNTY.  

The General Assembly of North Carolina do enact:  

SECTION 1. That whenever it shall be adjudged that any person in New Hanover County is an inebriate, according to the rules and regulations as set out in Section two thousand three hundred four (b) of the North Carolina Code of one thousand nine hundred thirty-one, (Michie), the Clerk of the Superior Court of New Hanover County be, and he is hereby authorized to commit said inebriate to the County Home of New Hanover County
instead of the Department of the State Hospital at Raleigh, North Carolina, for such a length of time as he deems it necessary for the proper restraint, care and treatment of said inebriate, and upon the ascertaining of his cure by said Clerk, said inebriate shall thereupon be discharged, provided, however, that nothing herein shall prevent the said Clerk of the Superior Court of New Hanover County to commit said inebriate to the Department of the State Hospital at Raleigh, North Carolina, if, in his judgment, he is of the opinion that the best interest of said inebriate, as well as of society, will be best subserved.

Sec. 2. That this Act shall apply only to New Hanover County.

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

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

Ratified this the 7th day of May, A.D. 1935.

H. B. 1223  CHAPTER 460

AN ACT TO AMEND CHAPTER TWO HUNDRED SIXTY-EIGHT OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION ONE THOUSAND NINE HUNDRED AND ELEVEN, ENTITLED "AN ACT TO DRAIN THE LOWLANDS OF CROWDER'S CREEK AND ITS TRIBUTARIES IN GASTON COUNTY."

The General Assembly of North Carolina do enact:

Section 1. That the preamble of Chapter two hundred sixty-eight of the Public-Local Laws of North Carolina, Session one thousand nine hundred and eleven, be amended by interpolating after the word "lower" and before the word "the," the following words "from time to time as may be determined by the proper authority"; that Section one of said Chapter be amended to read as follows: "That a commission of five men, to wit, L. A. Wolfe, R. A. Jackson, R. C. Robinson, N. M. Carson and R. P. Anthony, of Gaston County, North Carolina, and their successors in office be and are hereby appointed and constituted a commission for the purpose of carrying out the work suggested in the preamble of this Act to be known as the Crowder's Creek Drainage Commission of Gaston County, N. C., and in that name they shall be a corporation with power to have a corporate seal, sue and be sued, contract and be contracted with, and generally to do what may be necessary to be done in order to make effectual the drainage of Crowder's Creek in Gaston County, N. C., between the forks
of Crowder's Creek and Abernethy's Creek and the South Carolina line at Riddle's Mill in Gaston County, N. C., which said power and authority shall embrace the right to purchase all necessary machinery, dredging machinery, appliances and other material to carry out said work, and to issue the note or notes, bond or bonds, of the obligation of said corporation in an amount not exceeding Twenty-five Thousand ($25,000.00) Dollars, during any ten-year period, payable in an amount to be fixed by said Commission, at stated intervals, not exceeding twenty-five (25) years, to be fixed by said corporation, or Commission, and to bear interest from date of said obligation, not exceeding six per cent per annum from date until paid; and said Commission or corporation shall be possessed of all powers as are usually granted and certain to corporations. The aforesaid officers shall continue in said office for a period of three (3) years, from the date of the enactment of this Act and until their successors in office be duly elected and qualified. The said officers shall be elected by a majority vote of those present at an annual meeting of the corporation. Annual meetings of the corporation shall be held in the Court Room of the County Courthouse of Gaston County, N. C., on the second Tuesday in May of each year, at the hour of two o'clock P.M., or as soon thereafter, as, in the discretion of the Chairman of the Board, the same may conveniently be held. Notice of the time and place of holding the annual meeting shall be published once a week for two weeks next preceding such meeting in a newspaper published and circulating in Gaston County, and posted at five different points along Crowder's Creek, and such notice shall be deemed sufficient.

In the event that a vacancy in the Board is caused by death, resignation or otherwise, the other members of the Board shall have power and authority to fill the vacancy until the next annual meeting of the corporation, at which time the corporation may fill the vacancy for the period for which the member was originally elected. The said Commission shall have the same power and authority that the original Commission created under this Act had and may determine from time to time the necessity for draining Crowder's Creek and its tributaries; provided the same shall not be drained nor dredged oftener than once in each ten years; provided, further, that no money shall be borrowed, or no powers exercised until a majority of the land owners in said drainage district to be affected shall, in writing, consent thereto, and when a majority shall consent in writing, then, this Act shall be fully operative, as well as the power and authority under this Act.

That Section five of this Chapter be amended by substituting the word "twenty-five" for the word "fifteen" in line fifty between the words "of" and "thousand" and substituting the word "twenty-
Again amended.

Conflicting laws repealed.

The Section fifteen of said Chapter shall be and is hereby amended by striking out the words "said improvement" in line one of said Section fifteen and substituting therefor after the word "whenever" and the word "is" the following words and punctuation "any improvement, made from time to time 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 ratification.

Ratified this the 7th day of May, A.D. 1935.

H. B. 1244  CHAPTER 461

AN ACT FOR THE RELIEF OF IREDELL-ROWAN COUNTY DRAINAGE DISTRICT NUMBER ONE.

Whereas, the Iredell-Rowan County Drainage District Number One (1) has been duly organized, in accordance with the provisions of the statute, Article five, Chapter ninety-four of the Consolidated Statutes of one thousand nine hundred and nineteen, as amended; and

Whereas, the Drainage Commissioners have been duly elected and organized, under Article six of said Chapter as amended; and

Whereas, the terms of the three (3) Commissioners have expired; and

Whereas, arrangements have been made with the North Carolina Emergency Relief Administration to dredge that part of Fourth Creek embraced in said District, and to pay all costs of the actual dredging, save and excepting the cost of a dredge boat,
certain engineering and surveying which specifically is set out in the project of the North Carolina Emergency Relief Administration, covering said dredging; and

Whereas, the assessment heretofore made by the Board of Drainage Commissioners for the dredging of the creek and the bonds issued, but not delivered, are now unnecessary and should be cancelled; and

Whereas, a new assessment should be made to pay the costs of a dredge boat, and the necessary expenses which have heretofore been incurred in the organization, surveying, laying out and establishing of said District, and making the prior assessment and the advertisement and the printing of the bonds, which are now to be cancelled, and the engineering and surveying in connection with the dredging of the creek by the North Carolina Emergency Relief Administration, and for the future maintenance and upkeep of said creek after the dredging has been completed, and such other costs as may be necessary in connection with said District; Now, Therefore;

The General Assembly of North Carolina do enact:

SECTION 1. That the Clerk of the Superior Court of Iredell County is vested with the power and authority to appoint the three (3) commissioners for said District, at least one of whom shall be from Iredell County and one from Rowan County, who shall serve for a term of two (2) years until their successors are appointed, and that the Clerk of the Superior Court of Iredell County is vested with the power and authority to fill any vacancy that may occur and thereafter appoint their successors.

SEC. 2. That the assessment heretofore made for the dredging of Fourth Creek, and the bonds heretofore issued but not delivered, are hereby revoked and the bonds cancelled.

SEC. 3. That the Board of Drainage Commissioners is hereby authorized and empowered to ascertain the cost of the dredge boat, engineering and surveying in connection with the dredging of the creek by the North Carolina Emergency Relief Administration, and the cost incurred in the organization, surveying, laying out and establishing of said District, the advertisement and printing of the bonds, now cancelled, the cost of future maintenance of the said creek, and all other actual costs and expenses heretofore incurred or hereafter to be incurred, in connection with the said District and the dredging of said creek, save and excepting that part of the cost of the dredging to be borne by the North Carolina Emergency Relief Administration, and the Board of Drainage Commissioners is hereby authorized and empowered to collect the total cost to said District, when so ascertained, from the land owners within the Drainage District, by assessment in proportion to their classification as fixed and determined by the proceedings.
establishing the said District and, when so collected, to apply the proceeds to the discharge of the said expenses.

Sec. 4. That this Act shall only apply to the Iredell-Rowan County Drainage District Number One in Iredell and Rowan Counties.

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

Sec. 6. That this Act shall take effect from and after its ratification.

Ratified this the 7th day of May, A.D. 1935.

H. B. 1328  CHAPTER 462

AN ACT TO AMEND HOUSE BILL 601, BEING AN ACT PROVIDING FOR THE APPOINTMENT OF A TAX SUPERVISOR FOR HAYWOOD COUNTY, AND REGULATING HIS SALARY, AND PRESCRIBING HIS DUTIES; AND PROVIDING FOR A BOOKKEEPING SYSTEM IN TAX OFFICE, AND AUDIT THEREOF; AND SEPARATING THE OFFICE OF SHERIFF AND TAX SUPERVISOR AND COLLECTOR AND RATIFIED MARCH TWENTY-SEVEN, ONE THOUSAND NINE HUNDRED AND THIRTY-FIVE.

The General Assembly of North Carolina do enact:

Section 1. That House Bill 601, being an Act providing for the appointment of a Tax Supervisor for Haywood County, and regulating his salary, and prescribing his duties; and providing for a bookkeeping system in Tax Office, and audit thereof; and separating the office of Sheriff and Tax Supervisor and Collector, and ratified March twenty-seven, one thousand nine hundred and thirty-five, be amended by adding at the end of the Section three thereof the following:

"Provided, that the Board of Commissioners may allow the Tax Supervisor to furnish one bond in the sum of not less than Fifty Thousand Dollars to guarantee the faithful performance of his duties as collector of one thousand nine hundred thirty-four taxes and may allow said Tax Supervisor to furnish an additional bond in the sum of not less than Ten Thousand Dollars to guarantee the faithful performance of his duties as Delinquent Tax Collector and Tax Supervisor until October first, one thousand nine hundred thirty-five. That on and after said date the said Commissioners shall require the bond hereinabove provided for."
Sec. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

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

Ratified this the 7th day of May, A.D. 1935.

H. B. 1253  CHAPTER 463

AN ACT TO PROHIBIT THE SALE OF THE HIGGINS SCHOOLHOUSE PROPERTY, HIGGINS, NORTH CAROLINA, AND TO DEDICATE THE SAME FOR A PUBLIC RECREATIONAL GROUND AND PARK.

The General Assembly of North Carolina do enact:

Section 1. That the Higgins Schoolhouse property, at Higgins, North Carolina, in Yancey County, shall not be sold, transferred or conveyed by the Board of Education of Yancey County but the same is set aside and dedicated as a public recreational ground and park and for such other purposes as the Board of Education of Yancey County may declare.

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 7th day of May, A.D. 1935.

H. B. 1334  CHAPTER 464

AN ACT TO AMEND CHAPTER TWO HUNDRED FORTY-FIVE OF THE PUBLIC-LOCAL LAWS OF THE SESSION OF ONE THOUSAND NINE HUNDRED THIRTY-THREE, RELATING TO THE RECORDER’S COURT OF THOMASVILLE.

The General Assembly of North Carolina do enact:

Section 1. That Section three, sub-section (A) of Chapter two hundred forty-five of the Public-Local Laws of one thousand nine hundred thirty-three be and the same is hereby amended by striking out the words and figures “Fifteen Hundred ($1,500.00)” as appears in lines seven and eight thereof and inserting in lieu thereof the following: “Eighteen Hundred ($1,800.00).”

Sec. 2. That Section three, subsection (B), of Chapter two hundred forty-five of the Public-Local Laws of one thousand nine hundred thirty-three be and the same is hereby amended, as to salary of Judge of Thomasville Recorder’s Court.

Ch. 245, Public-Local Laws 1933, amended, as to salary of Judge of Thomasville Recorder’s Court.
Conflicting laws repealed.

Sec. 1. That at the November, one thousand nine hundred and thirty-five, term of the Superior Court of Hoke County for the trial of criminal cases 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 six months and the second nine members shall serve for a term of one year, and thereafter at the April and November terms of Criminal Court of each year there shall be chosen nine members of said Grand Jury to serve for a 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 full force and effect from and after the ratification of this Act.

Ratified this the 7th day of May, A.D. 1935.

H. B. 1333 CHAPTER 465
AN ACT PROVIDING FOR ROTATING GRAND JURIES IN HOKE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That Chapter two hundred and seventy-six, Public-Local Laws of North Carolina of the session of one thousand nine hundred thirty-three, as to collection of taxes and street assessments in Charlotte.

H. B. 1337 CHAPTER 466
AN ACT AMENDING CHAPTER TWO HUNDRED SEVENTY-SIX, PUBLIC-LOCAL LAWS OF THE SESSION OF ONE THOUSAND NINE HUNDRED THIRTY-THREE, RELATING TO JUDGMENTS FOR DELINQUENT TAXES AND STREET ASSESSMENTS.

The General Assembly of North Carolina do enact:

Section 1. That Chapter two hundred and seventy-six, Public-Local Laws of North Carolina of the session of one thousand nine hundred and thirty-three, be amended by striking out in
Section eleven thereof the following words: "and such Collector of Revenue shall collect all revenues and moneys due the City of Charlotte from any and all sources," and inserting in lieu thereof the following: "and such Collector of Revenue shall collect all taxes, street assessments, franchise and license taxes due the City of Charlotte."

Sec. 2. That Section twelve, Chapter two hundred and seventy-six, Public-Local Laws of the session of one thousand nine hundred and thirty-three, be amended by striking out in line four thereof the following words: "and other revenue," and inserting in lieu thereof "franchise and license taxes."

Sec. 3. That Section seventeen, Chapter two hundred and seventy-six of the Public-Local Laws of the session of one thousand nine hundred and thirty-three, be amended by striking out in line three thereof the following words: "Collector of Revenue," and inserting in lieu thereof "City Manager."

Sec. 4. That Section eighteen, Chapter two hundred and seventy-six, Public-Local Laws of the session of one thousand nine hundred and thirty-three, be amended by striking out in lines two and three thereof the following words and figures: "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," and inserting in lieu thereof "which shall be fixed by the governing body of Charlotte, and such Collector of Revenue shall be furnished assistants, the number and salaries of such assistants to be determined by said governing body."

Sec. 5. That Sections twenty-one through thirty-two, inclusive, be and the same are hereby stricken out: Provided, however, that all judgments heretofore taken for delinquent taxes and street assessments, pursuant to Chapter two hundred and seventy-six, Public-Local Laws of the session of one thousand nine hundred and thirty-three, and amendments thereof, and acts done pursuant thereto, be and the same are validated and ratified: Provided, further, that execution on said judgments for delinquent taxes and street assessments may be had and issued, in like manner as executions on judgments of the Superior Court, at any time by order of the governing body of the City of Charlotte or the Mecklenburg County Board of Commissioners.

Sec. 6. That all laws and clauses of laws in conflict with this Act be, and the same are hereby repealed.

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

Ratified this the 7th day of May, A.D. 1935.
S. B. 571  

CHAPTER 467

AN ACT TO RELIEVE THE TAXPAYERS OF LENOIR COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. The County Commissioners of Lenoir County and the governing agencies of the several municipalities therein are hereby authorized, empowered and directed to accept payment of taxes for the years one thousand nine hundred and thirty-two, one thousand nine hundred and thirty-one, one thousand nine hundred and thirty, one thousand nine hundred and twenty-nine, one thousand nine hundred and twenty-eight, one thousand nine hundred and twenty-seven, and all prior years, by accepting the amount of taxes which were actually levied for the respective years. No penalties, interest charges, court costs, attorneys’ fees, or advertising costs shall be collected: Provided, however, that before any taxpayers will be entitled to the benefits hereunder the county commissioners and/or other governing agencies may require the payment of one thousand nine hundred and thirty-three and one thousand nine hundred and thirty-four taxes: Provided, further, that any taxpayer shall have the right to pay all taxes upon any particular piece of property and have the lien discharged as to that particular piece, and upon the payments being made as herein provided the governing bodies or other officers charged with the collection of taxes are hereby directed to issue the tax receipts for said taxes so paid and relieve the lien thereof.

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

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

Ratified this the 7th day of May, A.D. 1935.

H. B. 1355  

CHAPTER 468

AN ACT TO REGULATE THE FEES OF THE VARIOUS JUSTICES OF THE PEACE OF ROCKINGHAM COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the various justices of the peace of Rockingham County shall receive the following fees and none other: Issuing summons, seventy cents, where there is one defendant, and twenty cents for each additional defendant; trial and judgment, one dollar; docketing judgment, fifty cents; transcript of
judgment, thirty cents; issuing subpœna, twenty-five cents for each witness; taking affidavit, twenty-five cents; jury trial and verdict, one dollar; issuing execution, fifty cents; return to notice of appeal, fifty cents; order of arrest in civil and criminal cases, one dollar; warrant of arrest in criminal cases; seventy-five cents; warrant of commitment, fifty cents; issuing claim and delivery papers, including summons, affidavit, bond and order to seize property, two dollars and fifty cents; issuing attachment papers, including application, affidavit, summons, bond and order to seize property, two dollars and fifty cents; recognizing witnesses, fifteen cents for each witness; affidavit and order of removal, seventy-five cents; request and order of removal, seventy-five cents; capias and order, one dollar; sci fa, one dollar; warrant of commitment, fifty cents; issuing notices to commissioners, allotting the same, and making returns, two dollars; taking deposits, twenty-five cents for each copy sheet; garnishment of taxes, fifty cents; issuing notices, twenty cents each copy; filing and docketing lien, seventy-five cents.

Sec. 2. In the event the county has to pay any of said fees, then it shall be liable for only one-half thereof.

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 7th day of May, A.D. 1935.

S. B. 311

CHAPTER 469

AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF DUPLIN COUNTY AND THE COMMISSIONERS OF THE SEVERAL CITIES AND TOWNS OF DUPLIN COUNTY TO MAKE ADJUSTMENTS WITH DELINQUENT TAXPAYERS.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners of Duplin County and the commissioners of the several cities and towns of Duplin County are hereby authorized and empowered to make such tax adjustments with the taxpayers of the said County and cities of the County whose taxes are unpaid for the year one thousand nine hundred thirty-two, and all years prior thereto, as in their discretion may be for the best interest of both the County, cities and towns and the taxpayer.

Adjustment of delinquent taxes authorized in Duplin County and its municipalities.
S. B. 523  

CHAPTER 470  

AN ACT TO EXTEND THE TIME FOR TAX SETTLEMENT BY THE SHERIFF OF JOHNSTON COUNTY.  

The General Assembly of North Carolina do enact:  

SECTION 1. That the time for making tax settlement by R. U. Barbour, Sheriff of Johnston County, for taxes collected upon the tax levy for the year Nineteen Hundred and Thirty-three, as required by Section Eight Thousand and Forty-eight of the Consolidated Statutes of North Carolina, be and the same is hereby extended until the Fifteenth day of October, Nineteen Hundred and Thirty-five.  

SEC. 2. That the time for making tax settlement for taxes collected upon the levy for the year Nineteen Hundred and Thirty-four as required by the aforesaid Section of the Consolidated Statutes of North Carolina be and the same is extended until the Fifteenth day of December, Nineteen Hundred and Thirty-five.  

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

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

Ratified this the 8th day of May, A.D. 1935.

S. B. 552  

CHAPTER 471  

AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF CHATHAM COUNTY TO PAY HOSPITAL AND FUNERAL EXPENSES OF DAYLON GOODWIN.  

Whereas, Daylon Goodwin of Chatham County died as a result of injuries received on April twelve, one thousand nine hundred and thirty-five, in a collision with a school bus on highway Number Ninety in Chatham County; 

Now, Therefore;  

The General Assembly of North Carolina do enact:  

SECTION 1. That the Board of County Commissioners of Chatham County be and it is hereby authorized, in its discretion, to
pay to the legal representatives of Daylon Goodwin a sum not to exceed two hundred dollars for hospital and funeral expenses incurred by reason of the above accident.

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. 1935.

S. B. 551  CHAPTER 472

AN ACT TO AUTHORIZE AND EMPOWER THE BOARD OF COMMISSIONERS OF THE COUNTY OF CASWELL TO CONVEY A PART OF THE COUNTY HOME PROPERTY TO POST NUMBER EIGHTY-NINE OF THE AMERICAN LEGION.

Whereas, the Trustees of Post Number Eighty-nine of the American Legion has offered to the Board of Commissioners of the County of Caswell the sum of Sixteen Hundred ($1,600.00) Dollars for fifteen and one-half (15 1/2) acres of land, known as a part of the County Home Property, belonging to Caswell County; and

Whereas, the Board of Commissioners of said County is willing to convey said property to the Trustees of Post Number Eighty-nine of the American Legion, provided, however, that authority is given them by the General Assembly to convey said property upon the payment of the purchase price; Now, Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of the County of Caswell be, and it is hereby authorized and empowered to convey to W. B. Horton, J. Y. Gatewood and L. L. Lilliard, and their successors in office, Trustees of Post Number Eighty-nine of the American Legion, the following described property, upon the payment by the Trustees of said Post of the sum of Sixteen Hundred ($1,600.00) Dollars, said property being bounded and described as follows:

Beginning at a rock, corner with A. H. Motz on J. Y. Gatewood's line; then N. 43 1/2 degrees, E. 17 chains 48 links to Iron Stake on West side of road leading to Lake; thence along said road as it meanders S. 40 degrees, E. 6 chains; S. 51 1/2 degrees, E. 3 chains; S. 68 1/2 degrees, E. 2 chains 30 links; S. 30 degrees, E. 2 chains 10 links to double white oak on North bank of road; thence S. 4 degrees, E. 5 chains to rock; thence S. 49 degrees, W. 2 chains 76
links to A. H. Motz line on branch; thence said Motz line N. 85°12' degrees, W. 11 chains to the beginning, containing, by estimation, 151/2 acres, more or less.

Sec. 2. Also the right of ingress and egress and regress to and over a right of way to said property to be determined and fixed by the Board of Commissioners of the County of Caswell at the time the deed to said property is executed and delivered.

Sec. 3. That the authority herein given shall cease, provided Post Number Eighty-nine of the American Legion fails to comply with the provisions of this Act within twelve months from the date of the ratification hereof.

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 8th day of May, A.D. 1935.

H. B. 805  CHAPTER 473
AN ACT TO PROVIDE FOR THE OFFICE OF TAX COLLECTOR FOR ROWAN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners of Rowan County are hereby authorized and empowered, in the discretion of the board, to create and establish the office of Tax Collector in and for the County of Rowan, and to 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 thereof, and whose employment, salary or compensation and that of his deputies, assistants and clerks and administrative expenses of said office shall be determined, fixed and approved by the said board of county commissioners.

Sec. 2. That any tax collector appointed by the board of commissioners as herein provided for shall be vested with all the powers and authority and shall be responsible for all duties as are now, or may hereafter, be provided by law for sheriffs of the State of North Carolina in the collection of taxes and levy and sale of land and personal property for taxes in the County of Rowan and any 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 a bond for the faithful discharge of the duties of his office in a sum not less than the sheriff of the county would be required to give, said bond to be approved by said board.
Sec. 3. That upon the creation of the office and appointment and qualification of a tax collector in and for the said County of Rowan, as herein provided for, the sheriff of Rowan County, upon full settlement of taxes up to the date of the transfer 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 thereof.

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 the date of its ratification.

Ratified this the 8th day of May, A.D. 1935.

H. B. 1366    CHAPTER 474

AN ACT TO REGULATE THE FEES OF THE SHERIFF OF EDGECOMBE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the sheriff of Edgecombe County shall have and receive the following fees:

Serving civil summons, one dollar for each defendant;
Serving subpoena, fifty cents for each person;
For making an arrest, one dollar and fifty cents.

Except as herein provided, the sheriff of Edgecombe County shall have and receive the fees and expenses set out in Section three thousand nine hundred and eight of the Consolidated Statutes.

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. 1935.

H. B. 1329    CHAPTER 475

AN ACT TO FACILITATE THE SHERIFF'S COLLECTION AND SETTLEMENT OF TAXES IN HYDE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That on the last Monday in September, one thousand nine hundred and thirty-five, the sheriff shall make a settlement with the Board of County Commissioners of Hyde County for the one thousand nine hundred and thirty-four taxes as certi-
Credits allowed.

Fees and commissions.

Uncollected taxes.

Delivery of receipts to Sheriff.

Contents of receipts.

Duplicate receipts and disposition thereof.

Discharge of Sheriff.

Delivery of tax levy and receipts to Sheriff.

Receipt of Sheriff.

Failure of Sheriff to settle cause for appointment of Tax Collector.

fied to him. The sheriff shall be allowed the following credits in making his settlement:

(a) All credits representing duplications or errors which have been credited to and allowed by said Board from time to time as represented by appropriate resolutions duly passed with regard thereto.

(b) Fees and commissions due said sheriff by said county for services rendered by said sheriff and for which no payment has been received by said sheriff and about which no contention as to the amount due exists, but the sheriff shall at all times be allowed to deduct his commissions from all taxes collected.

(c) Amount of uncollected taxes represented by list furnished said board by said sheriff as of the last Monday in September, one thousand nine hundred and thirty-five, and supported by the tax receipts and tax assessment roll previously certified to said sheriff by said board. The Board of County Commissioners shall execute and deliver its receipts to said sheriff for the tax assessment roll and tax receipts representing uncollected taxes for the year one thousand nine hundred and thirty-four; said receipt shall show in detail (a) the number of the tax receipt, the name of the taxpayer and the amount of tax represented by said receipt for each and every purpose as appears on every receipt and/or tax levy, which receipt shall be executed in duplicate, one copy thereof delivered to the sheriff of Hyde County and the other copy duly registered in the minutes of the Board of County Commissioners of said county within ten days from and after said settlement. The said Board of County Commissioners is authorized and directed to pass a resolution reciting the fact that said settlement has been made and that said sheriff is discharged pro tanto for the amounts represented by (a) credits previously allowed said sheriff and (b) uncollected taxes.

Sec. 2. The Board of County Commissioners shall on the first Monday in October, one thousand nine hundred and thirty-five, and annually thereafter deliver to the sheriff of Hyde County the tax levy and receipts as provided and authorized by the present and any amended public law or laws of North Carolina, and the said sheriff shall execute and deliver his receipt for said tax levy and receipts: Provided, however, that if the sheriff should fail to make settlement of his taxes for the preceding year as provided in Section one of this Act for the year one thousand nine hundred and thirty-four, or for any subsequent year under the provisions of the public laws of the State, then and in any such event, said Board of County Commissioners shall on the first Monday in October of any year appoint a tax collector and deliver the tax levy and receipts to him and said tax collector shall be authorized to collect said taxes in the same way and manner and with the same powers and authorities vested in him as are now
vested in the sheriffs of the several counties under the present or any amended public law or laws of the State.

Sec. 3. On or before the second Monday in October, one thousand nine hundred and thirty-five, and annually thereafter, the sheriff shall mail a notice to the last known address of each and every taxpayer residing or owning property in said county, notifying said taxpayer of the amount of his taxes and the time and place when said sheriff or his deputy will sit at certain designated places in said county for the collection of said taxes, said notice shall designate the dates and places where the sheriff and/or his deputy will sit in said county from time to time for the collection of taxes: Provided, however, that nothing contained in this section shall discourage or prevent any taxpayer from paying his taxes at the earliest possible date either by mailing said remittance to said sheriff at Swan Quarter or by delivering the said tax in person to the said sheriff or his deputy.

Sec. 4. The sheriff of Hyde County shall sit at the following places on the designated dates for the collection of said taxes and shall exercise all diligence in the collection thereof:

**Lake Landing Township:**
(a) O'Neal's Store, New Holland, third Wednesday in October.
(b) Lake Landing Postoffice or vicinity, third Thursday in October.
(c) Hall's Store, Middleton, third Friday in October.
(d) Englehard, third Saturday in October.

**Swan Quarter Township:**
(a) Baum's Store, fourth Monday in October.
(b) Rose Bay, fourth Tuesday in October.

**Currituck Township:**
(a) Fortesque's Creek, fourth Wednesday in October.
(b) Ponzer's Postoffice, fourth Thursday in October.
(c) Scranton, fourth Friday in October.
(d) Sladesville, fourth Saturday in October.

**Fairfield Township:**
(a) Jarvis' Store, first Wednesday in November.
(b) Village of Fairfield, second Saturday in November.

**Ocracoke Township:**
The sheriff shall fix such convenient time for the collection of taxes in Ocracoke Township as may best serve the interests of all parties concerned.

The sheriff and/or his deputy shall sit at the foregoing places in the several townships on the corresponding dates in the months of November and December as are designated for the month of October.

Sec. 5. The sheriff shall make his report to the Board of County Commissioners on the first Monday of each and every month, showing the amount of taxes collected, for what purpose

<table>
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<th>Notice to taxpayers of taxes due.</th>
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<tr>
<td>Contents of notice.</td>
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<tr>
<td>Places at which Sheriff required to sit for purpose of collecting taxes.</td>
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<tr>
<td>Lake Landing Township.</td>
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<td>Swan Quarter Township.</td>
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<td>Currituck Township.</td>
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<td>Fairfield Township.</td>
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<td>Ocracoke Township.</td>
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<td>Time of sitting.</td>
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<td>Monthly reports of Sheriff.</td>
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Daily deposits. Commissions. collected, and the amount collected for each purpose. Daily deposits of taxes collected shall be made by said sheriff in the designated county depository. In making said monthly reports, the sheriff shall be allowed his commissions on said collections as is now provided or may hereafter be provided under the public laws of the State.

Penalties and liabilities of Sheriff unaffected.

Sec. 6. That nothing contained in this Act shall be construed to relieve the sheriff of any or all obligations and duties devolving upon him as sheriff ex officio tax collector up to the time of settlement as herein provided, but he shall be subject to all the penalties for acts of commission and/or omission in the performance of his duties up to the time of the settlement as herein provided as he would have had this Act never been passed.

No fees allowed on uncollected taxes.

Sec. 7. That the sheriff shall receive no fees or commissions for collections made by the tax collector on any one thousand nine hundred and thirty-four taxes uncollected by said sheriff and for which he has received credit in his settlement under the provisions of this Act.

Application of Act.

Sec. 8. That this Act shall apply only to Hyde County.

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

Ratified this the 8th day of May, A.D. 1935.

S. B. 575

CHAPTER 476

AN ACT PROVIDING FOR THE APPOINTMENT OF A TAX COLLECTOR FOR THE COUNTY OF GRANVILLE.

The General Assembly of North Carolina do enact:

Section 1. That on the first Monday in December, one thousand nine hundred and thirty-six, and biennially thereafter, the Board of Commissioners of Granville County are hereby authorized and empowered, in their discretion, to appoint a tax collector for said county in lieu of the sheriff and in case of the appointment of said tax collector the sheriff shall not be allowed any paid deputy for his office. The salary of the tax collector herein provided for shall not exceed the sum of twenty-four 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 8th day of May, A.D. 1935.
S. B. 519       CHAPTER 477
AN ACT TO PERMIT DUPLIN COUNTY TO CONDEMN LAND
ADJACENT TO ITS COURTHOUSE SQUARE.

The General Assembly of North Carolina do enact:

SECTION 1. That Duplin County be and it is hereby invested with all the power of Eminent Domain as set forth and provided by Chapter thirty-three, Consolidated Statutes, for the purpose of acquiring by condemnation proceedings any lands adjoining its courthouse square, in the Town of Kenansville, on which no buildings are located at the time of this Act, for the purpose of enlarging said square, which lands when so acquired shall form a part of said square under the control of said county.

Sec. 2. That before any proceedings for condemnation shall be instituted, a resolution shall be entered up by the Board of Commissioners of said County, describing said lands so to be acquired and ordering that proceedings be had to condemn same as provided by law.

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 8th day of May, A.D. 1935.

S. B. 558  CHAPTER 478
AN ACT TO DEFINE THE BOUNDARIES OF BRUNSWICK COUNTY-SOUTHPORT HARBOR, AND TO REGULATE STEVEDORING AND TOWING FEES AND TO PROVIDE FOR THE APPOINTMENT OF A HARBOR MASTER.

The General Assembly of North Carolina do enact:

SECTION 1. Brunswick County-Southport Harbor or Port is hereby defined as follows:

That part of Brunswick County and Southport bordering the Cape Fear River to the channel of said river or such harbor line as has been or may be established by the Federal Government, and along said river from its mouth to the point where the New Hanover County line crosses the Cape Fear River; all streams, canals or other water courses that are considered as being navigable or may be in the future made navigable.

Sec. 2. The Brunswick County-Southport Port Commission is hereby vested with full power and authority to appoint by appropriate resolution of said Commission a harbor master for the said
port district, defining his duties, and determine and fix his compensation. Said appointment shall be made annually, with first appointment not later than June first, nineteen hundred and thirty-five. The harbor master so appointed shall at all times be under the jurisdiction of the Brunswick County-Southport Port Commission, and may at any time be removed by said Commission, for cause, upon ten days notice.

Sec. 3. Brunswick County-Southport Port Commission is hereby vested with the power and authority to name and/or authorize, designate, and approve stevedoring companies organized or to be organized for the purpose of carrying on the business of stevedoring in and at the aforesaid harbor, to fix and prescribe the rules and regulations for their operation and to fix and determine the fees that shall be paid to said Port Commission by such company or companies. The said Port Commission is further authorized and empowered to carry on in its own name the business of stevedoring and to set up such fees and charges as are right and reasonable.

Sec. 4. Brunswick County-Southport Port Commission is hereby vested with the power and authority to name and/or authorize, designate, and approve towing companies organized or to be organized for the purposes of carrying on the business of towing in and at the aforesaid harbor, to fix and prescribe the rules and regulations for their operation and to fix and determine the fees that shall be paid to the said Port Commission by such company or companies. The said Port Commission is further authorized to carry on in its own name the business of towing and to set up such fees and charges as may be right and reasonable.

Sec. 5. It is hereby declared to be the purpose of this Act to invest in the Brunswick County-Southport Port Commission the power and authority to exercise full jurisdiction and control over Brunswick County-Southport harbor, as herein defined, and in the exercise of such jurisdiction it is expressly authorized and empowered to make such reasonable rules and regulations as may be deemed necessary within the scope of its authority.

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 8th day of May, A.D. 1935.
H. B. 968

CHAPTER 479

AN ACT TO ALLOW THE COUNTY OF CHEROKEE TO ASSUME THE BONDED INDEBTEDNESS OF THE VARIOUS TOWNSHIPS OF SAID COUNTY AND A ROAD DISTRICT THEREIN, AND TO PROVIDE FOR THE REFUNDING OF THE EXISTING BONDED INDEBTEDNESS OF SAID COUNTY.

Whereas, the main system of county highways in Cherokee County (now largely consolidated with and a portion of the State Highway System) was constructed by township and road district units, and to procure funds for said construction, the various townships in said county and a road district therein issued and sold bonds under and by virtue of the following Acts of the General Assembly:

Valleytown Township by the provisions of Chapter two hundred and ten, Public Laws of nineteen hundred and five, and Acts amendatory thereof, creating the Highway Commission of Valleytown Township.

Marble Road District in Valleytown Township by the provisions of Chapter one hundred and forty-three, Public-Local Laws of nineteen hundred and eleven, and Acts amendatory thereof, creating the Highway Commission of Marble Road District.

Murphy Township by the provisions of Chapter one hundred and seven, Public-Local Laws of nineteen hundred and eleven, and Acts amendatory thereof, creating the Highway Commission of Murphy Township.

Notla Township, Shoal Creek Township, Beaverdam Township and Hot House Township by the provisions of Chapter two hundred and four, Public-Local Laws of nineteen hundred and thirteen, creating the Highway Commission of Notla Township, the Highway Commission of Shoal Creek Township, the Highway Commission of Beaverdam Township and the Highway Commission of Hot House Township, and by Chapter three hundred and three, Public-Local Laws of nineteen hundred and twenty-one, as to the Highway Commission of Shoal Creek Township, and all laws amendatory thereof; and

Whereas, Valleytown Township, in said county, has issued bonds in aid of construction of a railroad and as a donation to the Hiawassee Valley Railway Company, under the provisions of Chapter two hundred and fifty-four, Private Laws of nineteen hundred and thirteen; and

Whereas, on account of the inability of property owners in the various townships and the district aforesaid, to pay taxes, default has been made in the payment of the bonded indebtedness issued for the purposes aforesaid in said townships and district, and it
Necessity of assumption by county

Assumption by county authorized.

Bonds by townships again enumerated.

Special election to be called on proposition.

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Is deemed proper to have all said indebtedness assumed by the County of Cherokee in exchange for its interest bearing bonds, thereby consolidating and refinancing said indebtedness and distributing the burden of the same equitably among all taxpayers of said county: Now, Therefore,

The General Assembly of North Carolina do enact:

Section 1. That the County of Cherokee, acting by and through its Board of Commissioners, be, and it is hereby authorized and empowered, as herein more fully set out, to assume and become liable for the payment of all the bonds and interest due, or becoming due thereon, issued by;

Valleytown Township by the provisions of Chapter two hundred and ten, Public Laws of nineteen hundred and five, and acts amendatory thereof, creating the Highway Commission of Valleytown Township;

Marble Road District in Valleytown Township by the provisions of Chapter one hundred and forty-three, Public-Local Laws of nineteen hundred and eleven, and Acts amendatory thereof, creating the Highway Commission of Marble Road District;

Murphy Township by the provisions of Chapter one hundred and seven, Public-Local Laws of nineteen hundred and eleven, and Acts amendatory thereof, creating the Highway Commission of Murphy Township;

Notla Township, Shoal Creek Township, Beaverdam and Hot House Townships by the provisions of Chapter two hundred and four, Public-Local Laws of nineteen hundred and thirteen, creating the Highway Commission of Notla Township, the Highway Commission of Shoal Creek Township, the Highway Commission of Beaverdam Township, and the Highway Commission of Hot House Township, and by Chapter three hundred and three, Public-Local Laws of nineteen hundred twenty-one, as to the Highway Commission of Shoal Creek Township, and all laws amendatory thereof;

Valleytown Township, issued in said construction of and as a donation to the Hiawassee Valley Railway Company under the provisions of Chapter two hundred and fifty-four, Private Laws of nineteen hundred and thirteen.

Sec. 2. The Board of County Commissioners of Cherokee County shall make an order providing for the holding of a special election at a time not less than sixty days from the date of said order, which time shall be designated therein, to open the polls and take the sense of the qualified voters of Cherokee County on the question of whether all the bonded indebtedness of Valleytown Township, Murphy Township, Notla Township, Shoal Creek Township, Hot House Township and Marble Road District may be assumed by Cherokee County in accordance with the conditions
and provisions of this Act as hereinafter set forth. Said election shall be advertised in some newspaper published in Cherokee County once a week for four weeks prior to said election.

Sec. 3. The qualified voters, at any special election held under the provisions of this Act, shall be those qualified to vote at the preceding regular November election and those who may have become of age and qualified since the preceding regular November election, except those who by commission of crimes or by removal from voting precinct or county, or for other legal cause, have disqualified themselves to vote, and who have registered in accordance with the provisions of this Act. Any election held under the provisions of this Act shall be conducted in the same manner as is now or may hereafter be prescribed by law for holding elections for members of the General Assembly, except as herein provided.

The said Board of Commissioners of Cherokee County shall appoint the registrars and judges of election and any other election officers; and registration and challenge of voters shall be conducted in the same manner as is now or may hereafter be provided for the election of members of the General Assembly, and the Board of Commissioners are hereby directed and required to order a new registration to be made in the manner and form prescribed by law for the purpose of holding this election.

The provisions of law commonly known as the Australian Ballot shall not apply to any election held hereunder, but at the election held under the provisions of this Act, the ballots tendered or cast by the voters shall have written or printed thereon the words "For Assumption of Township and District Bonded Indebtedness by Cherokee County," or written or printed thereon the words, "Against the Assumption of Township and District Bonded Indebtedness by Cherokee County," and all electors who favor the assumption by Cherokee County of the bonded indebtedness of the various townships and road district therein, in accordance with the provisions of this Act, shall vote a ballot upon which shall be written or printed thereon, "For Assumption of The Township and District Bonded Indebtedness by Cherokee County," and those opposed to the questions submitted shall vote a ballot upon which shall be written or printed thereon, "Against the Assumption of Township and District Bonded Indebtedness by Cherokee County."

The vote shall be counted on the close of the polls and the officers appointed to hold the election shall return the result thereof to the Board of County Commissioners on Thursday next following said election. Such officers, in making the return, shall incorporate therein not only the number of votes cast for and against the question submitted, but also the number of voters registered and qualified to vote in the election. The board of
County Commissioners shall thereupon canvass the returns and shall include in their canvass the votes cast and the number of voters registered and qualified to vote in the election, and shall determine and declare the result of the election. The said Board of County Commissioners shall prepare a statement showing the number of votes cast for and against the question submitted and the number of voters qualified to vote in the election, and declaring the result of the election, which statement shall be signed by the majority of the members of the Board and delivered to the Clerk, who shall record it in the minutes of the Board and file the original in his office and publish it once in a newspaper published in Cherokee County.

No right of action or defense founded upon the invalidity of the election shall be asserted, nor shall the validity of the election be open to question in any court upon any ground whatever, except in an action or proceeding commenced within thirty days after the publication of such statement of result as hereinabove provided.

The result of the vote shall be counted, declared and reported to the Board of Commissioners as prescribed by law in holding elections for members of the General Assembly.

Sec. 4. In the event the votes of the majority of the qualified voters in said election shall be cast in favor of the question submitted, and after the result of said election has been declared and recorded as aforesaid, the Board of County Commissioners of Cherokee County shall thereafter be fully authorized and empowered to carry into effect all the remaining provisions of this Act. If the votes of a majority of the qualified voters in said election shall be cast against the question submitted and, after the result of said election has been declared and recorded as aforesaid, all of the remaining provisions of this Act shall be without force and effect.

Sec. 5. The Board of Commissioners of Cherokee County is hereby fully authorized and empowered, in making settlements and adjustments of the bonded indebtedness of Cherokee County and of any township or road district therein, to use any funds already collected and now on hand for debt service and otherwise, and all other funds that may be collected for delinquent taxpayers, and in addition thereto any money collected for debt service for the year, one thousand nine hundred and thirty-four, for the payment and adjustment of such bonded indebtedness of Cherokee County and the various townships thereof, and the said Board of Commissioners of Cherokee County is authorized and empowered to use said funds so collected for Cherokee County for the purpose of buying Cherokee County bonds, or the bonds of any township or road district therein, on the open market, both such as are due and in default and such bonds.
as are not due and upon which the interest is in default, and the said Board of Commissioners is authorized and empowered to make such settlement and adjustment for the payment of both principal or interest on any of such bonds, as, in the determination of the Board, may be equitable and as may be agreed upon with the holder of such bond at such prices and upon such terms as may be agreed upon, and to effect such settlement and to carry into effect the provisions of this Act, the said Board of Commissioners of Cherokee County is authorized and empowered to make contracts for such expert assistance or advice as will enable them to carry out the provisions of this Act and to pay such reasonable charges therefor as may be approved by the Local Government Commission.

Sec. 6. It is hereby declared that the question submitted at an election in accordance with the provisions of this Act shall be construed to be for the purpose of authorizing Cherokee County to assume the indebtedness of the various townships and district as enumerated in Section one hereof; such assumption to be further conditioned upon (a) authorization of the issuance of bonds of said County pursuant to the provisions of the County Finance Act, being Chapter eighty-one, of the Public Laws of one thousand nine hundred and twenty-seven, as amended, and of the Local Government Act, being Chapter sixty of the Public Laws of one thousand nine hundred and thirty-one, as amended, for the purpose of funding and/or refunding all of the outstanding indebtedness of each and every township and district enumerated in Section one of this Act, together with any or all of the outstanding indebtedness of said County, and (b) the unqualified assent of the holders of not less than eighty per centum in amount of the total outstanding indebtedness of all of said townships and districts, including any or all of the indebtedness of said County included in any refunding or readjustment plan, to the terms of such plan as may be submitted by the Board of County Commissioners for the funding and/or refunding of all of such indebtedness by the issuance of bonds of the County or for otherwise settling such indebtedness, and (c) the passage of a resolution by the Board of County Commissioners declaring the terms of such plan effective and operative, and that the approval of the Local Government Commission has been given to the provisions of such resolution: Provided, however, that the amount of interest to be paid on the bonds authorized as provided in clause (a) above shall not exceed an amount which will equal a sum ascertained by computation on the total principal amount of said bonds from their respective dates to their maturity at a rate of four per centum per annum.

Nothing in this Act shall be construed to authorize the assumption by the County of any part of the indebtedness referred to in
Section one of this Act without assuming the whole thereof, it being the intention of this Act to authorize the assumption of all of said indebtedness.

Sec. 7. That it is the intention of this Act to authorize the County of Cherokee to assume the bonded indebtedness issued by any township or road district by whatever name called or by whatever Act authorized, and any error in the recital of the corporate names or bodies executing said bonds or the Acts under which the same shall have been issued, or any other error of like character, shall be held to be immaterial and should any section or sections or clause of this Act be held unconstitutional or invalid for any one reason, same shall not invalidate the remaining portion hereof, and this Act shall be liberally construed to allow and permit the purposes provided for.

Sec. 8. Upon assumption by Cherokee County of the bonded indebtedness of the townships and road districts as provided by this Act, all of said indebtedness shall become valid and binding indebtedness of Cherokee County for the payment of principal and interest of which a tax shall be levied without limitation upon all of the taxable property in said County.

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

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

Ratified this the 8th day of May, A.D. 1935.

H. B. 987

CHAPTER 480

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF ALEXANDER COUNTY TO ISSUE REFUNDING BONDS TO REFUND PRINCIPAL OR INTEREST OR PRINCIPAL AND INTEREST OF CERTAIN OUTSTANDING BONDS AND TO ISSUE FUNDING BONDS OR NOTES TO FUND OUTSTANDING NOTES AND TO LEVY A TAX FOR THE PAYMENT OF PRINCIPAL AND INTEREST OF SAME AND SETTING ASIDE CERTAIN TAX LEVIES FOR DEBT SERVICE TO BE APPLIED TO INTEREST PAYMENTS.

Whereas, the County of Alexander has outstanding, unpaid bonds, either past due or to become due prior to June thirtieth, one thousand nine hundred and thirty-six, in the principal amount of fifty-one thousand dollars ($51,000.00).

Whereas, the County of Alexander is in default on interest payments on its outstanding bonds, such interest payments either now due or past due or to become due prior to June thirtieth,
one thousand nine hundred and thirty-five, in a sum not exceeding forty-two thousand dollars ($42,000.00).

Whereas, the County of Alexander has outstanding, unpaid notes in an aggregate principal amount of not exceeding thirty-one thousand dollars ($31,000.00).

Whereas, all the aforesaid obligations are valid obligations of said County, were issued to provide for a necessary expense of said County and for special purposes, within the meaning of the Constitution of North Carolina; and whereas, the Board of Commissioners of said County desires to refund or fund part or all of said indebtedness.

Whereas, the Board of Commissioners of said County deem it advisable to apply the debt service portion of all taxes heretofore levied and uncollected or to be levied and collected, up to and including the fiscal year ending June thirty, one thousand nine hundred and thirty-six, to interest payments on the obligations of said County in so far as same be necessary for such purpose:

Now, Therefore;

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of Alexander County be and it is hereby authorized and empowered, in its discretion, to issue bonds of said County in an aggregate principal amount not exceeding one hundred and twenty-four thousand dollars ($124,000.00).

Sec. 2. Said bonds may be issued either all at one time or from time to time in separate issues, at the discretion of the Board of Commissioners. Said bonds shall be issued in such denominations, shall be dated as of such date or dates, shall bear interest at such rate or rates, not exceeding six per cent per annum, payable semiannually, shall mature at such time or times, shall be in such form, and shall be payable at such place or places as said Board may by resolution determine. Said bonds shall be coupon bonds, but may be registerable as to principal or principal and interest, as said Board of Commissioners may determine. They shall be signed by the Chairman of the Board of Commissioners of Alexander County, and the County seal shall be affixed to the bonds and attested by the Clerk of said Board, and coupons of said bonds shall bear a printed, lithographed or engraved facsimile signature of the Clerk to said Board. The proper resolution or resolutions of the Board of Commissioners of Alexander County shall be sufficient authority for the issuance of said bonds and the delivery thereof. The delivery of said bonds, signed as aforesaid, by officers in office at the time of such signing shall be valid, notwithstanding any change in officers occurring after such signing.
Sec. 3. The Board of Commissioners of Alexander County is hereby authorized and empowered to levy annually a special ad valorem tax upon all taxable property in said County for the purpose of paying the principal and interest of all bonds or notes issued under this Act, as such principal and interest become due, which tax shall be in an amount sufficient for said purpose, and shall be levied and collected at the same time or times that other County taxes are levied and collected, and shall be in addition to all other taxes authorized to be levied by said Board.

Sec. 4. Said bonds shall be disposed of in the following manner: (a) The Board of Commissioners may sell said bonds, or any part of them, at public or private sale, but they cannot be sold at a price less than par and accrued interest. (b) In lieu of offering said bonds for sale, said Board of Commissioners may exchange any portion of said bonds, not exceeding fifty-one thousand dollars ($51,000.00) par value, for and in payment of a like principal amount of Alexander County bonds, either past due or maturing not later than June thirtieth, one thousand nine hundred and thirty-six. (c) Said Board of Commissioners may exchange any portion of said bonds, not exceeding forty-two thousand dollars ($42,000.00) par value, for and in payment of a like amount of bond interest coupons of Alexander County, either past due or due not later than June thirtieth, one thousand nine hundred and thirty-five. (d) Said Board of Commissioners may exchange any portion of said bonds, not exceeding thirty-one thousand dollars ($31,000.00) par value, for and in payment of a like principal amount of Alexander County notes. (e) Instead of effecting such exchanges themselves, the Board of Commissioners may designate some agent to effect said exchanges on behalf of the County, and may pay reasonable compensation for said services. (f) In case exchanges are made under this section, the accrued interest may be adjusted at the time of said exchanges.

Sec. 5. In lieu of issuing bonds to fund all or any part of the thirty-one thousand dollar ($31,000.00) notes, referred to in this Act, the Board of Commissioners may issue a renewal note or notes in the aggregate principal amount of not exceeding thirty-one thousand dollars ($31,000.00), and may exchange said note or notes for and in payment of a like principal amount of outstanding notes.

Such renewal note or notes shall be in such form as the Board of Commissioners may by resolution determine, and shall mature at such time or times, not exceeding five years from the date thereof, as said Board may determine: Provided, that said bonds shall be issued and sold as provided in Chapter sixty, Public Laws one thousand nine hundred thirty-one, as amended.

Sec. 6. Any funds now held by said County, which have been levied and collected for debt service or any taxes due said County
on account of previous levies for debt service may be applied to the payment of the interest on bonds or notes of Alexander County, and the Board of Commissioners is hereby authorized and empowered to apply all of their debt service levy, until the end of the fiscal year ending June thirtieth, one thousand nine hundred and thirty-six, solely to the payment of the interest on Alexander County bonds or notes, in their discretion, except in so far as said funds may be necessary to meet any sinking fund requirements: Provided, that any funds not needed to meet interest requirements may be used to pay the principal of Alexander County bonds or notes or to purchase same: Provided, further, that the Board of Commissioners shall not reduce their tax levy prior to the end of the fiscal year ending June thirtieth, one thousand nine hundred and thirty-six.

Sec. 7. The powers and authority granted by this Act are granted in addition to and not in substitution for existing powers of Alexander County, and are not subject to any limitation or restriction contained in any other Act, either Private, Public-Local, or Public.

Sec. 8. The unconstitutionality or invalidity of any part or section of this Act shall not affect the constitutionality or validity of any other part or section of this Act.

Sec. 9. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

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

Ratified this the 8th day of May, A.D. 1935.

H. B. 1379 CHAPTER 481

AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF CUMBERLAND COUNTY TO APPOINT A WARRANT OFFICER WITH AUTHORITY TO DRAW WARRANTS RETURNABLE TO THE RECORDER'S COURT.

The General Assembly of North Carolina do enact:

SECTION 1. That the County Commissioners of Cumberland County are hereby authorized and empowered to appoint a person with authority to administer oaths, to draw and make returnable criminal warrants directly to the Recorder's Court of said County.

Sec. 2. That upon the appointment of such person for the purposes set out in Section one, it shall be the duty of the said Board of County Commissioners to designate such appointment...
and the term thereof in writing, at a salary to be designated by said Board.

Sec. 3. That after the appointment of such person, any and all acts such person shall perform with respect to issuing criminal warrants and/or subpoenaing witnesses, shall be in full force and legal effect and is supplemental and in addition to the laws governing the issuance of criminal warrants in said Recorder's Court.

Sec. 4. That this Act shall only apply to Cumberland 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 full force and effect from and after its ratification.

Ratified this the 8th day of May, A.D. 1935.

H. B. 1068

CHAPTER 482

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF A COUNTY TO EXCHANGE SCHOOL BUILDINGS AND TO PROVIDE FOR THE PAYMENT OF DIFFERENCE IN SUCH EXCHANGE FOR THE BETTER ACCOMMODATIONS OF SCHOOLS WITHIN THE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners of a County may, with the approval or upon the recommendation of the Board of Education of such County, exchange buildings erected for school purposes, within the same township or school district, conveying or causing to be conveyed to any person, association or corporation a building or buildings and taking title to another and more commodious and better building, such title to be taken in the name of the Board of Education of such County, when and if the said Board of Commissioners of such County shall find and declare that the exchange is to the best interests of the schools and necessary to the public schools of such County, Township, or District.

Sec. 2. That upon such exchange and as a part thereof the Board of Commissioners is authorized to incur indebtedness sufficient to provide for the payment of the difference in exchange of such buildings, upon such terms and with such rate of interest, not exceeding four and one-half per cent, as may be decided and agreed. The said Board of Commissioners may, moreover, in such exchange take over, obtain and procure any personal effects, such as seats, desks, libraries and other school equipment as may
be by said Board deemed necessary, and if recommended by the Board of Education of the County.

Sec. 3. That the Board of Commissioners, to provide for the payment of moneys necessary in such exchange, is authorized to issue notes, bonds or other evidences of debt, with such maturities and rate of interest, not exceeding four and one-half per cent per annum, as said Board may determine.

Sec. 4. That such building or buildings, with such lands as may be secured, shall be used and devoted to the public school work of the County, under the direction of the Board of Education of the County, or as may be lawful and in keeping with the general law of the State; provided, moreover, such building or buildings may also be used for the accommodation of a branch of any State educational institution, when and if agreed between the Board of Education of the County and the governing authority of such State educational institution.

Sec. 5. That there shall not be incurred, under the authority of this Act, an indebtedness greater than fifty thousand dollars.

Sec. 6. That this Act shall apply to Surry County only.

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

Ratified this the 8th day of May, A.D. 1935.

S. B. 511  CHAPTER 483

AN ACT FIXING THE SALARIES OF PUBLIC OFFICERS IN GRANVILLE COUNTY, THEIR ASSISTANTS, DEPUTIES AND STENOGRAPHERS.

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-six hundred dollars and not more than thirty-five hundred dollars per annum, payable by the County 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 said County at not more than eighteen hundred dollars per annum, to be paid by the County 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 as Clerk of said court a salary, to be fixed by the Board of Commissioners of said County, of not less than twenty-eight hundred dollars and not more than thirty-six hundred dollars per annum, payable monthly; and for his services as Clerk of the Recorder's Court of said County he shall receive a salary of not less than twenty-five dollars per month; and for his services as Judge of the Juvenile Court he shall receive a salary of not less than twenty-five dollars per month, all to be paid by the County.

The Clerk of the Superior Court of Granville County shall be allowed to appoint an assistant or deputy clerk, subject to the provisions of the general law as to the appointment, qualification, powers and duties of such assistant or deputy clerk, who shall be paid by the County for his or her services a salary, to be fixed by the Board of Commissioners of said County, of not less than one hundred dollars nor more than one hundred and fifty dollars per month. The Board of County Commissioners may authorize the Clerk of the Superior Court to appoint a deputy clerk or stenographer, who shall be paid by the County for his or her services a salary, to be fixed by the Board of Commissioners of Granville County, of not less than seventy-five dollars and not more than one hundred dollars per month, and if said Clerk of the Superior Court shall appoint a deputy clerk as herein allowed, said deputy shall possess all the powers and duties conferred, and be subject to all the liabilities imposed upon deputy clerks by the general law.

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-six hundred dollars and not more than thirty-five hundred dollars per annum, payable by the County monthly.

SEC. 6. The Register of Deeds of Granville County shall be allowed to appoint a deputy or stenographer, who shall be paid by the County for his or her services a salary, to be fixed by the Board of Commissioners of said County, of not less than one hundred dollars nor more than one hundred and twenty-five dollars per month; and if said Register of Deeds shall appoint a deputy as herein allowed, said deputy shall possess all the powers and duties conferred upon, and be subject to all the liabilities imposed upon, deputy registers of deeds by the general law.

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. That the Auditor of said County of Granville shall receive a salary, to be fixed by the Board of Commissioners of Granville County, of not less than twenty-four hundred dollars nor more than twenty-eight hundred dollars per annum, payable monthly.

Sec. 9. 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 ten 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. 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 ten dollars each for every person found engaged in and convicted of operating any distillery in said County.

Sec. 10. That the Board of Commissioners of Granville County is hereby authorized to pay to its members for their services as County Commissioners the sum of not less than seven dollars and fifty cents nor more than ten dollars per day for such days as they are actually in session, and shall allow to themselves traveling expenses at five cents per mile for each mile actually traveled in attending regular or special sessions of said Board.

Sec. 11. That Chapter one hundred fifty, Public-Local Laws of one thousand nine hundred twenty-nine, be, and the same is hereby repealed.

Sec. 12. 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. 13. That this Act shall be in full force and effect from and after July first, one thousand nine hundred and thirty-five.

Ratified this the 9th day of May, A.D. 1935.
S. B. 569  CHAPTER 484

AN ACT TO AMEND CHAPTER FOUR HUNDRED TWENTY-THREE OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED TWENTY-SEVEN RELATING TO THE ACQUISITION OF LAND FOR AN AIRPORT FOR BUNCOMBE COUNTY AND/OR THE CITY OF ASHEVILLE.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter four hundred twenty-three of the Public-Local Laws of one thousand nine hundred twenty-seven be amended by striking out the comma at the end of Section three of said chapter, and substituting a semi-colon in place thereof, with the following provision to be inserted after said semi-colon, namely: "that any one or more of the aforesaid municipal corporations, acting singly, or in conjunction with one or more of the others, may exchange tax certificates, or evidences of tax indebtedness, the proceeds of which are due to be paid to such municipal corporation or corporations, to the owner or owners of any land, determined by such municipal corporation or corporations to be suitable for air field purposes, for a deed conveying to such municipal corporation or corporations, singly or jointly, a fee simple title to such land."

SEC. 2. All laws or 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 9th day of May, A.D. 1935.

S. B. 586  CHAPTER 485

AN ACT TO REGULATE THE FEES OF THE VARIOUS JUSTICES OF THE PEACE OF WAYNE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. The various Justices of the Peace of Wayne County shall receive the following fees, and none other:

Criminal Proceedings: For affidavit for warrant in criminal action, 25c; warrant of arrest in criminal action, $1.00; trial and/or judgment, $1.00; recognizing witnesses, each 15c; commitment, 50c; bond, 50c; capias and order, $1.00; issuing scil. fa. against defendant, and bail, $1.00; issuing subpoena, each 25c.

Civil Proceedings: Issuing summons, one defendant, 50c; issuing summons, each additional defendant, 15c; trial and/or judgment, $1.00; transcript of judgment, 25c; issuing subpoena, 15c;
issuing additional subpoena, each 15c; taking affidavits, 35c; jury trial and verdict, $1.00; issuing execution, 50c; return to notice of appeal, 50c; claim and delivery papers, including summons, affidavit, bond, order to seize property, and trial, $2.50; issuing attachment, including application, affidavit, and order to seize property, $2.50; recognizing witnesses, each 15c; probate and acknowledgment of deed, 25c; chattel mortgage, or other paper-writing, 25c; taking bond, 50c; allotting widow's year's allowance, $1.00; taking depositions, each legal size copy, 20c; filing and docketing liens, 75c; affidavit for removal, 25c; order for removal, 25c; affidavit, 25c; summons, 50c; trial judgment, $1.00; execution, 50c.

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

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

Ratified this the 9th day of May, A.D. 1935.

S. B. 596

CHAPTER 486

AN ACT RELATING TO THE ELECTION LAWS IN HALIFAX COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That at the time of the regular registration of voters for the next primary election to be held in June, one thousand nine hundred thirty-six, for the nomination of candidates for State and County officers, a new registration of the voters of Halifax County shall be had, and the said new registration shall be made in accordance with the provisions of Sections five thousand nine hundred thirty-four (5934) and five thousand nine hundred thirty-five (5935) of Article five (5) of the Consolidated Statutes, as amended by Chapter one hundred sixty-five of the Public Laws of one thousand nine hundred thirty-three, relating to new registration of voters.

Sec. 2. That no name, or names, shall be copied from any source other than from those who are entitled to be legally registered by the duly appointed Registrar in person, and that there shall not be any transfer or retention of names on the books of the new registration of said voters: Provided, however, that any electors of said County who are registered under the Grandfather's Clause of the State Constitution shall re-register under the provisions for such registration in Sections five thousand nine hundred forty-nine to five thousand nine hundred fifty-seven of the Consolidated Statutes.
Division of larger precincts.

Sec. 3. Whenever as many as twelve hundred electors have voted in any one precinct in a primary election in Halifax County, it shall be the mandatory duty of the County Board of Election, before the next succeeding primary election, to divide such precinct into two precincts, and to provide for a new registration in the new precincts; Provided, however, that the provisions of this section shall not be construed as prohibiting the County Board of Elections from dividing precincts, notwithstanding the fact that a smaller vote was cast in said primary elections if in the opinion of said Board it is advisable that such division be made.

Sec. 4. That Roanoke Rapids Township, in Halifax County, containing two precincts, in both of which more than twelve hundred electors voted in the June, one thousand nine hundred thirty-four, primary be and the same is hereby divided into four voting precincts in which precincts the electors residing therein shall hereafter register and vote, the description and boundaries of said precincts to be as follows:

Precinct No. 1. All that territory in Roanoke Rapids Township lying to the north of the southern line of Fourth Street in the City of Roanoke Rapids and lying to the north of said Fourth Street line in an easterly and westerly direction as said line is extended outside of the corporate limits of the City of Roanoke Rapids in an easterly and westerly direction to the eastern and western boundaries of Roanoke Rapids Township thereof; it being the intent hereof that all qualified electors residing in that territory in said township south of the southern bank of the Roanoke River and north of the southern line of Fourth Street in the City of Roanoke Rapids, if the same were extended to the western and eastern boundary lines of Roanoke Rapids Township, shall register and vote in said precinct Number One as hereby established.

Precinct No. 2. All that territory in Roanoke Rapids Township lying to the south of the southern line of Fourth Street and to the north of the eastern line of Eighth Street in the City of Roanoke Rapids, and lying to the south of said Fourth Street line and north of said Eighth Street line, and in an easterly and westerly direction as said lines are extended outside of the corporate limits of the City of Roanoke Rapids if the said southern line of Fourth Street and the northern line of Eighth Street in said City of Roanoke Rapids and in said township were extended in an easterly and westerly direction to the eastern and western boundaries of said township; it being the intent hereof that all qualified electors residing in that territory of Roanoke Rapids Township south of said southern line of Fourth Street and north of the northern line of said Eighth Street, if the said lines were extended to the eastern and western boundaries of Roanoke Rapids Township, shall register and vote in said Precinct Number Two as herein established.
PRECINCT No. 3. All that territory in Roanoke Rapids Township lying to the south of the southern line of Eighth Street in the City of Roanoke Rapids if said southern line of Eighth Street were extended in an easterly and westerly direction to the eastern and western boundaries of Roanoke Rapids Township and north of the northern line of the right of way of the main line of the Seaboard Air Line Railway Company, if the same extend from the eastern to the western boundaries of Roanoke Rapids Township and through the same; it being the intent hereof that all qualified electors residing in that territory of Roanoke Rapids Township between the southern line of Eighth Street if the same were extended to the eastern and western boundaries of Roanoke Rapids Township and the northern line of the right of way of the main line of the Seaboard Air Line Railway Company if said right of way extends from the eastern to the western boundaries of Roanoke Rapids Township, shall register and vote in said Precinct Number Three as herein established.

PRECINCT No. 4. All the remainder of the territory in Roanoke Rapids Township lying to the south of the northern line of the right of way of the main line of the Seaboard Air Line Railway Company and extending to the eastern, southern and western boundaries of said township, south of the northern line of the said Seaboard Air Line Railway Company right of way; it being the intent hereof that all qualified electors residing in that territory of Roanoke Rapids Township lying to the south of the main line of the Seaboard Air Line Railway Company right of way in Roanoke Rapids Township and extending to the eastern, southern and western boundaries thereof shall register and vote in said Number Four Precinct as herein established.

SEC. 5. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 6. This Act shall be in full force and effect from and after its ratification.

Ratified this the 9th day of May, A.D. 1935.

S. B. 584

CHAPTER 487

AN ACT RELATING TO SHERIFF’S FEES, DEPUTY SHERIFFS, POLICE OFFICERS AND ALL CONSTABLES IN COLUMBUS COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Sheriff, Deputy Sheriffs, Police Officers, and all Constables of Columbus County shall charge and collect the following fees, to wit:

 Fees of police officers of Columbus County.
Serving Civil Summons, one dollar for each defendant;
Subpoena for each person, fifty cents;
For each arrest, one dollar and fifty cents.

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. 1935.

H. B. 1336  CHAPTER 489

AN ACT TO AMEND CHAPTER THREE HUNDRED FOUR,
PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUN-
DRED THIRTY-THREE, RELATIVE TO FISHING IN CER-
TAIN STREAMS IN CHEROKEE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter three hundred four, Public-Local
Laws of one thousand nine hundred thirty-three, be amended by
inserting after Section two a new section to be known as Section
three and by re-numbering the subsequent sections, said new sec-
tion to read as follows:

"Sec. 3. That such shooting or taking by basket and/or trot
line shall only be allowed in Valley River below the Town of
Andrews and such shooting or taking by basket and/or trot line is hereby prohibited in said Valley River above said Town of Andrews."

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. 1935.

H. B. 1010

CHAPTER 490

AN ACT TO PROVIDE A FOUR-YEAR TERM OF OFFICE FOR THE REGISTER OF DEEDS, THE TREASURER, THE AUDITOR AND THE COUNTY SURVEYOR OF WAKE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That at the next general election and quadrennially thereafter there shall be elected for the County of Wake a Treasurer, an Auditor, and a County Surveyor, whose terms of office shall be for a period of four years instead of two as now provided.

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. 1935.

S. B. 593

CHAPTER 491

AN ACT TO ESTABLISH THE RIGHT TO INTEREST RECEIVED BY THE CLERK OF THE SUPERIOR COURT OF FORSYTH COUNTY FROM INVESTMENTS OF FUNDS BY SAID CLERK.

The General Assembly of North Carolina do enact:

Section 1. Interest received by the Clerk of the Superior Court of Forsyth County from the investment of surplus funds in the office of the Clerk of the Superior Court, and not allocated to any particular funds in the hands of the Clerk of said office, shall be paid over to the General Fund of Forsyth County.
Not entitled to interest in own right.

Allocation to trust fund accounts.

Balance to general fund.

Application of Act.

Sec. 2. The Clerk of the Superior Court of Forsyth County shall not be entitled, in his own right, to the interest received by him from investment of funds in the office of the Clerk of the Superior Court.

Sec. 3. Any interest received by the Clerk of the Superior Court of Forsyth County from investment of funds in his office shall first be allocated to trust fund accounts as provided by law and to the payment of trust fund accounts due by said Clerk to any person, firm or corporation and any surplus funds arising from interest received from such investments remaining in the hands of the Clerk after the payment of all principal and interest due on said trusts shall be paid by the said Clerk into the General Fund of Forsyth County.

Sec. 4. This Act shall apply only to Forsyth County.

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. 1935.

H. B. 1378

CHAPTER 492

AN ACT AUTHORIZING THE SHERIFF OF CUMBERLAND COUNTY TO DESIGNATE LAW ENFORCEMENT OFFICERS AS DEPUTIES SHERIFF.

The General Assembly of North Carolina do enact:

SECTION 1. That the law enforcement officers of the County of Cumberland, including deputies sheriff, rural policemen and special deputies, are hereby placed under the direct supervision of the Sheriff of Cumberland County, who may, in his discretion, designate one of the said deputies as chief deputy, whose duty it shall be to supervise and direct the activities of the county officers hereby placed under the control of the Sheriff's office.

Sec. 2. That the Sheriff of Cumberland County may designate a number, not exceeding four, duly elected constables within the County of Cumberland as deputies sheriff and, upon doing so, shall designate their term of office. That such deputies shall receive, in addition to their regular fees as constables, a sum not exceeding fifty ($50.00) dollars, each, per month, to be paid out of the general fund of the County of Cumberland.

Sec. 3. That any such constable named as a deputy sheriff under the provisions of this Act shall not be entitled to receive any money or any fees from the County funds for any services in the capacity of an officer, or witness, where such service becomes a charge upon the County, or must be paid out of the insolvent fund of said County.
Sec. 4. That this Act shall be in full force and effect from and after its approval by the duly elected and qualified Board of County Commissioners of Cumberland 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 full force and effect from and after its ratification.

Ratified this the 9th day of May, A.D. 1935.

H. B. 1368  CHAPTER 493

AN ACT TO AMEND HOUSE BILL ONE THOUSAND ONE HUNDRED SEVENTY-ONE ENTITLED, "AN ACT TO RELIEVE THE TAXPAYERS OF NEW HANOVER COUNTY OF PENALTIES," RATIFIED APRIL 20, 1935.

The General Assembly of North Carolina do enact:

SECTION 1. That House Bill 1171 entitled "An Act to Relieve the Taxpayers of New Hanover County of Penalties," ratified April twentieth, one thousand nine hundred and thirty-five, be and the same is hereby amended by adding a new section to be known as Section three and one-half, to read as follows:

"Sec. 3 1/2. That this Act shall not apply to property or property owners in the Town of Wrightsville Beach."

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

Ratified this the 9th day of May, A.D. 1935.

H. B. 1374  CHAPTER 494

AN ACT TO AMEND SECTION ONE AND SECTION THREE, CHAPTER EIGHTY-SIX, PUBLIC-LOCAL LAWS, NINETEEN HUNDRED THIRTY-THREE, BEING AN ACT TO VALIDATE AND AUTHORIZE THE SALE OF LANDS FOR TAXES.

The General Assembly of North Carolina do enact:

SECTION 1. That Section one, Chapter eighty-six of the Public-Local Laws, one thousand nine hundred thirty-three, be amended by striking out the words "thirty-three" in line ten thereof, and substituting therefor the words "thirty-five."

Sec. 2. That Section three, Chapter eighty-six, Public-Local Laws of one thousand nine hundred thirty-three, be amended by Ch. 86, Public-Local Laws 1933, amended, as to validation of tax sales in Gaston County. again amended.
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adding the word "Gaston" after the word "Haywood" and before the word "Graham" in line two thereof.

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. 1935.

H. B. 1380  CHAPTER 495

AN ACT TO ALLOW THE BOARD OF COMMISSIONERS OF PERSON COUNTY TO REMIT PENALTIES ON CERTAIN TAX SALES CERTIFICATES AND TO ALLOW AN EXTENSION OF TIME FOR THE INSTITUTION OF FORECLOSURE ACTIONS ON SUCH TAX SALES CERTIFICATES.

Whereas, the tobacco marketing season for the year one thousand nine hundred and thirty-four did not open in Person County until September twenty-fifth and the main source of revenue of the great majority of the taxpayers of Person County being derived from the sale of leaf tobacco, many taxpayers were prior to October first, one thousand nine hundred and thirty-four, without funds with which to redeem tax sales certificates held by Person County for taxes due said County for the years one thousand nine hundred and twenty-seven, one thousand nine hundred and twenty-eight, one thousand nine hundred and twenty-nine, one thousand nine hundred and thirty, and one thousand nine hundred and thirty-one; and

Whereas, the Board of Commissioners of Person County realizing this condition and realizing that many taxpayers who would pay off and discharge tax sales certificates held against them by Person County during the tobacco marketing season without tax foreclosure suits being instituted against them and that the institution of tax foreclosure suits on or before October first, one thousand nine hundred and thirty-four, as provided by Chapter one hundred and eighty-one, Public Laws of one thousand nine hundred and thirty-three, against such taxpayers would work a needless hardship against them and cost them needless expense and embarrassment, adopted a policy of not instituting tax foreclosure suits just before the time when it could be expected that the taxpayers would have funds with which to redeem tax sales certificates on their lands and thereby permitted the running of the statute of limitations fixed by Chapter one hundred and eighty-one, Public Laws of one thousand nine hundred and thirty-three, against all tax sales certificates held by the County for the year
one thousand nine hundred and thirty-one and preceding years; and

Whereas, a majority of such tax sales certificates were redeemed and the action of the Board of Commissioners of Person County accordingly appears to have been in good faith and well considered and in the best interest of the citizenship of Person County; Now, Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That Person County is hereby authorized and empowered to institute tax foreclosure actions in accordance with the laws of the State of North Carolina on any tax sales certificates held by it on lands in said County for the years one thousand nine hundred and twenty-seven, one thousand nine hundred and twenty-eight, one thousand nine hundred and twenty-nine, one thousand nine hundred and thirty, and one thousand nine hundred and thirty-one at any time before September first, one thousand nine hundred and thirty-five, with all the rights and privileges and liens which it had at any time heretofore, and to this extent Section eight of Chapter one hundred and eighty-one, Public Laws of one thousand nine hundred and thirty-three, is amended so far as it applies to Person County.

SEC. 2. The governing authorities of Person County holding any claim for delinquent taxes upon lands for any of the years one thousand nine hundred and twenty-seven, one thousand nine hundred and twenty-eight, one thousand nine hundred and twenty-nine, one thousand nine hundred and thirty and/or one thousand nine hundred and thirty-one are hereby authorized and directed to accept from any person or persons owning any interest in or holding any lien upon lands the principal amount of the taxes, less interest and penalties, in cash in full settlement of such taxes: Provided, such payment is made before the institution of a tax foreclosure action as is permitted in Section one hereof. If and when a tax foreclosure action has been instituted on any tax sales certificate for the aforesaid years, such tax sales certificate may not be discharged except upon the payment of the full amount due thereon including lawful penalties and the accrued lawful cost of the foreclosure action.

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 9th day of May, A.D. 1935.
H. B. 1393

CHAPTER 496

AN ACT TO ENLARGE THE TIME FOR FORECLOSURE OF TAX SALES CERTIFICATES ISSUED TO JOHNSTON COUNTY IN ALL CASES WHERE TAXES ARE LESS THAN FIFTEEN DOLLARS.

The General Assembly of North Carolina do enact:

Section 1. That on any tax sale certificate issued to and owned by Johnston County, issued at any time after the year one thousand nine hundred and thirty-one, where the taxes, exclusive of penalty, interest and costs, are less than fifteen dollars, the County of Johnston may at any time after twenty-four months from date of Certificate of Sale and before five years from date of said Certificate of Sale institute tax foreclosure suit or proceedings thereon.

Sec. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed so far as Johnston County is concerned.

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. 1935.

H. B. 1399

CHAPTER 497

AN ACT TO VALIDATE TAX SALES MADE ON DATES SUBSEQUENT TO TIME FIXED BY STATUTE AND TO PROVIDE FOR THE FORECLOSURE OF TAX LIENS IN ACTIONS ON TAX CERTIFICATES AND OTHERWISE.

The General Assembly of North Carolina do enact:

Section 1. That any sale of real estate for taxes levied for the year one thousand nine hundred and twenty-six and subsequent years up to and including one thousand nine hundred and thirty-three, and made by any County, City, Town or other municipal corporation after the expiration of any date limited or provided by any statute fixing same, is hereby validated as to the date of sale; and such sale at such subsequent date is declared to be as effectual for all purposes as if made on the date or within the time required by the statute then in force; and action may be brought and maintained for the foreclosure of any certificate issued upon such sale at such subsequent date exactly as if and with the same force and effect, and the rights of the purchaser at such sale shall be the same, as if said real property had been sold on the day designated by statute; and the sale on such subsequent date and the
certificate issued therefor shall be as effectual for all purposes as if made on the date or within the time provided by statute.

SEC. 2. That every County, City, Town or other municipal corporation which has become the purchaser and received the tax certificate of sale for any real property at any sale may, when it brings action for the foreclosure of any such tax certificate, at its option include in its complaint filed in said action a cause of action to likewise foreclose the tax lien set out and described in Consolidated Statutes seven thousand nine hundred ninety; or it may at any time thereafter before final judgment set up said cause of action by amendment; or it may bring a separate action therefor; or it may by amendment set up a cause of action on the lien described in said Section seven thousand nine hundred ninety, in any action heretofore brought and now pending and in which final sale has not been made, to be made by motion before the Clerk or the Judge in term, which said cause of action on said tax lien shall be a separate cause of action in addition to the cause of action on the sales certificate: and the same may be foreclosed in any of said actions as provided, though a certificate of sale may have been issued or attempted to be issued to said County, City or Town or other municipal corporation.

SEC. 3. That this shall apply to Lee County 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 9th day of May, A.D. 1935.

S. B. 75

CHAPTER 498

AN ACT TO AMEND CHAPTER THREE HUNDRED AND EIGHTY-SIX OF THE PUBLIC LAWS OF ONE THOUSAND NINE HUNDRED AND NINE AND FIXING THE FEES OF THE TRIAL JUSTICE AND PROSECUTING ATTORNEY FOR THE ROWAN COUNTY COURT.

The General Assembly of North Carolina do enact:

SECTION 1. That Section seventeen of Chapter three hundred eighty-six, Public Laws one thousand nine hundred and nine, be and the same is hereby amended as follows: By striking out the last sentence in Section seventeen and substituting in lieu thereof the following:

"Said Trial Justice shall receive a salary of two hundred and twenty-five dollars per month and the Prosecuting Attorney of the Rowan County Court shall receive a salary of One Hundred
Conflicting laws repealed.

Redemption by taxpayers in Yancey County of lands sold for taxes.

Cash payment of 15% and notes for balance.

Lien preserved.

1935—Chapter 498—499

and Seventy-five Dollars per month, payable monthly by Rowan 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 full force and effect from and after the first day of July, one thousand nine hundred and thirty-five.

Ratified this the 10th day of May, A.D. 1935.

H. B. 651  

CHAPTER 499

AN ACT TO AMEND CHAPTER FOUR HUNDRED NINE PUBLIC-LOCAL LAWS, REGULAR SESSION, ONE THOUSAND NINE HUNDRED THIRTY-THREE, ENTITLED “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 the provisions of Section one, Chapter four hundred nine, Public-Local Laws, Regular Session, one thousand nine hundred thirty-three, be, and the same is stricken out and the following is inserted in lieu thereof:

“That Yancey County and any municipality therein shall permit the original owner or owners of any land sold for taxes for the year one thousand nine hundred thirty-three and the previous years where said county or municipality owns the tax certificates, or is the holder of a deed therefor under any foreclosure proceeding or sale by any Commissioner pursuant thereto, to redeem the same on or before the first day of January, one thousand nine hundred thirty-six, by the payment of the taxes due thereon for the year one thousand nine hundred thirty-three and previous years, such payment not affecting the tax liens for the years subsequent thereto.

“That the Board of County Commissioners of Yancey County and the governing body of any municipality in said County shall permit the redemption of property and the payment of taxes for the year one thousand nine hundred thirty-three and years prior thereto by the payment of fifteen per cent (15%) in cash of the total amount of such taxes and by the execution of notes for the remainder of the taxes due, or the amount necessary to redeem the property sold, such notes to be lien notes upon the land on which taxes are due or where the land has been sold for taxes, said notes to be divided into three serial notes due in one, two, and three years and upon such notes becoming due and if payment
thereof is not made the lands upon which the notes are liens may be sold for the payment of the amount due upon the note or notes given under the provisions of this Act."

Sec. 2. That such delinquent taxes for the years one thousand nine hundred thirty-three and prior thereto may be paid in bonds of Yancey County 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; and in case no sale of property has been had, bonds of such County or municipality shall be accepted by the person entitled to receive the taxes for such County or municipality. The Tax Collector or Treasurer of any municipality in said County and the Tax Collector, Treasurer or County Accountant of said County shall be allowed credit in his settlement with the County of Yancey, or any municipality therein, for all such bonds as may be received by him in payment of any taxes due said County for the year one thousand nine hundred thirty-three or any year prior thereto, or received in the redemption of property already sold by the County or any municipality whether or not such County or municipality has a deed for the property upon which taxes have been levied.

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 10th day of May, A.D. 1935.

S. B. 570  CHAPTER 500

AN ACT VALIDATING SALES OF LAND FOR TAXES IN THE COUNTY OF ROBESON OR ANY MUNICIPALITY THEREIN FOR THE YEARS ONE THOUSAND NINE HUNDRED AND THIRTY-THREE AND ONE THOUSAND NINE HUNDRED AND THIRTY-FOUR.

The General Assembly of North Carolina do enact:

SECTION 1. That all sales of land for taxes due the County of Robeson or any municipality therein, made by said County or municipality during the years one thousand nine hundred and thirty-three and one thousand nine hundred and thirty-four, be and the same are hereby in all respects validated.

Sec. 2. That any land sold for the non-payment of taxes during the years one thousand nine hundred and thirty-three and one thousand nine hundred and thirty-four may be redeemed by the taxpayer at any time within twenty-four months from and after the ratification of this Act upon the payment by the taxpayer of
the amount of taxes due thereon plus all other lawful penalties and costs.

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 May, A.D. 1935.

H. B. 919       CHAPTER 501

AN ACT TO PROVIDE FOR A CLOSED SEASON FOR TWO YEARS FOR HUNTING QUAIL OR PARTRIDGE IN CRABTREE TOWNSHIP, HAYWOOD 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 Crabtree Township, Haywood County.

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 10th day of May, A.D. 1935.

H. B. 1020       CHAPTER 502

AN ACT FOR THE PROTECTION OF FOX IN HAYWOOD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the setting of steel traps, box traps and/or deadfalls in field or stream in Haywood County be, and the same is hereby prohibited: Provided, this section shall not apply to setting steel traps, box traps and/or deadfalls within the home enclosures for the protection of domestic fowls.

Sec. 2. That the killing of fox with gun and/or the digging out or smoking out of their holes in ground or cliffs is prohibited.
except killing with gun for the protection of domestic fowls on the home premises.

Sec. 3. That any person convicted of the violation of this Act shall be fined not less than five dollars and costs or imprisoned for not more than 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 full force and effect from and after its ratification.

Ratified this the 10th day of May, A.D. 1935.

H. B. 1316    CHAPTER 503
AN ACT TO REPEAL HOUSE BILL NUMBER THREE HUNDRED, RATIFIED ON FEBRUARY TWENTIETH, ONE THOUSAND NINE HUNDRED THIRTY-FIVE, BEING AN ACT AUTHORIZING THE BOARD OF COMMISSIONERS OF NEW HANOVER COUNTY TO APPROPRIATE MONEY TO THE WILMINGTON PORT TRAFFIC ASSOCIATION, INCORPORATED.

The General Assembly of North Carolina do enact:

Section 1. That House Bill number three hundred, ratified on February twentieth, one thousand nine hundred thirty-five, being "An Act authorizing the Board of Commissioners of New Hanover County to appropriate money to the Wilmington Port Traffic Association, Incorporated," 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 10th day of May, A.D. 1935.

H. B. 1143    CHAPTER 504
AN ACT TO PROVIDE FOR THE APPOINTMENT OF SCHOOL TRUSTEES IN STATE DISTRICT NUMBER ONE, PITT COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the Board of Education of Pitt County shall appoint three persons to serve as Trustees for the Belvoir High School and three persons to serve as Trustees for the Belvoir and Falkland Elementary Schools in State District Number One, Pitt County, three of which Trustees shall be from the north side of
Term of office. Tar River and three from the south side of Tar River. The
said Trustees herein provided for shall serve for a term of two
years from date of appointment or until their successors are
appointed and qualified and shall serve without compensation.

Serve without pay. Sec. 2. That the Trustees herein provided for the elementary
Duties. schools shall meet with the High School Trustees of the District
and confer with them as to the best methods to be used in con-
nection with the elementary schools, the selection of teachers, and
any other matters affecting the conduct of said schools. They
shall also have supervision over the said elementary school
property.

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 10th day of May, A.D. 1935.

H. B. 1327 CHAPTER 505

AN ACT TO PROVIDE FOR THE COLLECTION OF THE ONE
THOUSAND NINE HUNDRED AND THIRTY-FOUR TAXES
OF HYDE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. The County Commissioners of Hyde County are
hereby authorized and directed to appoint a tax collector for
Hyde County for the collection of the taxes of one thousand nine
hundred and thirty-four remaining unpaid, which collector shall
not assume his duties before the last Monday in September, one
thousand nine hundred and thirty-five. The tax collector so
appointed shall give such bond as may be fixed by the Board of
Commissioners of Hyde County for the faithful performance of
his duties and for the faithful accounting and collection of the
taxes. As compensation for his services, he shall receive such
commissions as may be fixed by the Board of County Commis-
sioners, not to exceed five per cent.

Sec. 2. Upon the qualification of such tax collector, the tax
list shall be turned over to him by the sheriff under order and
resolution of the County Commissioners for the collection of the
remaining taxes due for the year one thousand nine hundred and
thirty-four; and, upon settlement with the County Commissioners,
the sheriff shall receive credit therefor, and shall be eligible, not-
withstanding the appointment of the said tax collector, and not-
withstanding there shall remain a balance of said taxes uncov-
certed, to receive the tax list and proceed for the collection of
the taxes for one thousand nine hundred and thirty-five, as by statute provided.

Sec. 3. The tax collector so appointed shall have all the power and authority now given to the sheriff of Hyde County with respect to the collection of the taxes of the said year one thousand nine hundred and thirty-four, and shall be further empowered to advertise and sell real estate for the said taxes and give certificates of sale therefor in all respects as provided in the general law relating to the subject.

Sec. 4. Sales of real estate for delinquent taxes in said county shall be made on the first Monday in February, one thousand nine hundred and thirty-six. Prior to the said sale, the County Commissioners shall order an advertisement thereof to be made not later than the first Monday in January, one thousand nine hundred and thirty-six. The said sale shall have all the force and effect of sales made under the general law for the sale of real estate for the collection of delinquent taxes.

Sec. 5. No other procedure which the said County of Hyde may now pursue for the collection of taxes shall hereby be invalidated or affected, and the said County may proceed by any other remedy available for the collection of the said taxes.

Sec. 6. That on or before the last Monday in September, one thousand nine hundred and thirty-five, the sheriff of Hyde County is authorized and directed to turn in to the Board of County Commissioners of said County tax receipts and the tax assessment roll of uncollected taxes for the year one thousand nine hundred and thirty-four, and shall receive credit for said uncollected taxes in his settlement with said County.

Sec. 7. The tax collector authorized to be appointed under the provisions of this Act is required to file a monthly report of all collections made by him of taxes for the year one thousand nine hundred and thirty-four, said report to show the ticket number, the name of the taxpayer, the amount of tax and interest collected and the allocation thereof to the different funds or purposes for which said tax was levied. Said tax collector shall deposit in the designated county depository all funds collected by him, said deposit to be made at least twice a week.

Sec. 8. The tax collector herein provided for shall make a full and complete settlement of all taxes collected by him for the year one thousand nine hundred and thirty-four, on or before the first day of May, one thousand nine hundred and thirty-six; the final report of said tax collector shall be audited and approved in the way and manner prescribed by law for the auditing and approving of final accounts and settlements of the sheriffs of the several counties, said final account and settlement of said tax collector when approved shall be recorded in toto in the minutes of the Board of Commissioners of Hyde County. The Board of County

Power and authority.

Time fixed for tax sales.

Advertisement.

Effect of sale.

Present procedure unaffected.

Sheriff ordered to turn over books.

Monthly report of Tax Collector.

Contents.

Semiweekly deposits.

Time of annual settlement.

Auditing.

Recording.
Conflicting laws repealed.

Commissioners shall approve or reject said final report and settlement of said tax collector on or before the first Monday in June, one thousand nine hundred and thirty-six.

SEC. 9. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 10. This Act shall be in full force and effect from and after its ratification.

Ratified this the 10th day of May, A.D. 1935.

H. B. 1410 CHAPTER 506

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

The General Assembly of North Carolina do enact:

SECTION 1. That the following named persons be, and they are hereby appointed Justices of the Peace for their respective townships in Catawba County, North Carolina, for a term of six years, said terms to begin on the first day of June, one thousand nine hundred and thirty-five: Provided, that they may qualify at any time within sixty days after the first day of June, one thousand nine hundred and thirty-five:


SEC. 2. That this Act shall be in force and effect from and after the first day of June, one thousand nine hundred and thirty-five.

Ratified this the 10th day of May, A.D. 1935.

H. B. 1409 CHAPTER 507


The General Assembly of North Carolina do enact:

SECTION 1. That Section one of House Bill one thousand one hundred thirty-five, ratified April twenty-ninth, one thousand nine hundred thirty-five, be amended by adding at the end of Section
one the following: "Provided, the delinquent taxes are paid on
or prior to May first, one thousand nine hundred thirty-six, and
in the event they are not so paid the taxpayers shall have no
rights hereunder."

Sec. 2. All laws and clauses of laws in conflict with the pro-
visions 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 May, A.D. 1935.

H. B. 1420  CHAPTER 508
AN ACT TO PROMOTE AND FACILITATE THE COLLECTION
OF TAXES IN JOHNSTON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That to promote and facilitate the collection of the
one thousand nine hundred thirty-three and one thousand nine
hundred thirty-four taxes now due, the Board of Commissioners
of Johnston County, in their discretion, are hereby authorized and
empowered to pay the Sheriff of Johnston County a sum not
exceeding two thousand (2000.00) dollars, as an extra allowance
to employ extra help to collect the aforesaid taxes.

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

Sec. 3. That this Act shall be in force from and after its rati-
fication.
Ratified this the 10th day of May, A.D. 1935.

H. B. 1363  CHAPTER 509
AN ACT TO AMEND CHAPTER TWO HUNDRED FORTY-ONE
OF THE PUBLIC-LOCAL LAWS OF SESSION OF ONE
THOUSAND NINE HUNDRED THIRTY-THREE.

The General Assembly of North Carolina do enact:

Section 1. Amend Section one of Chapter two hundred and
forty-one, Public-Local Laws, Session of one thousand nine hun-
dred and thirty-three, by striking out the words "and fishing" in
the last line of said Section.

Sec. 2. Amend further by striking out all of Section two of
said Chapter and inserting in lieu thereof the following: "That
any person violating the provisions of this Act shall be guilty of a

Ch. 241, Public-
Local Laws 1933,
amended, as to
fishing laws in
Hyde and Beau-
fort counties.
Violation made
misdemeanor.
misdemeanor and upon conviction shall be fined not less than fifty nor more than two hundred dollars or imprisoned in the discretion of the court, and in addition to the above described penalties, the boat or boats and fishing equipment used by the said convicted party in violation of this Act shall be confiscated, forfeited and sold according to law.

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

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

Ratified this the 10th day of Mary, A.D. 1935.

H. B. 1425

CHAPTER 510

AN ACT TO AMEND CHAPTER THREE HUNDRED AND SIXTEEN OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, ONE THOUSAND NINE HUNDRED AND THIRTEEN SESSION, RELATING TO THE HEALTH DEPARTMENT OF THE CITY OF WILMINGTON, COUNTY OF NEW HANOVER.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter three hundred and sixteen of the Public-Local Laws of one thousand nine hundred and thirteen be amended as follows: Amend Section one, line seven by adding after the word "Wilmington" and before the word "and" the following: "Town of Carolina Beach".

SEC. 2. Amend Section two of said Chapter by adding at the end of said Section after the word "health" the following: "The Board of Health of New Hanover County may designate certain sections of the said County to be known as Sanitary Divisions which are not included in the incorporated limits of cities and towns of said County, and designate such types of toilet facilities that may be used in that area."

SEC. 3. Amend Section three, line five, of said Chapter by adding after the word "Wilmington" and before the word "and" the following: "Town of Carolina Beach,"

SEC. 4. Amend said Chapter by adding immediately after Section seven a section to be known as Section seven and one-half, which shall read as follows: "Sec. 7 1/2. At the meeting of the Board of Health of New Hanover County in January, 1937, and every two years thereafter there shall be appointed a plumbing inspector for the County of New Hanover, including the City of Wilmington, Town of Carolina Beach, and Wrightsville Beach, the present plumbing inspector to remain in office until his successor is appointed under the provisions of this Act, who shall
enforce such regulations as are now in force or may be hereafter adopted by the Board of Health of New Hanover County, and shall receive, in addition to such compensation as he now receives, the sum of One Hundred ($100.00) Dollars per month, to be paid one-half by the City of Wilmington, and one-half by the County of New Hanover."

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 10th day of May, A.D. 1935.

H. B. 1429

CHAPTER 511

AN ACT TO APPOINT O. J. NYE OF EDGEcombe COUNTY AND M. E. WHITEHEAD OF NORTHAMPTON COUNTY, JUSTICES OF THE PEACE IN THEIR RESPECTIVE COUNTIES.

The General Assembly of North Carolina do enact:

Section 1. That O. J. Nye of Number Twelve Township, Edgecombe County, and M. E. Whitehead of Rich Square Township, Northampton County, be and they are hereby appointed justices of the peace in their respective townships and counties for a term of six years: Provided, that they may qualify at any time within sixty days 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 May, A.D. 1935.

H. B. 1431

CHAPTER 512

AN ACT RELATING TO THE PREPARATION OF TAX ASSESSMENTS IN HYDE COUNTY

The General Assembly of North Carolina do enact:

Section 1. That the Board of Commissioners of Hyde County shall pay to the register of deeds of said county seven hundred fifty dollars for the preparation of tax assessments and receipts for each of the years one thousand nine hundred thirty-five and one thousand nine hundred thirty-six, respectively.
Sec. 2. That after the first Monday in December, one thousand nine hundred thirty-six, the tax assessments and receipt books for each year thereafter shall be made up and prepared by the county auditor and/or county accountant of said county as a part of his official duties and without additional compensation allowed to him.

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 May, A.D. 1935.

H. B. 1435

CHAPTER 513

AN ACT TO DESIGNATE SALMON CREEK IN BERTIE COUNTY AS COMMERCIAL WATERS FOR THE PURPOSE OF FISHING DURING CERTAIN SEASONS.

The General Assembly of North Carolina do enact:

Section 1. That Salmon Creek in Bertie County from its mouth to Mill Landing be, and the same is hereby designated as commercial waters, and it shall be lawful for adjacent land owners, or those owning fishing privileges in said waters, to set pound nets in said creek from March first, to May tenth, for the purpose of taking fish during the said time.

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 10th day of May, A.D. 1935.

H. B. 1441

CHAPTER 514

AN ACT TO EXTEND THE TIME FOR THE SALE OF LANDS FOR TAXES IN ALAMANCE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the tax collector of Alamance County shall on the first Monday in October following the delivery of the tax receipts to him for the previous year make a settlement with the Board of County Commissioners for the taxes for said year; he shall submit to said board at that time his insolvent list and

Annual settlement of Alamance County Tax Collector.
shall be allowed credit therefor, if approved by the Board of County Commissioners, and in addition thereto, he shall be allowed credit for all tax receipts uncollected in the tax books.

Sec. 2. The tax collector shall make an itemized list of all tax receipts in the books on October first, as hereinbefore referred to, for all uncollected taxes in said books, not including the insolvent list return as hereinbefore provided, and shall deliver said tax receipts to the county accountant and/or auditor, or any other person that may be appointed by said board to perform the duties required under the provisions of this Act, who shall give a receipt for same, which receipt shall be used by the tax collector in the settlement of the taxes for said year, and which receipt shall be recorded for information only in the records of the Board of Commissioners of Alamance County: Provided, however, that before the delivery of the tax receipts to the said county accountant and/or auditor, or any other person that may be appointed by said board to perform the duties required under the provisions of this Act, he shall give such bond or bonds as the Board of Commissioners of said county may require.

Sec. 3. That it shall be the duty of the county accountant and/or auditor, or any other person that may be appointed by said board to perform the duties required under the provisions of this Act, upon the receipt of said tax receipts, to immediately notify by mail to the last known address of each taxpayer that said tax receipts have been turned over to him for immediate collection, and in the event said taxes are not paid on or before the first Monday in December following the delivery of the tax receipts to said county accountant and/or auditor, or any other person that may be appointed by said board to perform the duties required under the provisions of this Act, will advertise said taxes for sale at the court house door and as provided by law; said sale to be held on the first Monday in January following the delivery of the tax receipts to the said county accountant and/or auditor, or any other person that may be appointed by said board to perform the duties required under the provisions of this Act.

Sec. 4. That the said county accountant and/or auditor, or any other person that may be appointed by said board to perform the duties required under the provisions of this Act, shall on the first Monday of each month after the delivery of said tax receipts to him make a written report to the Board of County Commissioners, which report shall be itemized, stating the amount of taxes collected by him, from whom and to whom paid under the provisions of this Act, which report shall be recorded in the minutes of the Board of County Commissioners.
Sec. 5. That all the authority now vested in the tax collector of Alamance County for the collection of taxes shall be vested in the said county accountant and/or auditor, or any other person that may be appointed by said board to perform the duties required under the provisions of this Act, for the purpose of carrying out the provisions of this Act.

Sec. 6. That on the first Monday in February following the delivery of the said tax receipts to the said county accountant and/or auditor, or any other person that may be appointed by said board to perform the duties required under the provisions of this Act, he shall make a settlement with the Board of County Commissioners for the amount of taxes collected by him, and shall be allowed credit in his settlement for all certificates of tax sales which may have been made by him, and which settlement shall be duly recorded in the minutes of the Board of County Commissioners.

Sec. 7. That all laws and clauses of laws in conflict with this Act are hereby repealed.

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

Ratified this the 10th day of May, A.D. 1935.

H. B. 1443  CHAPTER 515

AN ACT TO APPOINT GUY BULLUCK JUSTICE OF THE PEACE FOR SPRING HILL TOWNSHIP, WILSON COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Section 1. That Guy Bulluck be, and he is hereby appointed a Justice of the Peace in Spring Hill Township, Wilson County, North Carolina, for a term of six years, said term to begin on the first day of April, one thousand nine hundred and thirty-five: Provided, that he may qualify at any time within one hundred and twenty days after the first day of April, one thousand nine hundred and thirty-five.

Sec. 2. That all official acts of said Guy Bulluck, Justice of the Peace herein named, are, and the same are hereby validated. That in event said Justice of the Peace named in this bill has previously qualified before the Clerk of the Superior Court of Wilson County before the ratification of this Act, the same be, and they are hereby ratified.

Sec. 3. That this Act shall be in force and effect from and after the first day of April, one thousand nine hundred and thirty-five.

Ratified this the 10th day of May, A.D. 1935.
H. B. 1444  CHAPTER 516
AN ACT RELATING TO THE SALARY AND OFFICE OF THE PUBLIC HEALTH OFFICER OF BLADEN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That on and after the ratification of this Act the Board of County Commissioners of the County of Bladen shall have the authority and the discretion to fix the salary of the Public Health Officer of said county within such reasonable limits as they may deem proper, and if, in their judgment, conditions are such as to deem the same advisable, they are authorized to discontinue the said salary.

Sec. 2. The Board of Health of the County of Bladen is hereby authorized and empowered to employ a Public Health Officer for the County of Bladen for such periods of time as they may deem proper, and when, in the judgment of the said Board, conditions are such that make it for the best interest of the county to discontinue the said office, they may do so for such time as, in their judgment, the conditions may require, and as they may deem to the best interest of the county, and may re-establish the said office when the best interests of the county, in their judgment, require that it be done.

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

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

Ratified this the 10th day of May, A.D. 1935.

H. B. 1455  CHAPTER 517
AN ACT REGULATING THE SALARY OF THE SHERIFF 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 pay to the Sheriff of Moore County a salary of not less than three hundred dollars per month, and shall pay to the office of the Sheriff of Moore County not less than one thousand dollars per year, for expenses incidental to the conduct of the office of said Sheriff of Moore County. The salary in this Section provided and the expenses in this Section authorized shall be in addition to all fees now allowed by law to the Sheriff of Moore County for the service of either criminal or civil service cases.
Conflicting laws repealed.

Effective date.

Sec. 2. That all laws and clauses of laws in conflict with or repugnant to 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 June first, one thousand nine hundred and thirty-five.

Ratified this the 10th day of May, A.D. 1935.

H. B. 1456  CHAPTER 518

AN ACT TO APPOINT A. S. NEWCOMB A JUSTICE OF THE PEACE OF MOORE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That A. S. Newcomb be, and he is hereby appointed a Justice of the Peace for Mineral Springs Township, Moore County, North Carolina, for a term of two years.

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. 1935.

H. B. 1479  CHAPTER 519

AN ACT TO CORRECT A TYPOGRAPHICAL ERROR APPEARING IN HOUSE BILL ONE THOUSAND TWO HUNDRED TWENTY-SIX, PASSED AT THE ONE THOUSAND NINE HUNDRED THIRTY-FIVE SESSION OF THE GENERAL ASSEMBLY FOR NORTH CAROLINA, RATIFIED MAY THIRD, ONE THOUSAND NINE HUNDRED THIRTY-FIVE.

The General Assembly of North Carolina do enact:

Section 1. That House Bill one thousand two hundred and twenty-six passed at the one thousand nine hundred and thirty-five session of the General Assembly for North Carolina, the same having been ratified on the third day of May, one thousand nine hundred and thirty-five, be, and the same is hereby amended as follows: First, by striking out the figures and words "one, ($1.00)" which appear in line ten of Section number one of the said bill and inserting in lieu thereof the words and figures "one and one-half, ($1.50)." Second, by striking out the words and figures "one ($1.00)" which appear in line twelve of Section number one of the said bill, and by inserting in lieu thereof the words and figures "one and one-half ($1.50)."
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 Mecklenburg County only.

SEC. 4. This Act shall be in full force and effect from and after the date of its ratification.

Ratified this the 10th day of May, A.D. 1935.

H. B. 1458
CHAPTER 520
AN ACT TO APPOINT CERTAIN JUSTICES OF THE PEACE FOR YANCEY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the following justices of the peace are appointed for Yancey County for a term of two years:

Price's Creek Township—John Metcalf.
Egypt Township—H. G. Hensley, Niran Hensley.
Ramsey Town Township—Walter Williams.
Cain River Township—A. C. Angel.

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. 1935.

H. B. 1474
CHAPTER 521
AN ACT TO PROHIBIT KILLING QUAIL IN CATAWBA COUNTY WITH AUTOMATIC SHOT GUN.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful to kill quail in Catawba County with automatic shot gun.

SEC. 2. That any person violating the provisions of this Act shall be guilty of a misdemeanor and upon conviction fined not less than ten dollars or more than fifty dollars or imprisoned not exceeding thirty days.

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

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

Ratified this the 10th day of May, A.D. 1935.
H.B. 1480  
CHAPTER 522
AN ACT TO APPOINT L. A. OVERCASH A JUSTICE OF THE PEACE IN CHINA GROVE TOWNSHIP, ROWAN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That L. A. Overcash be, and he is hereby appointed a Justice of the Peace in and for China Grove Township, Rowan County, for a term of two years: Provided, that he may qualify at any time within sixty days after the ratification of this Act.

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

Ratified this the 10th day of May, A.D. 1935.

H.B. 1485  
CHAPTER 523
AN ACT RELATING TO THE COMPENSATION OF THE COMMISSIONERS OF FRANKLIN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the Commissioners of Franklin County shall receive, in addition to the compensation now provided by law, the sum of fifty ($50.00) dollars each per year, said sum to be paid on a monthly basis as is now 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 10th day of May, A.D. 1935.

H.B. 1486  
CHAPTER 524
AN ACT AMENDING CHAPTER THREE HUNDRED FORTY-THREE OF THE PUBLIC-LOCAL LAWS OF THE SESSION OF ONE THOUSAND NINE HUNDRED THIRTY-THREE, FIXING THE COMPENSATION OF THE SHERIFF OF ANSON COUNTY FOR THE COLLECTION OF TAXES.

The General Assembly of North Carolina do enact:

Section 1. That Section one of Chapter three hundred and forty-three of the Public-Local Laws of the session of one thousand nine hundred and thirty-three, be, and the same is hereby amended by striking out the words and figures "four thousand
($4,000.00)" and substituting in lieu thereof the words and figures "forty-five hundred ($4,500.00)."

Sec. 2. This Act shall apply for the collection of the taxes to be levied for the year one thousand nine hundred and thirty-five and succeeding years.

Sec. 3. That 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 10th day of May, A.D. 1935.

H. B. 1488 CHAPTER 525
AN ACT FIXING THE TIME FOR THE ADVERTISEMENT AND SALE OF LAND FOR UNPAID TAXES FOR THE YEAR ONE THOUSAND NINE HUNDRED THIRTY-FOUR IN EDGECOMBE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the advertisement of the sale of land on which the taxes are due and unpaid in the County of Edgecombe for the year one thousand nine hundred and thirty-four shall be made on the second Monday in May and the sale of said land shall be held on the second Monday in June of the year one thousand nine hundred and thirty-five.

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 May, A.D. 1935.

S. B. 492 CHAPTER 526
AN ACT TO DISTRICT CHEROKEE 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 Cherokee County the said county is hereby divided into three districts, one commissioner to be nominated and elected in and from each district, the districts to be numbered and designated as follows:
District Number One to be composed of Valleytown Township; District Number Two to be composed of Tomolia Precinct, Murphy North Ward, Murphy South Ward, Brasstown Precinct, Peachtree Precinct and Burnt Meeting House Precinct. District Number Three to be composed of all of the other precincts of Cherokee County.

Sec. 2. That at the next primary or convention to be held in Cherokee County for the nomination of county officers, and every two years thereafter, there shall be nominated by each of the political parties of Cherokee County one commissioner for each of the three districts herein provided for in Section One of this Act and those participating in said primary or convention, both as candidates and voters, shall be restricted to the qualified voters of said district. The candidate so nominated from his district shall be declared to be the candidate of his political party and duly nominated for the general election in his district.

Sec. 3. That the candidates so nominated from the respective districts shall in the general election be voted on only by the qualified voters of each of said districts, and one commissioner from each of said districts shall be declared elected a County Commissioner of Cherokee County.

Sec. 4. That the three commissioners elected in and by said districts shall be and constitute the Board of County Commissioners of Cherokee 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 10th day of May, A.D. 1935.
CH. 528

CHAPTER 528

AN ACT TO REPEAL CHAPTER ONE HUNDRED SIXTY-NINE OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-THREE, ENTITLED "AN ACT TO REGULATE THE SPEED OF BOATS ON WHITE LAKE, IN BLADEN COUNTY."

The General Assembly of North Carolina do enact:

Section 1. That Chapter one hundred and sixty-nine of the Public-Local Laws of one thousand nine hundred and thirty-three be, and the same is hereby repealed.

Sec. 2. That all laws and clauses of laws in conflict with 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 May, A.D. 1935.

H. B. 613

CHAPTER 529

AN ACT TO CLOSE THE SEASON FOR DEER, WILD TURKEY AND RINGNECKED PHEASANTS IN SURRY, WILKES, ALLEGHANY AND YADKIN COUNTIES.

The General Assembly of North Carolina do enact:

Section 1. It shall be unlawful for any person or persons to hunt with gun, dog, or otherwise to kill deer, wild turkey or ringnecked pheasants in the Counties of Surry, Wilkes, Alleghany and Yadkin for a period of two years from the ratification of this Act. Any person violating the provisions of this section shall be guilty of a misdemeanor and upon conviction shall be fined not less than one hundred dollars nor more than one thousand dollars, or imprisoned not less than sixty days nor more than two years.

Sec. 2. It shall be unlawful for any person knowingly to permit his dogs to chase deer or other game on the Game Reservation at Roaring Gap, and/or the Mitchell River Game Reservation in said counties. Any person violating the provisions of this section shall be guilty of a misdemeanor and upon conviction shall be fined not less than five dollars nor more than twenty-five dollars, or imprisoned not more than thirty days.

Sec. 3. It shall be unlawful for any person to fish in the waters of Surry, Wilkes or Alleghany Counties with seine, trap or net, except in the Yadkin River, and it shall be unlawful for any
person to place in any of the waters of said counties any explosive substance whatsoever for the purpose of catching, injuring or killing fish. It shall be unlawful for any person to place any sawdust in any streams, in either of said Counties of Surry, Wilkes, Alleghany or Yadkin or to place sawdust where it will wash into any of the streams of said counties. Any person violating the provisions of this section shall be guilty of a misdemeanor and upon conviction shall be fined not less than one hundred dollars nor more than five hundred dollars, or imprisoned not less than sixty days nor more than one year. Provided, this section shall not apply to Yadkin County.

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 10th day of May, A.D. 1935.

S. B. 617    CHAPTER 530

AN ACT TO PERMIT THE COUNTY OF LENOIR AND THE CITY OF KINSTON TO ERECT A COMBINED COURT-HOUSE AND CITY HALL.

Whereas, the Board of Commissioners of the County of Lenoir has under consideration the erection of a new court-house for said county, the City of Kinston being the county seat thereof; and

Whereas, the City Council of the City of Kinston has under consideration the erection of a city hall for the use of the governmental agencies and officers of said city; and

Whereas, the said Board of Commissioners and said City Council also have under consideration a proposal that a building be erected to be used both as a court-house and city hall, suitable for the use of both the County of Lenoir and the City of Kinston, with appropriate accommodations for the respective officers and agencies of both the county and city; and

Whereas, such course may be the means of effecting a substantial saving in cost to each of said governmental units: Now, therefore,

The General Assembly of North Carolina do enact:

Section 1. That the Board of Commissioners of Lenoir County and the City Council of the City of Kinston be and they are hereby authorized and empowered to join in the erection of a combined court-house and city hall, the portion of said building to
be dedicated to the use of said county and the portion thereof to be dedicated to the use of said city, and the respective portions of the cost of said building to be respectively borne by said county and said city, to be fixed and provided, as the said Board of Commissioners and said City Council may by joint resolution, passed by a majority vote of each of said governing bodies, may determine.

Sec. 2. That the said building, if erected at the joint expense and for the joint use of said county and city, shall be upon lands owned jointly by said county and said city, in such proportions or shares as the said governing bodies may by proper resolution determine; and if erected upon the lands now owned by the said county and upon which its present court-house is situated, then the said Board of Commissioners of said county is authorized and empowered to sell to the city of Kinston such interest or share therein, not exceeding an undivided one-half interest, and at such price and upon such terms, as by joint resolution of the two said governing bodies may be agreed upon.

Sec. 3. That neither of said governmental units shall be in any wise responsible for any part of the cost of such building agreed to be paid by the other, that is to say, the said County shall not be responsible for any portion of the cost agreed to be borne by said City nor shall the said City be responsible for any portion of the cost agreed to be borne by said County.

Sec. 4. That nothing herein contained shall be construed to require the erection of such combined court-house and city hall, or to prevent the County of Lenoir to proceed separately in the erection of a court-house, or the City of Kinston to proceed separately in the erection of a city hall.

Sec. 5. That all laws and clauses of laws in conflict herewith are hereby repealed.

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

Ratified this the 10th day of May, A.D. 1935.

H. B. 1035

CHAPTER 531

AN ACT FOR RELIEF OF THE TAXPAYERS OF CHEROKEE COUNTY.

Whereas, Cherokee County and the various municipalities therein have bought and received tax sales certificates for the year one thousand nine hundred thirty-two and years prior thereto; and

Preamble: Tax sales certificates owned by Cherokee County and its municipalities.
Whereas, the taxpayers of Cherokee County, by reason of lack
of money crops that other sections of the State enjoy, have not
experienced the alleviation from economic stringency that a
major portion of the State now feels, and as a result thereof a
large portion of the owners of the lands covered by the said tax
sales certificates have been unable to redeem them, and

Whereas, the sales of said lands would work a hardship on
the owners of said lands; would remove taxable property from
the tax books of the said County and municipalities therein, and
would probably result in either the said County or municipali-
ities therein becoming the final purchaser thereof and thereby
becoming burdened with property from which little benefit could
be derived; Now, Therefore,

*The General Assembly of North Carolina do enact:*

**Section 1.** That all penalties and interest included in, charged
and accrued, subject to be now charged and collected, upon tax
sales certificates owned and held for collection by the County of
Cherokee or any municipality or other governing body therein
for the years one thousand nine hundred and twenty-seven, one
thousand nine hundred and twenty-eight, one thousand nine hun-
dred 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 are hereby eliminated
from and upon said tax sales certificates and the collection of
all interest and penalties upon said tax sales certificates is hereby
barred. The provisions of this section shall apply to tax suits
now pending wherein final judgment has not been entered: Pro-
vided, that nothing in this section shall be construed to eliminate
any costs of advertising or court costs or attorneys' fees in con-
nection with the foreclosure suits already started, it being the
purpose and intention to only eliminate penalties and interest:
Provided, further, that where any person, firm or corporation, other
than the governing body levying said tax, has purchased any
such tax, has purchased any such tax sales certificates in good
faith, the taxpayer is hereby allowed to redeem the same at any
time before foreclosure by reimbursing the purchaser the full
amount paid with all necessary and proper expenses incurred,
together with six per cent interest thereon: Provided, further,
that the provisions of this section eliminating penalties and inter-
est on tax sale certificates shall only apply to such tax sale certifi-
cates as are paid on or before the first day of September, one thou-
sand nine hundred and thirty-five.

**Sec. 2.** That the Board of County Commissioners of Cherokee
County and the governing body of any municipality therein are
hereby authorized, in their discretion, not to cause tax foreclosure
suits to be instituted upon tax sale certificates, where the small
amount of the tax involved and the value of the property, as compared to the costs incurred by the County in bringing the suits, does not justify incurring cost necessary to prosecute the suit to final termination and that, where the said Board has heretofore desisted in bringing the suits in such cases, said action is hereby ratified and confirmed.

Sec. 3. That the provisions of this Act shall be considered and construed separately and if any part of the same shall be adjudged unconstitutional or invalid by any court of competent jurisdiction, such judgment shall not be construed to render any other portion unconstitutional or invalid.

Sec. 4. That the provisions of this Act shall be in addition to any and all general or State laws relating to the subject and shall be construed to repeal any and all laws or clauses of laws in conflict with the provisions of this Act in so far as same relates to or affects Cherokee County or any municipality therein.

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

Ratified this the 10th day of May, A.D. 1935.

H. B. 1397

CHAPTER 532

AN ACT TO APPOINT R. H. JONES, A JUSTICE OF THE PEACE FOR FRANKLINTON TOWNSHIP, FRANKLIN COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That R. H. Jones be, and he is hereby appointed a Justice of the Peace in Franklinton Township, Franklin County, North Carolina, for a term of six years, said term to begin on the first day of April, one thousand nine hundred and thirty-five, Provided, that he may qualify at any time within one hundred and twenty days after the first day of April, one thousand nine hundred and thirty-five.

SEC. 2. That all official acts of said R. H. Jones, Justice of the Peace named herein, be, and the same are hereby validated. That in event said Justice of the Peace named in this bill has previously qualified before the Clerk of the Superior Court of Franklin County before the ratification of this Act, the same be, and they are hereby ratified.

Sec. 3. That this Act shall be in force and effect from and after the first day of April, one thousand nine hundred and thirty-five.

Ratified this the 10th day of May, A.D. 1935.
H. B. 1432  CHAPTER 533

AN ACT TO AMEND HOUSE BILL ONE THOUSAND FIFTEEN, ENTITLED "AN ACT TO RELIEVE THE TAXPAYERS OF HYDE COUNTY," RATIFIED APRIL SEVENTEENTH, ONE THOUSAND NINE HUNDRED THIRTY-FIVE.

The General Assembly of North Carolina do enact:

SECTION 1. Amend Section one of House Bill one thousand fifteen, entitled "An Act to relieve the taxpayers of Hyde County," ratified April seventeenth, one thousand nine hundred thirty-five, by striking out the word "thereafter" following the word "September" in line eight thereof and inserting in lieu thereof "one thousand nine hundred thirty-five"; and amend further by striking out the word "thereafter" following the word "September" in line six of Section two and inserting in lieu thereof "one thousand nine hundred thirty-five."

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

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

Ratified this the 10th day of May, A.D. 1935.

H. B. 1439  CHAPTER 534

AN ACT TO AMEND HOUSE BILL ONE THOUSAND THREE HUNDRED FIFTY-TWO, ENTITLED "A BILL TO BE ENTITLED AN ACT TO APPOINT T. H. MORGAN A JUSTICE OF THE PEACE FOR GOLD HILL TOWNSHIP, ROWAN COUNTY," RATIFIED MAY SEVENTH, ONE THOUSAND NINE HUNDRED THIRTY-FIVE.

The General Assembly of North Carolina do enact:

SECTION 1. That Section one of House Bill one thousand three hundred and fifty-two entitled "A bill to be entitled An Act to appoint T. H. Morgan a Justice of the Peace for Gold Hill Township, Rowan County," ratified May seven, one thousand nine hundred and thirty-five, be, and the same is hereby amended by striking out the words "Gold Hill" and inserting in lieu thereof the word "Morgan."

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. 1935.
AN ACT RELATING TO THE PAY OF THE CORONER OF DUPLIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Commissioners of Duplin County be and they are hereby authorized, in their discretion, to increase the per diem of the Coroner of said County: Provided, however, the same shall not exceed eight dollars per day for each day for which said Coroner has been previously receiving compensation.

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 May, A.D. 1935.

AN ACT TO FIX THE FEES OF THE CLERK OF THE SUPERIOR COURT OF FORSYTH COUNTY AND OF THE CLERK OF THE FORSYTH COUNTY COURT.

The General Assembly of North Carolina do enact:

SECTION 1. Fees and commissions to be charged by the Clerk of the Superior Court of Forsyth County, and the Clerk of Forsyth County Court, shall be the following, and no other. Provided, that when a fee is not fixed herein, the fee to be charged therefor shall be as provided in Section three thousand nine hundred and three of the Consolidated Statutes.

SEC. 2. Advertising and selling property, either real or personal, under a mortgage deed, chattel mortgage or deed of trust in lieu of bond, five per cent of the sale price.

SEC. 3. Adoption: petition, affidavit, order, letters, and recording, five dollars.

SEC. 4. Affidavit, or affidavit including jurat and certificate, twenty-five cents.

SEC. 5. Appeal, docketing, from Clerk of any other court, one dollar.

SEC. 6. Appeal to Supreme Court, including certificate and seal, two dollars.

SEC. 7. Attachment, order, in, one dollar.

SEC. 8. Apprenticing an infant, including indenture, five dollars.

SEC. 9. Apprentice, order for appearance of, on complaint of master, two dollars.
SEC. 10. Apprentice, order for appearance of master, on complaint of apprentice, two dollars.

SEC. 11. Administrator, application and preliminary inventory, bond, oath, order of appointment and original letters, three dollars.

SEC. 12. Accounts of Executors. Administrators, etc; auditing annual or final accounts of receivers, executors, administrators, administrators with will annexed, collectors, surviving partners, guardians, trustees for incompetents and trustees under wills, when the value of the personal property of the estate being administered by any one of said fiduciaries 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. When the value of the personal property of the estate being administered by any one of the above fiduciaries 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 upon receipts, collections or debits; provided, that when stocks, bonds or any other personal property of any kind, class or description are transferred, delivered or assigned over to any heir, creditor, distributee, legatee or devisee without converting same into cash, these fees shall be computed and charged on said personal property so transferred, delivered or assigned to any heir, creditor, distributee, legatee or devisee, the value upon which the fee is to be computed upon said personal property to be the estimated cash value of same as of the date of death of the deceased or date of qualification of the receiver, guardian, trustee for incompetent, surviving partner or trustee under will. The fees to be charged by the Clerk on the personal property delivered, transferred or assigned shall be charged and computed at the time of the filing of any account, either annual or final, showing transfer, delivery or assignment of any personal property not converted into cash. The fees to be charged on receipts, collections or debits shall include all principal and income collected by the fiduciary; provided, that when any fiduciary shall fail to file an annual account, the fee to be charged shall be at the rate of one hundred dollars per year for the period covered by the account, but in no instance shall such fee for each year be less than one dollar and in no instance shall the fee for each year exceed one hundred dollars. The foregoing fees shall be charged on all accounts filed after this Act is ratified.

SEC. 13. Accounts of Trustees and Mortgagees: auditing final accounts of trustees and mortgagees or other persons, firms or corporations selling real estate under foreclosure proceeding required by law to render such final account, the fee shall be
twenty-five cents on each one hundred dollars through one thousand dollars, and ten cents for each one hundred dollars for everything above one thousand dollars; provided, the minimum fee shall be not less than one dollar and fifty cents and provided, the maximum fee shall be not more than twenty-five dollars.

Sec. 14. Arrest: order of arrest, one dollar as to each defendant.

Sec. 15. Automobile tax report, fifty cents.

Sec. 16. Bill of costs, preparing, one dollar.

Sec. 17. Bond or recognizance, including justification for all bonds not otherwise provided for, one dollar. Approval and seal, fifty cents in addition to one dollar for justification; provided, this fee shall not apply to deputies sheriff, constables and other officers required by law to give a bond.

Sec. 18. Bond: prosecution bond for costs, including justification, fifty cents.

Sec. 19. Bonds: all bonds must be justified before a justice of the peace, judge of Superior Court or Clerk of the Court.

Sec. 20. Capias: each defendant, one dollar, whether defendant is arrested or not.

Sec. 21. 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.

Sec. 22. Certificate and Seal: fifty cents, except where it is a charge against the county, and in that instance, no fee shall be charged.

Sec. 23. Claim and Delivery: order of claim and delivery, one dollar.

Sec. 24. Commissions: appointing and issuing, fifty cents without seal.

Sec. 25. 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.

Sec. 26. Commissions: the clerk shall receive five per cent on all sums of money placed in his hands by virtue of his office, except on judgments, decrees and executions.

Sec. 27. Continuance: one dollar.

Sec. 28. Copies of records: verifying, to be certified to without certificate and seal, five cents per copy sheet of one hundred words and fifty cents additional for certificate and seal.

Sec. 29. Commissioners: return on sale by commissioner when fund is turned over to a fiduciary, one dollar.

Sec. 30. Confirmation of sale: when signed by the clerk or judge, one dollar.

Sec. 31. Cross-Indexing: the clerk shall receive ten cents for each name in all instruments that are cross indexed.
SEC. 32. Deed; order for registration of deed or other writing, fifteen cents.

SEC. 33. Deed: probate of deed or other writing proven by a subscribing witness including affidavit and probate, fifteen cents.

SEC. 34. 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 thereof, fifteen cents for the order of probate and twenty-five cents for private examination of each married woman signing same.

SEC. 35. Dower: Issuing writ of dower, two dollars.

SEC. 36. Ex Parte Proceedings: docketing, one dollar.

SEC. 37. 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 form judgment in execution in addition to fifty cents for issuing and twenty-five cents for seal when issuing same to another county.

SEC. 38. Execution against the person, one dollar.

SEC. 39. Execution for specific property, one dollar.

SEC. 40. Execution for possession of property, one dollar, without seal.

SEC. 41. Executors: application, recording of preliminary inventory, oath, appointment, bond and original letters, three dollars.

SEC. 42. Execution: docketing return on execution, fifty cents.

SEC. 43. Filing papers: ten cents for each paper filed.

SEC. 44. Guardians: application, recording of preliminary inventory, appointment, oath, bond and original letters, three dollars.

SEC. 45. Guardians: each certified copy of letters, fifty cents with seal.

SEC. 46. Guardian: notifying solicitor of removal of guardian, one dollar.

SEC. 47. Guardian ad litem: appointment of, one dollar.

SEC. 48. Hearing before the clerk, one dollar per hour for each hour; minimum fee to be not less than two dollars.

SEC. 49. Indexing in minute book, ten cents each time indexed.

SEC. 50. Indictment: docketing for each person in bill, fifty cents.

SEC. 51. Indictment: certificate on bill of indictment, fifty cents.

SEC. 52. Indictment: order for, one dollar.

SEC. 53. Inventory of administrators, administrators with will annexed, receivers, surviving partner, executors, guardians, collectors, trustees for incompetents, and trustees under wills, twenty-five cents for affidavit; ten cents for filing; twenty cents per one hundred words for recording; and one dollar for auditing.
SEC. 54. Incorporations: recording certificates of incorporation when same does not contain more than four legal sheets, three dollars, and twenty cents per one hundred words in addition to the three dollars for each sheet over four.


SEC. 57. Judgment: each certificate of satisfaction or docket entries with seal, seventy-five cents. Same.

SEC. 58. Judgment: Indexing on cross index book for each party in the judgment, including plaintiff and defendant, ten cents each time entered on a cross index. Same.

SEC. 59. Judgment: final judgment in all civil actions, one dollar, whether signed by clerk or judge. Same.

SEC. 60. Judgment: by confession, without notice, all services, three dollars.

SEC. 61. Judgment Nisi: entering against a defaulting witness, juror or on bail bond or recognizance, one dollar for each person against whom same is entered. Same.


SEC. 63. 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. Same.


SEC. 65. 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 until verdict is rendered. Same.

SEC. 66. Lis Pendens: cancelling notice of lis pendens, fifty cents. Lis pendens.

SEC. 67. 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. Lien.

SEC. 68. Minutes: recording of, fifteen cents per copy sheet of one hundred words for each paper recorded in the minutes of the court, whether signed by judge or clerk. Minutes.

SEC. 69. Motion: entry and record of, twenty-five cents. Motion.

SEC. 70. Mortgages, chattel: probate of chattel mortgage, fifteen cents.

SEC. 71. Mortgages, chattel: probate of chattel mortgage when proven by a subscribing witness, including order of registration, fifteen cents. Chattel mortgages.

SEC. 72. Mortgages, chattel: probate of chattel mortgage when proven by a subscribing witness, including order of registration, fifteen cents.
Sec. 73. Acknowledgment of chattel mortgage or conditional sale contract, twenty-five cents for the privy examination of each married woman.

Sec. 74. Notice and Order: all notices and orders, whether signed by judge or clerk, one dollar.

Sec. 75. Notary Public: qualifying and indexing, fifty cents.

Sec. 76. Nurses: registering trained nurses, including certificate of registration and seal, fifty cents.

Sec. 77. Next Friend: appointment of, one dollar.

Sec. 78. Partnership: probate of regular or limited partnership, certificate and recording same, fifty cents.

Sec. 79. Process Agent: recording appointment of process agent, for non-resident, one dollar.

Sec. 80. Petition: affidavit and filing, thirty-five cents.

Sec. 81. Presentment: each defendant in same, one dollar.

Sec. 82. Publication: order of, one dollar.

Sec. 83. Pauper: order to sue as a pauper, two dollars.

Sec. 84. Recording: papers, per copy sheet of one hundred words, fifteen cents.

Sec. 85. Relinquishment of right to administer or qualify as fiduciary, receiving, filing and noting same, twenty-five cents.

Sec. 86. Record: transcript of any matter of record or papers on file, per copy sheet of one hundred words, fifteen cents.

Sec. 87. Referee: stating any account as referee, pursuant to order of the judge, such allowance as the judge may make.

Sec. 88. Summons: docketing, twenty-five cents.

Sec. 89. Seal of office: twenty-five cents.

Sec. 90. Subpoena: each name in same, fifteen cents.

Sec. 91. Summons: issuing original in any action, one dollar.

Sec. 92. Summons: every copy of same, twenty-five cents.

Sec. 93. Sheriff's levy: docketing sheriff's levy, twenty cents per one hundred words.

Sec. 94. Stenographer: court stenographer, two dollars per hour, with a minimum charge of two dollars. 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.

Sec. 95. 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.

Sec. 96. 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.

Sec. 97. Transcript on issues of law joined, one dollar.

Sec. 98. Widow's year's support: docketing report on allotment of, one dollar.

Sec. 99. Widow's year's support: docketing judgment for deficiency, one dollar.
SEC. 100. Will: probate of will in common form, one dollar.
SEC. 101. Will: recording of, twenty cents per one hundred words.
SEC. 102. 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.
SEC. 103. No jury tax is to be charged in civil cases when clerk signs judgment.
SEC. 104. Grand jurors 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.
SEC. 105. 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, if not sworn, 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.
SEC. 106. That whenever any regular juror summoned for the beginning of any term of court is excused by the judge on the convening of court, he shall not receive any compensation for attending as such juror.
SEC. 107. Criminal cases: the judge, in his discretion, may strike out jury tax and court stenographer's fee, either or both, when 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. 108. The following shall be the fees to be charged by the Clerk of the Superior Court of Forsyth County in criminal actions wherein the defendant is adjudged to pay the costs, said fees to be taxed by the clerk in the bill of costs against the losing party for the purposes and in the actions enumerated below:

<table>
<thead>
<tr>
<th>Action</th>
<th>Solicitor's Fee</th>
<th>Jury Tax</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assault with deadly weapon</td>
<td>$10.00</td>
<td>$10.00</td>
</tr>
<tr>
<td>Abandonment</td>
<td>10.00</td>
<td>10.00</td>
</tr>
<tr>
<td>Assault with intent to commit rape</td>
<td>20.00</td>
<td>20.00</td>
</tr>
<tr>
<td>Arson</td>
<td>50.00</td>
<td>20.00</td>
</tr>
<tr>
<td>Bigamy</td>
<td>20.00</td>
<td>20.00</td>
</tr>
<tr>
<td>Burglary</td>
<td>50.00</td>
<td>20.00</td>
</tr>
<tr>
<td>Carrying concealed weapon</td>
<td>10.00</td>
<td>10.00</td>
</tr>
<tr>
<td>Cruelty to animals</td>
<td>10.00</td>
<td>10.00</td>
</tr>
<tr>
<td>Crime against nature</td>
<td>15.00</td>
<td>10.00</td>
</tr>
<tr>
<td>Solicitors's Fee</td>
<td>Jury Tax</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Disturbing graves</td>
<td>$10.00</td>
<td></td>
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<tr>
<td>Disposing mortgaged property</td>
<td>5.00</td>
<td></td>
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<tr>
<td>Embezzlement</td>
<td>20.00</td>
<td></td>
</tr>
<tr>
<td>Forcible trespass</td>
<td>5.00</td>
<td></td>
</tr>
<tr>
<td>False pretense</td>
<td>20.00</td>
<td></td>
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<tr>
<td>Fornication and adultery</td>
<td>10.00</td>
<td></td>
</tr>
<tr>
<td>Forgery</td>
<td>30.00</td>
<td></td>
</tr>
<tr>
<td>Felonies not enumerated</td>
<td>15.00</td>
<td></td>
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<tr>
<td>Giving worthless check</td>
<td>5.00</td>
<td></td>
</tr>
<tr>
<td>House-breaking</td>
<td>15.00</td>
<td></td>
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<tr>
<td>Highway robbery</td>
<td>20.00</td>
<td></td>
</tr>
<tr>
<td>House-breaking, robbery, larceny</td>
<td>25.00</td>
<td></td>
</tr>
<tr>
<td>Larceny</td>
<td>15.00</td>
<td></td>
</tr>
<tr>
<td>Larceny and robbery</td>
<td>20.00</td>
<td></td>
</tr>
<tr>
<td>Malicious injury to property</td>
<td>10.00</td>
<td></td>
</tr>
<tr>
<td>Manufacturing liquor</td>
<td>20.00</td>
<td></td>
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<tr>
<td>Manslaughter</td>
<td>20.00</td>
<td></td>
</tr>
<tr>
<td>Murder</td>
<td>50.00</td>
<td></td>
</tr>
<tr>
<td>Misdemeanors not enumerated</td>
<td>5.00</td>
<td></td>
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<tr>
<td>Nonsupport</td>
<td>5.00</td>
<td></td>
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<tr>
<td>Operating automobile intoxicated</td>
<td>10.00</td>
<td></td>
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<tr>
<td>Possessing liquor</td>
<td>10.00</td>
<td></td>
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<tr>
<td>Perjury</td>
<td>20.00</td>
<td></td>
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<tr>
<td>Resisting officer</td>
<td>10.00</td>
<td></td>
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<tr>
<td>Reckless driving—automobile</td>
<td>10.00</td>
<td></td>
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<tr>
<td>Receiving stolen goods</td>
<td>15.00</td>
<td></td>
</tr>
<tr>
<td>Rape</td>
<td>50.00</td>
<td></td>
</tr>
<tr>
<td>Simple assault</td>
<td>5.00</td>
<td></td>
</tr>
<tr>
<td>Speeding</td>
<td>5.00</td>
<td></td>
</tr>
<tr>
<td>Seduction</td>
<td>20.00</td>
<td></td>
</tr>
<tr>
<td>Transporting liquor</td>
<td>10.00</td>
<td></td>
</tr>
<tr>
<td>Vagrancy</td>
<td>5.00</td>
<td></td>
</tr>
<tr>
<td>Violating automobile law</td>
<td>5.00</td>
<td></td>
</tr>
<tr>
<td>Violating prohibition law</td>
<td>20.00</td>
<td></td>
</tr>
</tbody>
</table>

The fees provided herein to be paid to the Clerk for services rendered by him, either as Clerk of the Superior Court or Clerk of the Forsyth County Court, shall be collected as provided in Section three thousand eight hundred and forty-nine of the Consolidated Statutes.

The Clerk must require a prosecution bond in all special proceedings instituted before him and all fees due the Clerk for services rendered the parties in special proceedings may be charged and collected in advance.

Sec. 109. That this Act shall apply to Forsyth County only.
Sec. 110. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 111. That this Act shall be in full force and effect from and after its ratification.

Ratified this the 10th day of May, A.D. 1935.

H. B. 1471

CHAPTER 537

AN ACT TO AMEND CHAPTER FOUR HUNDRED EIGHTY-FOUR, PUBLIC-LOCAL LAWS ONE THOUSAND NINE HUNDRED THIRTY-THREE, RELATING TO SALARY OF THE RECORDER OF NEW HANOVER COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That Chapter four hundred eighty-four of Public-Local Laws of one thousand nine hundred and thirty-three be amended by striking out Section three and inserting in lieu thereof the following:

"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, "thirty-three hundred ($3,300.00) 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 seventy-five ($275.00) dollars."

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 10th day of May, A.D. 1935.

H. B. 1447

CHAPTER 538

AN ACT RELATING TO PAY OF REGISTRARS AND POLL-HOLDERS IN DUPLIN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That in addition to the compensation now allowed registrars and polhholders in Duplin County, they shall each receive the sum of one dollar per day for each day for which they have been previously receiving compensation for holding elections and primaries in said County: Provided, that in no case
shall they receive less *per diem* than allowed by any State-wide 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 10th day of May, A.D. 1935.

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H. B. 1453  CHAPTER 539

**AN ACT REGULATING THE TRAPPING OF GAME ON THE LANDS OF ANOTHER, PROHIBITING THE DEPREDATION OF DOMESTIC FOWLS AND REGULATING FISHING UNDER CERTAIN CONDITIONS IN MOORE COUNTY.**

*The General Assembly of North Carolina do enact:*

**SECTION 1.** It shall be unlawful for any corporation, partnership, firm or person to place, maintain or operate any blind trap, snare, box, barrel or device whatsoever or place in a net or basket, in any stream upon the lands of another in Moore County, for the purpose of or by means of which any fur-bearing animals or wild animals or fowls of whatsoever description, or fish, of whatsoever kind might or may be snared or caught, from which any person concealed therein might or could shoot or kill any such fowls or animals or fish which might or could be used for food or for the purpose of obtaining from the carcass any fur-bearing skin, and any person violating the provisions of this section shall be guilty of a misdemeanor and upon conviction shall be fined not less than five dollars nor more than twenty-five dollars, by any court of competent jurisdiction. Any landowner who may find upon his premises erected thereon, without his consent, any trap, snare, blind device, steel trap or foot trap, barrels or other device whereby any living thing may be trapped, ensnared or netted, whether placed for the catching of anything living, whether such living thing may be on land or in water, may destroy or appropriate same to his own use, without being guilty of any offense whatsoever, whether same denominated in law or equity as malicious injury to personal property or sequestration of personal property for one's own use.

**Sec. 2.** It shall be unlawful for any person to permit or allow any domestic fowl to stray upon or be upon, or feed upon the lands of another, and any person upon whose land any domestic fowl may stray, or be, or feed shall have the right, after three days' notice to the owner of such straying domestic fowl, to catch, trap, kill or otherwise destroy such depredating domestic
fowl without violating any criminal law with respect to the death of such depredating fowls and without being liable to the owners thereof in civil damages.

SEC. 3. It shall be unlawful for any person to hunt with dogs or guns any fox or foxes between sunup on March first and sundown on September thirtieth, of any year, and any person violating the provisions of this section shall be guilty of a misdemeanor and upon conviction by any court of competent jurisdiction shall be fined not less than ten dollars nor more than fifty dollars, and in addition shall pay the cost of such prosecution and shall pay to each and every person, corporation or firm, upon whose land he has hunted, a privilege tax of ten dollars: Provided, nothing in this Act contained shall prevent any person, firm or corporation from taking by seine suckers from any of the streams of said County as and when they desire.

SEC. 4. That all laws and clauses of laws in conflict with or repugnant to the provisions of this Act be, and the same are hereby repealed.

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

Ratified this the 10th day of May, A.D. 1935.

H. B. 1484  CHAPTER 540
AN ACT TO EXTEND THE JURISDICTION OF FORSYTH COUNTY COURT.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter five hundred twenty of the Public-Local Laws, Session one thousand nine hundred fifteen, as amended by Chapter three hundred thirty-five, Public-Local Laws, Session one thousand nine hundred twenty-five, be, and the same is hereby amended by striking out in line thirteen of paragraph four (4) of Section three of Chapter three hundred thirty-five, Public-Local Laws of one thousand nine hundred twenty-five, the words, "divorce, alimony or separate maintenance."

SEC. 2. That the Forsyth County Court shall have jurisdiction concurrent with the Superior Court in all actions for divorce, alimony or separate maintenance and all matters and proceedings pertaining 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 full force and effect from and after its ratification.

Ratified this the 10th day of May, A.D. 1935.
CHAPTER 541

AN ACT TO FACILITATE THE OPERATION OF A FREE TEXT-BOOK OR TEXT-BOOK LOAN PLAN IN THE PUBLIC SCHOOLS OF THE STATE OF NORTH CAROLINA.

Whereas, the operation of a free text-book or text-book loan plan in the public schools would save a large amount of money for the patrons; and

Whereas, greater efficiency would result since all children could be supplied with a complete set of books at the beginning of each school year; and

Whereas, the State would save an enormous amount of money each year due to the fact that the per cent of promotions would be greatly increased, thereby decreasing the per capita now spent on pupils who are retained in the grades more than one school year; Now, Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the governing authorities of any school unit within Catawba County, North Carolina, may furnish or loan text-books to pupils so long as such books are usable without regard for changes in text-book adoptions for the public schools; Provided, that books so loaned or furnished were upon the State Adopted list of books when first purchased; Provided, further, that books so used must at all times come within the price limit designated by the State contract for books used in the Public Schools of the State; Provided, further, that this Act shall apply only to Catawba County.

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

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

Ratified this the 10th day of May, A.D. 1935.

S. B. 577

CHAPTER 542

AN ACT AUTHORIZING THE BOARD OF COUNTY COMMISSIONERS OF DURHAM COUNTY TO LEVY ADDITIONAL TAX FOR THE MAINTENANCE OF THE POOR, ETC.

The General Assembly of North Carolina do enact:

SECTION 1. That the County Commissioners of Durham County be and they are hereby authorized to levy annually a tax upon all taxable property not to exceed five cents on the one hundred
dollars of valuation, for the maintenance of a county home for the aged and infirm, and the poor, in addition to any tax allowed by general or special statute for the above enumerated purposes, and in addition to the rate allowed by the Constitution.

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

Ratified this the 10th day of May, A.D. 1935.

H. B. 1450

CHAPTER 543
AN ACT TO AID PRIVATE HOSPITALS CARING FOR INDIGENT AND CHARITY PATIENTS IN MECKLENBURG COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the provisions of House Bill one thousand nine hundred and thirty-three of the one thousand nine hundred and thirty-five session of the General Assembly, ratified on the... day of....... one thousand nine hundred and thirty-five, shall be applicable to private hospitals in Mecklenburg County caring for indigent and charity patients upon the same terms and in like manner as the said Act applies to general hospitals.

Sec. 2. That this Act shall apply only to Mecklenburg County.

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 10th day of May, A.D. 1935.

H. B. 1463

CHAPTER 544
AN ACT TO APPOINT R. H. GILES A JUSTICE OF THE PEACE IN MORGANTON TOWNSHIP, BURKE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That R. H. Giles be and he is hereby appointed a Justice of the Peace in and for Morganton Township, Burke County, for a term of six years: Provided, that he may qualify at any time within sixty days after the ratification of this Act.

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. 1935.
S. B. 618

CHAPTER 545

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

The General Assembly of North Carolina do enact:

SECTION 1. That the following named persons be and they are hereby appointed Justices of the Peace for their respective townships in Transylvania County for a term of two years, from April first, one thousand nine hundred thirty-five: Provided, that they may qualify at any time within sixty days after the ratification of this Act:

Cathey's Creek Township—E. Carl Allison, N. S. Galloway.
Dunn's Rock Township—G. W. Whitmire.
Eastatoe Township—Charlie Gravely, H. P. Whitmire.
Gloucester Township—A. C. Price.
Hogback Township—Henry McCall.
Little River Township—Claude Shuford.

SECTION 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. 1935.

S. B. 611

CHAPTER 546

AN ACT TO ENLARGE THE TERM OF OFFICE OF THE REGISTER OF DEEDS OF HALIFAX COUNTY SUBJECT TO THE APPROVAL OF THE VOTERS THEREOF.

The General Assembly of North Carolina do enact:

SECTION 1. That subject to the approval of the qualified voters of Halifax County as hereinafter set forth, at the general election for the year one thousand nine hundred thirty-six and quadrennially thereafter, there shall be elected in Halifax County of this State by the qualified voters thereof a Register of Deeds, who shall serve for a term of four years from the first Monday in December after his election and until his successor is duly elected and qualified.

SECTION 2. That at the June, one thousand nine hundred thirty-five, primary the Halifax County Board of Elections shall cause to be duly submitted to the qualified voters of Halifax County the question of enlarging the present two-year term of office of the Register of Deeds of Halifax County to four years. A separate ballot shall be furnished by said Board of Elections for use by the
voters participating in said primary. The voters favoring the enlargement of said term shall vote a ballot on which shall be written or printed the words, "For enlarging the term of the Register of Deeds of Halifax County to four years"; and those opposed shall vote a ballot on which shall be written or printed the words, "Against enlarging the term of the Register of Deeds of Halifax County." If a majority of the votes cast in said primary shall be in favor of enlarging the term of said Register of Deeds to four years then the nominee for said office, at the general election for the year one thousand nine hundred thirty-six, and quadrennially thereafter, shall be elected for a term of four years. If a majority of the votes cast in said primary shall be against enlarging the term of said Register of Deeds to four years, then the nominee for said office at the general election for the year one thousand nine hundred thirty-six and biennially thereafter shall be elected for a term of two years as now provided by law in said County.

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 10th day of May, A.D. 1935.

S. B. 602

CHAPTER 547

AN ACT TO PROHIBIT KILLING QUAIL IN ALEXANDER COUNTY WITH PUMP OR AUTOMATIC SHOTGUN.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful to kill quail in Alexander County with pump or automatic shotgun.

Sec. 2. That any person violating the provisions of this Act shall be guilty of a misdemeanor and upon conviction fined not less than ten dollars or more than fifty dollars or imprisoned not exceeding thirty days, provided this Act shall also apply to Halifax 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 full force and effect from and after its ratification.

Ratified this the 10th day of May, A.D. 1935.
S. B. 620  CHAPTER 548

AN ACT TO REPEAL CHAPTER TWO HUNDRED SEVENTY-EIGHT OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-ONE, BEING AN ACT TO AMEND CHAPTER TWO HUNDRED SIXTY-SEVEN OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED TWENTY-THREE, RELATIVE TO THE SALARY OF THE TREASURER OF CASWELL COUNTY AND TO RE-ENACT CHAPTER TWO HUNDRED SIXTY-SEVEN OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED TWENTY-THREE RELATING TO THE SALARY OF THE TREASURER OF CASWELL COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That Chapter two hundred seventy-eight of the Public-Local Laws of one thousand nine hundred thirty-one and the same is hereby repealed and Chapter two hundred sixty-seven of the Public-Local Laws of one thousand nine hundred twenty-three is hereby re-enacted.

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 June thirtieth, one thousand nine hundred thirty-five.

Ratified this the 10th day of May, A.D. 1935.

H. B. 638  CHAPTER 549

AN ACT AUTHORIZING THE REFUNDING OF TAXES ERRONEOUSLY OR ILLEGALLY COLLECTED IN THE COUNTY OF GUILFORD.

The General Assembly of North Carolina do enact:

Section 1. That whenever taxes of any kind are or have been, through clerical error or misinterpretation of the law or otherwise, collected and paid into the County treasury or any City treasury, or to any tax collecting agency in excess of the amount legally due by any taxpayer, the Board of County Commissioners or the governing body of any municipality may, in its discretion, authorize the Treasurer to refund the amount so illegally or erroneously collected to the party entitled thereto, upon certificate of the Tax Collector, or his successor, certifying that such tax item was erroneously or illegally collected; provided, a resolution shall be adopted by the Board of County Commissioners
or by the governing body of the municipality, setting forth in each case the reason for authorizing such refund, and such resolution shall be spread upon the minutes of the Board or other governing body; and, provided further, that demand is made for the correction of such error or errors within five years from the time of the payment of the tax and in no event shall the refund be made for a period in excess of five years.

Sec. 2. That this Act shall only apply to Guilford County and the Cities and Towns therein.

Sec. 3. That all laws or parts of laws in conflict with this Act are repealed in so far as they affect this Act.

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

Ratified this the 10th day of May, A.D. 1935.

H. B. 1422 CHAPTER 550
AN ACT TO ABOLISH THE RIGHT OF TRIAL BY JURY IN THE RECORDER’S COURT OF DURHAM COUNTY.

The General Assembly of North Carolina do enact:

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

Sec. 2. That whenever a jury trial shall be demanded in said Recorder’s Court of Durham County, the case shall immediately be transferred to the criminal docket of the Superior Court of Durham County for trial.

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 May, A.D. 1935.

H. B. 1258 CHAPTER 551
AN ACT TO PROVIDE FOR A KENNEL TAX IN GREENE COUNTY AND THE TOWN OF SNOW HILL.

The General Assembly of North Carolina do enact:

Section 1. That the owner of a kennel of six dogs or more in Greene County or in the Town of Snow Hill shall pay an annual tax of Ten ($10) Dollars for each kennel; five dollars
($5.00) of which shall be paid into the general county funds and
five dollars ($5.00) of which into the treasury of the Town of
Snow Hill, the said kennels to be listed and the tax paid in the
same manner and at the same time as now required by the State-
wide law for the listing and taxing of dogs and shall be in lieu
of said listing and tax, except that where there are more than ten
dogs the credit for vaccination for rabies shall not apply.

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 May, A.D. 1935.

H. B. 1415

CHAPTER 552

AN ACT TO AMEND CHAPTER THIRTY-FOUR, PUBLIC-
LOCAL LAWS OF ONE THOUSAND NINE HUNDRED
THIRTY-THREE, RELATIVE TO PER DIEM OF THE
CHAIRMAN OF THE COUNTY BOARD OF COMMISSION-
ERS OF SWAIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Section four of Chapter thirty-four, Public-
Local Laws of one thousand nine hundred and thirty-three, be,
and the same is hereby amended, by striking out after the word
"than" and before the word "days," in line three of said section,
the word "twenty" and inserting in lieu thereof the word "twenty-
five."

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 May, A.D. 1935.

H. B. 900

CHAPTER 553

AN ACT TO TRANSFER CERTAIN ASSETS TO THE GEN-
ERAL FUND OF CUMBERLAND COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That all uncollected taxes, prior to March one, one
thousand nine hundred thirty-five, due on tax levies of the County
for the years prior to the year of one thousand nine hundred and
thirty, other than special district taxes and school taxes, shall, when collected, become the property of the general fund of the County and shall be applied thereto.

SEC. 2. That this Act shall apply only to Cumberland 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 11th day of May, A.D. 1935.

S. B. 282  CHAPTER 554

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF GUILFORD COUNTY TO LEVY A SPECIAL TAX FOR THE SUPPORT AND MAINTENANCE OF THE POOR AND THE OPERATION OF THE COUNTY WELFARE DEPARTMENT.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners of Guilford County be, and it is hereby authorized and empowered to levy such special property tax on all the taxable property situate in said County as may be necessary, not to exceed twelve cents (12c) on the One Hundred Dollars valuation, for the fiscal year 1935-1936 and the fiscal year 1936-1937, the amount of said tax so levied and collected to be used for the support and maintenance of the poor and the operation of the County Welfare Department and for no other purpose whatsoever.

SEC. 2. The funds raised by said levy for relief shall be kept in a special account with a separate set of books from other accounts of Guilford County, which accounts shall be open to inspection by the public at all times. An Advisory Relief Commission consisting of one member designated by the County Commissioners of Guilford County, one member designated by the City Council of High Point, one member designated by the governing body of the City of Greensboro, and one member designated by the governing body of the Town of Gibsonville, is hereby created to advise with the County Relief Director as to the expenditure of said relief fund. The County Relief Director shall make detailed monthly reports to said Commission of all expenditures and operations with respect to said relief fund.

SEC. 3. That no tax for the purpose set forth in Section one of this Act shall be levied by either the City of Greensboro, or the City of High Point or by the Town of Gibsonville in the County of Guilford.
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. 1935.

S. B. 622  CHAPTER 555

AN ACT TO APPOInt E. T. WATSON A JUSTICE OF PEACE IN BROGDEN TOWNSHIP, WAYNE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That E. T. Watson be, and he is hereby appointed a Justice of Peace in and for Brogden Township, Wayne County, and serve for a term of six (6) years from the date of the ratification of this Act.

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. 1935.

S. B. 494  CHAPTER 556

AN ACT TO EMPOWER THE BOARD OF COMMISSIONERS OF ANY MUNICIPALITY IN DUPLIN COUNTY TO ESTABLISH AND REGULATE MARKETS.

The General Assembly of North Carolina do enact:

SECTION 1. The Board of Commissioners of any municipality of Duplin County may establish and regulate markets, and prescribe at what place within the corporation shall be sold marketable things, such as fruits, vegetables and cotton, in what manner the same shall be sold or stored and may erect buildings, platforms, and acquire lands for these purposes, and may fix fees for the sale and storage of such fruits, vegetables and cotton and direct by whom they shall be paid. They may appoint auctioneers, inspectors, weighers and fix their fees and direct by whom they shall be paid.

SEC. 2. Any municipal market so acquired and erected by any Board of Commissioners in any municipality in Duplin County shall constitute a necessary municipal expense.

SEC. 3. Any municipal market heretofore erected by any municipality in Duplin County for the sale or storage of fruits, vegetables or cotton and any expenditures made therefor or any obli-
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Section 1. That the County Commissioners of Nash County, in their discretion, by resolution duly passed at a regular or called meeting, to relieve the Spring Hope Missionary Baptist Church of all unpaid taxes due the said County on the property known as the T. C. May Store Lots prior to the taking over of the said property by the said church.

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 11th day of May, A.D. 1935.
SEC. 2. That at the general election one thousand nine hundred thirty-six, and biennially thereafter, there shall be elected as other County officers a Solicitor for the Recorder's Court for the County of Halifax, who shall qualify as other County officers.

SEC. 3. That the salary of the Solicitor of the Recorder's Court shall be the same as of January first, one thousand nine hundred thirty-five.

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. 1935.

H. B. 1213 CHAPTER 559

AN ACT TO AUTHORIZE THE ISSUANCE OF SCHOOL BUILDING BONDS IN BEHALF OF SCHOOL DISTRICTS AND SPECIAL BOND TAX UNITS AND THE LEVY OF TAXES WITHIN SUCH DISTRICTS AND UNITS FOR THE PAYMENT OF THE PRINCIPAL AND INTEREST OF SUCH BONDS.

The General Assembly of North Carolina do enact:

SECTION 1. Upon receipt of a petition, signed by not less than ten per cent (10%) of the qualified voters of the territory described in such petition, praying that such territory be created into a school district and that bonds be issued under the provisions of this Act, the County Board of Education of the County in which such territory is located shall cause notice to be given by posting at the courthouse door and at three public places in such territory and by three weekly publications in a newspaper circulating in such territory, that on a date to be named in such notice, which shall not be earlier than twenty days after the first posting and publication of such notice, it will hold a public hearing upon the question of creating a school district comprising the territory described in such petition and set forth in such notice, and that any taxpayer or other interested person may appear and be heard. At the time and place stated in such notice, the Board shall hear all interested persons and may adjourn the hearing from time to time.

SEC. 2. Such hearing shall be advisory only to the County Board of Education and the Board may deny such petition, or it may grant such petition and enter an order creating a school district, comprising either the territory described in such petition or a part of such territory and additional territory, and the
order of the Board creating such school district shall define the boundaries thereof: Provided, however, that all the territory embraced in a new school district shall be located in one county. Each school district so created shall be designated by the Board as the "..................................School District of.......................... County," inserting in the blank spaces some name identifying the locality and the name of the County.

Sec. 3. Whenever the County Board of Education shall so petition, the Board of County Commissioners shall order a special election to be held in any such school district or in any such special bond tax unit for the purpose of voting upon the question of issuing bonds and levying a sufficient tax for the payment thereof for the purpose of acquiring, erecting, enlarging, altering and equipping school buildings and purchasing sites in such district or unit, or for any one or more of said purposes. In all such elections the Board of County Commissioners shall designate the polling place or places, appoint the registrars and judges, and canvass and judicially determine the results of the election upon the filing with it of the election returns by the officers holding the election, and shall record such determination on their records. The notice of election shall be given by publication at least three times in some newspaper published or circulating in such district or such unit. The notice shall state the date of the election, the place or places at which the election will be held, the boundary lines of such district or of such unit, unless the district or unit is coterminous with a City, Town or Township (in which event the notice shall so state), the maximum amount of bonds to be issued, the purpose or purposes for which the bonds are to be issued, and the fact that a sufficient tax will be levied on all taxable property within the district or unit for the payment of the principal and interest of the bonds. The first publication of the notice shall be at least thirty days before the election. A new registration of the qualified voters of such district or unit shall be ordered and notice of such new registration shall be deemed to be sufficiently given by publication once in some newspaper published or circulating in such district or unit at least thirty days before the close of the registration books. This notice of registration may be considered one of the three notices required of the election. Such published notice of registration shall state the days on which the books will be open for registration of the voters and the place or places at which they will be open on Saturdays. The books of such new registration shall close on the second Saturday before the election. The Saturday before the election shall be challenge day and except as otherwise provided in this Act, such election shall be held in accordance with the laws governing general elections. The form of the question, as stated on the ballot or ballots, shall be in substantially the words: "For the issuance of $............"
School Bonds and the levying of a sufficient tax for the payment thereof," and "Against the issuance of School Bonds and the levying of a sufficient tax for the payment thereof." Such affirmative and negative form may be printed upon separate ballots, or both thereof may be printed on one ballot, containing squares opposite the affirmative and the negative forms, in one of which squares the voter may make a cross (X) mark.

**Sec. 4.** At the close of the polls the election officers shall count the votes and make returns thereof to the Board of County Commissioners, which Board shall, as soon as practicable after the election, judicially pass upon the returns and judicially determine and declare the results of such election, which determination shall be spread upon the minutes of said Board. The returns shall be made in duplicate, one copy of which shall be delivered to the Board of County Commissioners as aforesaid and the other filed with the Clerk of the Superior Court of the County in which the school district or unit is situated. The election officers shall incorporate in the returns not only the number of votes cast for and against the bonds, but also the number of voters registered and qualified to vote at the election, and the Board of County Commissioners shall include in their canvass not only the number of votes cast for and against the bonds, but also the number of voters registered and qualified to vote at the election. The Board of County Commissioners shall prepare a statement showing the number of votes cast for and against the bonds, and the number of voters registered and qualified to vote at the election, and declaring the result of the election, which statement shall be signed by the Chairman of the Board and attested by the Clerk, who shall record it in the Minutes of the Board and file the original in his office and publish it once in a newspaper published or circulating in such district or unit.

**Sec. 5.** No right of action or defense founded upon the invalidity of such election or the invalidity of any proceedings or steps taken in the creation of such district or such unit shall be asserted, nor shall the validity of such election or the validity of the creation of such district or such unit, or the right or duty to levy a sufficient tax for the payment of the principal and interest of such bonds, be open to question in any court upon any ground whatever, except in an action or proceeding commenced within thirty days after the publication of such statement of results as provided in the preceding section.

**Sec. 6.** If a majority of the qualified voters of such district or such unit shall vote in favor of the issuance of such bonds and the levy of such tax, then the Board of County Commissioners may provide by resolution, which resolution may be finally passed at the same meeting at which it is introduced, for the issuance of
such bonds, which bonds shall be issued in the name of the County, but they shall be made payable exclusively out of taxes to be levied in such district or such unit, except the Board of County Commissioners may pay from County funds any part of the principal and interest of said bonds. They shall be issued in such form and denominations, and with such provisions as to the time, place and medium of payment of principal and interest as the said Board of County Commissioners may determine, subject to the limitations and restrictions of this Act. They may be issued as one issue, or divided into two or more separate issues, and in either case may be issued at one time or in blocks from time to time. The bonds shall be serial bonds and each issue thereof shall so mature that the aggregate principal amount of the issue shall be payable in annual installments or series, beginning not more than three years after the date of the bonds of such issue, and ending not more than thirty years after such date. No such installment shall be more than two and one-half times as great in amount as the smallest prior installment of the same bond issue. The bonds shall bear interest at a rate not exceeding six per cent per annum, payable semi-annually, and may have interest coupons attached, and may be made registerable as to principal or as to both principal and interest, under such terms and conditions as may be prescribed by said Board. They shall be signed by the Chairman of the Board of County Commissioners, and the seal of the County shall be affixed to or impressed upon each bond and attested by the Register of Deeds of the County or by the Clerk of said Board; and the interest coupons shall bear the printed, lithographed or facsimile signature of such Chairman. The delivery of bonds, signed as aforesaid by officers in office at the time of such signing, shall be valid, notwithstanding any changes in office occurring after such signing.

Sec. 7. The Board of County Commissioners is hereby authorized and directed to levy annually a special tax, ad valorem, on all taxable property in the district or in the special bond tax unit in which the election was held, sufficient to pay the principal and interest of the bonds as such principal and interest become due. Such special tax shall be in addition to all other taxes authorized to be levied in such district or in such unit. The taxes provided for in this section shall be collected by the County officer collecting other taxes and be applied solely to the payment of principal and interest of such bonds.

Sec. 8. No bonds shall be issued on behalf of a school district or a special bond tax unit under this Act which, including indebtedness for schools thereof then outstanding, and a proportionate part of the indebtedness of the County for school purposes, including indebtedness for school purposes assumed by the County, shall exceed eight per cent of the assessed valuation of
taxable property in such district or such unit. A proportionate part of the school indebtedness of the County for the purpose of this section shall be that proportion of such indebtedness which the valuation of taxable property of the school district or the special bond tax unit bears to the total valuation of the taxable property of the County.

Sec. 9. The powers conferred by this Act shall be regarded as supplemental and in addition to powers conferred by other laws and shall not supplant or repeal any existing powers for the issuance of bonds, or any provisions of law for the payment of bonds issued under such powers, or for the custody of moneys provided for such payment.

Sec. 10. This Act shall constitute full authority for the things herein authorized and no proceedings, publications, notices, consents or approvals shall be required for the doing of the things herein authorized, except such as are herein prescribed and required, and except that the provisions of the Local Government Act then in force as to the approval of the issuance of bonds and endorsement of such approval upon bonds and as to the sale of bonds and the disposition of the proceeds, shall be applicable to the bonds authorized by this Act. The proceeds shall be paid out only upon order of the County Board of Education.

Sec. 11. This Act shall apply only to Cleveland County.

Sec. 12. All laws and clauses of laws in conflict with this Act are hereby repealed.

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

Ratified this the 11th day of May, A.D. 1935.

H. B. 978    CHAPTER 560

AN ACT EXTENDING THE TIME OF PAYMENT OF DELINQUENT PAVING AND OTHER ASSESSMENTS.

The General Assembly of North Carolina do enact:

Section 1. That in those municipalities of the State in which there has been no default in its indebtedness, and when in the discretion of its governing bodies, to extend the time for sale and foreclosures of delinquent taxes and paving assessments would not in any way impair or lessen the credit of said municipalities, and its financial condition permitting, consistent with the above, the time for sale and foreclosure of said delinquent taxes and paving assessments is hereby placed in the discretion of the said governing bodies of such municipalities, consistent with the above provisions, provided said extension of time for said sale and fore-
closures of delinquent taxes and paving assessments shall not exceed two years from the ratification of this Act.

Sec. 2. That this Act shall apply only to Leakesville Township in the County of Rockingham.

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. 1935.

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H. B. 1335  CHAPTER 561

AN ACT TO AUTHORIZE AND EMPOWER DEPUTIES SHERIFF TO PERFORM CERTAIN DUTIES IN CHEROKEE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That in all cases where it becomes necessary for the laying off, assignment or allotting of a homestead to any judgment debtor under any execution issued against any debtor, it shall be lawful for any duly appointed and qualified deputy sheriff in Cherokee County to act in place and stead of the Sheriff and all such acts in such proceedings so performed or done by any such deputy sheriff in the premises shall be valid as though the same had been performed by the Sheriff of Cherokee County.

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 11 day of May, A.D. 1935.

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H. B. 1384  CHAPTER 562

AN ACT RELATING TO THE SALARY OF THE SHERIFF OF WILSON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That the Sheriff of Wilson County shall, on and after the first day of December, one thousand nine hundred thirty-six, be paid an annual salary, the amount thereof to be fixed and determined by the Board of County Commissioners, but being not less than three thousand dollars per year, which shall be paid
Process fees additional.

Turnkey fees not allowed.

Deputies allowed.

Salaries.

Conflicting laws repealed.

in monthly installments, and from the general fund. The Sheriff shall also retain for his own use all process fees which may be collected by him or his office as compensation additional to the salary herein named: Provided, that this Act shall not be construed to give to the said Sheriff any turnkey fees for the incarceration of prisoners.

Sec. 2. That on and after December first, one thousand nine hundred and thirty-six, the Sheriff of Wilson County shall appoint two Deputy Sheriffs, who shall receive an annual salary of not less than eighteen hundred ($1,800.00) dollars each, 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. 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 11th day of May, A.D. 1935.

H. B. 1494 Chapter 563

AN ACT TO AMEND CHAPTER SIX HUNDRED FIFTY-ONE OF THE PUBLIC LAWS OF ONE THOUSAND NINE HUNDRED AND NINE, AS AMENDED, RELATING TO THE MUNICIPAL COURT OF THE CITY OF GREENSBORO.

The General Assembly of North Carolina do enact:

Section 1. That Chapter six hundred and fifty-one of the Public Laws of one thousand nine hundred and nine, as amended, be, and the same is hereby amended by striking out Sections forty-two (c), forty-four, and forty-five and one-half, and inserting in lieu thereof the following:

"Section 42(c)—Time of Trial.

"Every summons shall direct the defendant or defendants to appear for trial at the first convening of court on the day and at the place named in the summons. If the defendant lives in the City, if an individual, or has a place of business in the City, if a corporation, or if all the defendants, if more than one, live or have a place of business in the City, the day fixed for the trial shall not be less than one and not more than ten days after the date of the summons. If any one of the defendants lives outside the City, but within Guilford County, or, if any one of the defendants is a corporation having no place of business in the City but having such a place of business in Guilford County, the day fixed for the
trial shall be not less than five and not more than fifteen days after the date of the summons; Provided, however, that nothing contained in this sub-section shall in any manner apply to or affect the terms and provisions of Section forty-four, sub-sections (b), (c), and (d), as hereinafter contained."

"Section 44—Pleadings.

"(a) Unless ordered by the judge, and except in cases where the plaintiff, as hereinafter provided, elects to file a written complaint, it shall not be necessary to file written pleadings in any action in said court.

"(b) The plaintiff or plaintiffs, however, in any action where the amount involved is in excess of the jurisdiction of a Justice of the Peace, may elect at the time of the institution of the action to file a written complaint, in which event the defendant or defendants shall within ten days from service of summons, or within ten days from the final determination of any motion required to be made prior to the time for filing answer expires, file in writing answer or other pleading. In the event no written answer or other pleading is filed within the required time, the Judge of the Civil Division of said court shall, upon application of the plaintiff or his attorney, render judgment by default final, or by default and inquiry, in the same form and manner as now provided by law in the Superior Court, except that such judgments may be rendered at any time after the expiration of the period in this sub-section provided.

"(c) In any case where the Judge deems it proper he may, upon his own motion or upon application by any party or his attorney, and without notice to any other party, require any plaintiff or defendant to file written pleadings within such time as the Judge may, in his discretion, specify.

"(d) In all cases where the Judge shall require the filing of written pleadings, and in all cases where the plaintiff, as hereinabove provided, has elected to file a written complaint, the Judge shall fix the date and hour for the trial, and the Clerk shall notify the parties or their attorneys thereof;

"Provided, That no written pleading shall be required in any case within the jurisdiction of a Justice of the Peace; and, Provided, Further, That, in conformity to Chapter four hundred and twenty, Public Laws one thousand nine hundred and thirty-one, when the summons runs outside of Guilford County, the pleadings shall be governed by the laws and rules applicable to actions in the Superior Court."

"Section 45\(1/2\)—

"Judgments by default final, and by default and inquiry, may be rendered in the same manner and form as now provided by law in the Superior Court, subject, however, to the provisions of Section forty-four, sub-section (b), 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 force from and after the date of its ratification.

Ratified this the 11th day of May, A.D. 1935.

H. B. 1487 CHAPTER 564

AN ACT TO AUTHORIZE THE COMMISSIONERS OF MONTGOMERY COUNTY AND/OR THE GOVERNING AUTHORITIES OF ANY TOWN THEREIN TO ACCEPT AT FACE VALUE BONDS OF SAID COUNTY AND/OR TOWN IN PAYMENT OF TAXES OR PAVING ASSESSMENTS.

The General Assembly of North Carolina do enact:

SECTION 1. That the Commissioners of Montgomery County and/or the governing authorities of any Town therein be and they are hereby authorized and empowered, in their discretion, to accept at face value matured bonds of said County and/or Town in payment of taxes or street-paving assessments due and owing said County and/or Town by the holders of said bonds for any of the years one thousand nine hundred twenty-seven to one thousand nine hundred thirty-one inclusive.

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. 1935.

H. B. 1413 CHAPTER 565

AN ACT RELATING TO FORECLOSURE PROCEEDINGS IN CATAWBA COUNTY AND THE TOWN OF MAIDEN, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That the sales of lands for the County of Catawba and the Town of Maiden, North Carolina therein, for the years one thousand nine hundred and twenty-seven, one thousand nine hundred and twenty-eight, one thousand nine hundred and twenty-nine, one thousand nine hundred and thirty, one thousand nine hundred and thirty-one, one thousand nine hundred and thirty-
two, and one thousand nine hundred and thirty-three, be, and the same are hereby ratified and confirmed.

Sec. 2. That in all tax foreclosure suits heretofore instituted in the County of Catawba and the Town of Maiden situated therein, the service of summons is hereby declared to be legal and said service of summons is hereby ratified and confirmed.

Sec. 3. That in all tax foreclosure suits heretofore instituted in the County of Catawba and the Town of Maiden situated therein, where alias summons has not been issued and served within the time prescribed by general law, alias papers may be issued in said proceedings at any time within two years from the ratification of this Act.

Sec. 4. That during the pendency of said land foreclosure suits, the court, at the request of the plaintiff or defendant, is hereby authorized and empowered to make new parties or additional parties, at the request and on recommendation of either of the parties, plaintiff or defendant. The word “court” as set out herein shall be construed to mean the Clerk of the Superior Court of Catawba County, and for the purpose of making new or additional parties, he shall have the same authority as now exercised by the Superior Court Judges of the State of North Carolina.

Sec. 5. That the County of Catawba and the Town of Maiden situated therein shall have two years from the date of the ratification of this Act to institute any tax suits for unpaid taxes, due now or that may become due after the date of the ratification of his Act. However, nothing in this Act shall prevent suits being brought earlier by the County or the Town of Maiden situated therein, if either should see fit to do so.

Sec. 6. That the County of Catawba and the Town of Maiden situated therein shall each year during the month of November, before any tax suit in the discretion of the Board is started, write each delinquent taxpayer in said County or municipality a letter, giving him, her or it an opportunity to pay his, her or its back taxes and cost, and by order of the Board, may be free from penalties: Provided, that in the event a taxpayer or taxpayers should fail to receive said letter shall not be any defense in court in an action brought by the said County of Catawba or the Town of Maiden.

Sec. 7. That the tax suits and the street improvements suits now pending which have heretofore been instituted by the Town of Maiden, North Carolina, shall not be heard in court until after December, one thousand nine hundred and thirty-five, this to be in the discretion of the said Town of Maiden. Thus giving the taxpayers an opportunity to pay prior to that time.

Sec. 8. That the provisions of this Act shall be considered separately, and if any part, section, sentence, paragraph, clause or phrase shall be declared unconstitutional by final judgment, in a
court of competent jurisdiction, it shall not be construed to nullify or void any other part, section, sentence, paragraph or phrase of this Act.

Sec. 9. Whether penalties are charged shall at all times be in the discretion of the County or municipality, as the case may be.

Sec. 10. That the provisions of this Act shall be in addition to any and all general or state-wide laws relating to land sales or tax foreclosure suits, as set out in the general law of the State of North Carolina, for the sale and foreclosure of real estate for delinquent taxes, in the several counties of the State.

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

Ratified this the 11th day of May, A.D. 1935.

S. B. 628

CHAPTER 566


The General Assembly of North Carolina do enact:

Sec. 1. That the salary of the Clerk of the Superior Court of Durham County, North Carolina, is hereby fixed at three thousand and six hundred dollars ($3,600) per annum, payable monthly.

Sec. 2. That the salary of the Sheriff of Durham County is hereby fixed at three thousand and six hundred dollars ($3,600) per annum, payable monthly.

Sec. 3. That the salaries of the Assistant Clerk of the Superior Court, and of the several Deputy Clerks thereof, and the salaries of the several Deputy Sheriffs, and Clerk in the Sheriff's office of Durham County shall be increased ten per centum over the salaries allowed to them as of April first, one thousand nine hundred and thirty-five.

Sec. 4. That in the event of the death or resignation of any of the deputy clerks of the Superior Court or deputies or clerk of the Sheriff's office, the salary for their successors in office shall revert to the amount paid prior to the passage of this Act.

Sec. 4½. This Act shall apply only to Durham 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 the first day of July, one thousand nine hundred and thirty-five.

Ratified this the 11th day of May, A.D. 1935.

S. B. 601  CHAPTER 567

AN ACT TO REPEAL CHAPTER FOUR HUNDRED AND SEVENTY, PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND TWENTY-SEVEN, RELATING TO THE APPOINTMENT OF ELECTION MARKERS FOR CHEROKEE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter four hundred and seventy of the Public-Local Laws of one thousand nine hundred and twenty-seven, and every section thereof, be and the same is hereby repealed.

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

Ratified this the 11th day of May, A.D. 1935.

S. B. 639  CHAPTER 568

AN ACT TO VALIDATE CANCELLATION OF CERTAIN MORTGAGES AND DEEDS OF TRUST HERETOFORE MADE UPON THE PUBLIC RECORDS OF WASHINGTON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That in all cases where cancellation of mortgages or deeds of trust has been attempted to be made upon the public records of Washington County by the Register of Deeds, by the entry on the margin of the pages upon which such instruments are registered of the word "cancelled," or "cancelled by authority," whether or not the source of such authority be referred to, and which entry shall have been signed by the Register of Deeds, the same shall be, and is hereby declared to be, a good and valid cancellation, and the same shall be effective as if such cancellation had conformed fully to the laws in force at the time.
when the same were made. The provisions of this section shall apply only to such cancellations as were made prior to December first, one thousand nine hundred thirty.

SEC. 2. That in all cases where cancellation of mortgages or deeds of trust has been made upon the public records of Washington County, upon the exhibition of any mortgage or deed of trust intended to secure the payment of money to the Register of Deeds or his deputy, entry whereof shall have been made by the Register of Deeds in accordance with sub-section two of section two thousand five hundred and ninety-four of the Consolidated Statutes, but the entry fails to recite that the bond or note was exhibited, but which entry in other respects conforms to the law in effect at the time, the said cancellation shall be, and the same is hereby validated and declared to be effective as if same had conformed fully to the law in effect at the time of such cancellation. This section shall apply only to cancellations made prior to January first, one thousand nine hundred thirty-four.

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 only.

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. 1935.

S. B. 640  CHAPTER 569

AN ACT TO RATIFY AND APPROVE THE ORGANIZATION OF THE BOARD OF EDUCATION OF YANCEY COUNTY, ETC.

Whereas, the Board of Education of Yancey County appointed by House Bill number two hundred and ninety-four, entitled "An Act appointing a Board of Education for Yancey County," ratified February twelfth, one thousand nine hundred and thirty-five, and also appointed in the General Educational Omnibus Bill, was had on the first Monday in May, one thousand nine hundred and thirty-five, as required by said Act, and school committee members were appointed and a County superintendent elected, as required by said Act: Now, Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the organization of the Board of Education of Yancey County held on the first Monday in May, one thousand nine hundred and thirty-five, and the appointment of
committeemen for the various districts, and the appointment of a county superintendent of schools of Yancey County be, and are approved, ratified, validated and confirmed, and the said committeemen and the county superintendent of schools appointed and elected by the Board of Education of Yancey County, on the first Monday in May, one thousand nine hundred and thirty-five, shall be the legal committeemen for their various districts in said County, and the legal superintendent of schools of Yancey County for the period of two years from and after the first Monday in May, one thousand nine hundred and thirty-five, and until their successors have been duly elected and inducted into office, notwithstanding any limitations or provisions or requirements contained in any other Act of the General Assembly.

Sec. 2. That the provisions of House Bill number two hundred and ninety-four, entitled "An Act appointing a Board of Education for Yancey County" are declared to be in full force and effect.

Sec. 3. That all laws and clauses of laws in conflict with this Act be and 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. 1935.

S. B. 642  CHAPTER 570

AN ACT TO AUTHORIZE THE REGISTER OF DEEDS OF MOORE COUNTY TO HAVE PHOTOSTATIC COPY MADE OF PLATS, MAPS AND BLUE PRINTS FILED FOR RECORD IN SAID REGISTER’S OFFICE.

The General Assembly of North Carolina do enact:

SECTION 1. That all plats, maps or blue prints that shall be filed with any Register of Deeds in the State of North Carolina to be recorded as a part of the permanent record in said office shall be recorded by means of a photostatic copy of said plat, map or blue print on a sheet the size to be prescribed by the Board of County Commissioners of such County in which said map is so filed, and when made the Register of Deeds of such County shall place said photostatic copy in the book prescribed by said Board of Commissioners for aforesaid purpose in said office.

Sec. 2. That the said Register of Deeds of such County shall be allowed a fee not to exceed Three ($3.00) Dollars, which fee shall cover the cost of making said photostatic copy and all serv-
AN ACT TO MAKE A GRANT BOOK A PART OF THE PUBLIC RECORDS OF LEE COUNTY AND TO PROVIDE FOR THE USE THEREOF IN EVIDENCE.

The General Assembly of North Carolina do enact:

SECTION 1. That whereas there has heretofore been copied in a book and bound therein certain grants for lands on file in the office of the Secretary of State of North Carolina, which lands are supposed to be situated in the boundaries of Lee County, North Carolina; and the grants therein contained certified under a single certificate to be true copies thereof by J. Bryan Grimes, Secretary of State, on August sixteenth, one thousand nine hundred and twelve, and his official seal thereto affixed; and that whereas said book, entitled “Lee County Grants, 1787-1889,” has been acquired by Lee County and placed in the office of the Register of Deeds for said County as a portion of the public records of said County for the use of the public; said book and the records therein contained are hereby declared to be portions of the public records of said County to be kept on file in the office of said Register of Deeds.

Sec. 2. That the said grants or any of them therein contained shall be competent and may be read and shall be received in evidence from said book, or a copy thereof properly certified under the hand and official seal of said Register of Deeds shall be competent and may be read and shall be received in evidence, in all such cases and with the same force and effect as the originals of said grants or copies thereof, if separately certified by the Secretary of State, would be competent and receivable as evidence.

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. 1935.
H. B. 944  CHAPTER 572

AN ACT TO AUTHORIZE USE OF CERTAIN SCHOOL FUNDS TO CARRY OUT SCHOOL TRANSPORTATION CONTRACTS IN CLAY COUNTY.

Whereas, cost of contract school transportation system for Clay County for the present term is two thousand nine hundred thirty-six and thirty-six one-hundredths ($2,936.36) dollars; and,

Whereas, the State School Commission has allotted the sum of two thousand three hundred ($2,300.00) dollars for said purpose, thereby leaving the sum of six hundred and thirty-nine and thirty-nine one-hundredths ($639.39) dollars to be provided by Clay County; Now, Therefore,

The General Assembly of North Carolina do enact:

Section 1. That the superintendent of public schools of Clay County and the County Board of Education of Clay County are hereby authorized to use such special district tax funds credited to the various districts, or that may be collected and credited to the various districts, arising out of levies for prior years as may be necessary to carry out and discharge contracts for transportation of school children out of such surpluses as the respective districts may have to their credit after paying all liabilities of the respective districts for which such special levies were made.

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 11th day of May, A.D. 1935.

H. B. 398  CHAPTER 573

AN ACT TO ALLOW GUESTS AT KANUGA LAKE, HENDERSON COUNTY, TO FISH WITHOUT PROCURING LICENSE.

Whereas, Kanuga Lake, Henderson County, is owned and operated by Kanuga Conference, Incorporated, a religious organization maintaining an assembly ground at Kanuga Lake, and operated purely and exclusively for religious purposes; and

Whereas, during the numerous religious conferences at said assembly grounds people are drawn from all sections to attend said conferences and whose stay is of short duration by reason of the nature and duration of the conferences; and
Whereas, it is desirable that as much recreation and entertainment be furnished to those in attendance as the nature of the case will permit; and

Whereas, Kanuga Lake is a small fresh water lake entirely upon the property of said company, drawing its waters from a small stream not stocked with fish by the State of North Carolina, and privilege to fish in said lake by the guests of said religious organization without the procurement of a license would materially aid the said organization in the entertainment of its guests; Now, Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That any and all guests of the Kanuga Conference, Incorporated, while in attendance as guests of Kanuga Lake, Incorporated, at Kanuga Lake, Henderson County, are hereby allowed to fish in the waters of Kanuga Lake, in accordance with the State laws governing the taking of fish in private ponds without procuring license, either as non-residents or otherwise.

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. 1935.

H. B. 1498  
CHAPTER 574

AN ACT TO ENABLE CALDWELL COUNTY TO CO-OPERATE IN THE ESTABLISHMENT OF A NATIONAL OR STATE PARK OR MONUMENT IN SAID COUNTY AT BLOWING ROCK OR IN THE GRANDFATHER MOUNTAIN AREA AND FOR OTHER PURPOSES CONNECTED THEREWITH.

The General Assembly of North Carolina do enact:

SECTION 1. Caldwell County is authorized and empowered to co-operate with any public agency, either State or National, including the National Conference on State Parks, in the establishment of a State or national monument or park in the Grandfather Mountain area or at Blowing Rock in said County, and to expend not exceeding one thousand ($1,000.00) dollars for that purpose, including the expense of a campaign to raise funds for such purpose and the payment of necessary expense of any local director of said National Conference aforesaid.

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. 1935.
S. B. 641  
CHAPTER 575

AN ACT TO PERMIT THE BOARD OF EDUCATION OF TRANSYLVANIA COUNTY TO PROVIDE THAT THE COUNTY SUPERINTENDENT OF SCHOOLS SHALL TAKE OFFICE ON JUNE FIRST, FOR THE YEAR ONE THOUSAND NINE HUNDRED THIRTY-FIVE.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Education of Transylvania County may provide that the County Superintendent of Schools for said County, elected on the first Monday in May, one thousand nine hundred thirty-five, shall take office on June first, one thousand nine hundred thirty-five.

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 11th day of May, A.D. 1935.

H. B. 1080  
CHAPTER 576

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF IREDELL COUNTY, IN THEIR DISCRETION, TO AUTHORIZE THE SHERIFF OF IREDELL COUNTY TO EMPLOY FULL-TIME DEPUTY SHERIFFS AND PRESCRIBE THEIR COMPENSATION.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of Iredell County, North Carolina, may, in their discretion, authorize and empower the Sheriff of Iredell County, to employ any number, not exceeding five, deputy sheriffs, who shall be paid a salary for their full-time services not to exceed one hundred and fifty dollars per month, but to be fixed from time to time by the Board of Commissioners of Iredell County.

SEC. 2. If such deputy sheriffs are so appointed, their powers, rights and duties shall be the same as the law now vests in deputy sheriffs, except that they shall receive a flat salary and no other compensation and all fees for arrests, service of process and other duties performed by said full-time deputy sheriffs shall be paid into the general funds of Iredell County and belong to said general fund.

SEC. 3. This Act shall be in force from and after the date of its ratification.

Ratified this the 11th day of May, A.D. 1935.
H. B. 1389  CHAPTER 577

AN ACT TO PROVIDE THAT ANY PERSON WHO SHALL BE UPON ANY HIGHWAY IN THE COUNTY OF CRAVEN IN A DRUNKEN CONDITION SHALL BE GUILTY OF A MISDEMEANOR.

The General Assembly of North Carolina do enact:

SECTION 1. That any person who shall be upon any highway maintained by the County or State in the County of Craven while in a drunken condition shall be guilty of a misdemeanor and upon conviction shall be fined not exceeding fifty dollars or imprisoned for not more than thirty days.

SEC. 2. That this Act shall apply only to Craven 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 11th day of May, A.D. 1935.

H. B. 1394  CHAPTER 578

AN ACT REPEALING HOUSE BILL NINE HUNDRED AND NINETY-ONE FIXING THE SALARY OF THE CLERK OF THE COURT FOR ALAMANCE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That House Bill nine hundred ninety-one of the Session of one thousand nine hundred thirty-five raising the salary of the Clerk of the Superior Court for Alamance County, North Carolina, from two thousand five hundred dollars ($2,500.00) per annum to three thousand dollars ($3,000.00) per annum be, and the same is hereby repealed.

SEC. 2. That the salary of the Clerk of the Superior Court for the said Alamance County, North Carolina, be, and the same is hereby fixed at the sum of two thousand five hundred dollars ($2,500.00) per annum payable in twelve equal monthly installments.

SEC. 3. All laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 4. That this Act shall be in full force as of April first, one thousand nine hundred thirty-five.

Ratified this the 11th day of May, A.D. 1935.
H. B. 1084  CHAPTER 579

AN ACT RELATING TO TAX FORECLOSURE SUITS IN CLEVELAND COUNTY, AND EXTENDING THE TIME OF THE SHERIFF'S SALE FOR ONE THOUSAND NINE HUNDRED AND THIRTY-FOUR TAXES.

The General Assembly of North Carolina do enact:

SEC. 1. That in all tax foreclosure suits in Cleveland County, if it shall appear to the Court that it is necessary to make additional parties to said action, in order to include all lienholders and other parties interested in the property asked to be sold under said tax foreclosure suit, and if it shall appear to the court that said tax foreclosure suit was originally brought or filed within the time allowed by law against the person in whose name said property was listed for taxation, then the court shall have full power and authority at any time prior to the final judgment in said action to order that any person, firm or corporation, who may be interested, as lienholder or otherwise, in the property about to be foreclosed, be made a party to said action, and upon the service of lawful summons upon said person, firm or corporation, the final judgment of the court shall be as binding upon such person, firm, or corporation as if he or it had been made a party at the time the action was originally filed.

SEC. 2. That the Board of Commissioners of Cleveland County or the governing board of any City or Town in said County shall have the authority to extend the time for the foreclosure of tax certificates for the years one thousand nine hundred and thirty-two and one thousand nine hundred and thirty-three to such time as they may see fit: Provided, the time for said foreclosure is not extended beyond December first, one thousand nine hundred and thirty-six.

SEC. 3. That the Board of Commissioners of Cleveland County or the governing board of any City or Town in said County may order the sale of land for delinquent taxes due for the year one thousand nine hundred and thirty-four, to be held on the first Monday of any month after the first Monday in June, one thousand nine hundred and thirty-five; Provided, said sale is had on or before the first Monday in November, one thousand nine hundred and thirty-five.

SEC. 4. That the time for the Sheriff's settlement for all one thousand nine hundred and thirty-four taxes to be made with the Board of Commissioners of Cleveland County is hereby extended to the date on which the sale of land for delinquent one thousand nine hundred and thirty-four 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 nine hundred and thirty-five.

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 11th day of May, A.D. 1935.

H. B. 1427  
CHAPTER 580

AN ACT TO VALIDATE TAX SALES MADE ON DATES SUBSEQUENT TO TIME FIXED BY STATUTE AND TO PROVIDE FOR THE FORECLOSURE OF TAX LIENS IN ACTIONS ON TAX CERTIFICATES AND OTHERWISE.

The General Assembly of North Carolina do enact:

Section 1. That any sale of real estate for taxes levied for the year one thousand nine hundred twenty-six and subsequent years up to and including one thousand nine hundred thirty-three, and made by any County, City, Town or other municipal corporation, after the expiration of any date limited or provided by any statute fixing same, is hereby validated as to the date of sale; and such sale at such subsequent date is declared to be as effectual for all purposes as if made on the date or within the time required by the statute then in force; and action may be brought and maintained for the foreclosure of any certificate issued upon such sale at such subsequent date exactly as if and with the same force and effect, and the rights of the purchaser at such sale shall be the same as if said real property had been sold on the day designated by statute; and the sale on such subsequent date and the certificate issued therefor shall be as effectual for all purposes as if made on the date or within the time provided by statute.

Sec. 2. That every County, City, Town or other municipal corporation which has become the purchaser and received the tax certificate of sale for any real property at any sale may, when it brings action for the foreclosure of any such tax certificate, at its option, include in its complaint filed in said action, a cause of action to likewise foreclose the tax lien set out and described in Consolidated Statutes seven thousand nine hundred and ninety; or it may at any time thereafter, before final judgment set up said cause of action by amendment; or it may bring a separate action therefor; or it may by amendment set up a cause of action on the lien described in said Section seven thousand nine hundred and ninety, in any action heretofore brought and now pending and in
which final sale has not been made, to be made by motion, before
the clerk or the judge in term, which said cause of action on said tax
lien shall be a separate cause of action, in addition to the cause
of action on the sales certificate; and the same may be foreclosed
in any of said actions as provided, though a certificate of sale
may have been issued or attempted to be issued to said County,
City or Town or other municipal corporation.

Sec. 3. That in all suits brought in Stokes County or the munici-
palities located therein to foreclose a lien for taxes, the cost of
said action, including a reasonable attorney's fee, to be set by the
governing body of said County or municipality, shall be taxed in
the bill of cost and paid by the losing party in the suit.

Sec. 4. That the County Commissioners of Stokes County, or
the governing body of any municipality located therein, are hereby
authorized and empowered to make such tax adjustments with
the taxpayers of said County or municipality whose taxes are
unpaid for the year one thousand nine hundred and thirty-three,
and all years prior thereto, as in their discretion may be for the
best interests of both the County and/or municipality and the
taxpayer.

Sec. 5. That this Act shall apply to Stokes 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 11th day of May, A.D. 1935.

H. B. 694

CHAPTER 581

AN ACT SETTING UP AND ESTABLISHING THE METHODS,
PROCESSES AND PROCEEDINGS BY WHICH A LIEN MAY
BE ACQUIRED UPON REAL AND PERSONAL PROPERTY,
AND THE SAME SOLD AND THE TITLE THEREON CON-
VEYED FOR FAILURE TO PAY TAXES FOR CASWELL
COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That this Act may be cited as the Tax Fore-
closure Act of one thousand nine hundred and thirty-five.

Sec. 2. Definitions. When used in this Act. (a) The terms
"County, City or Town" shall be held and construed to mean
and include subdivisions of the government so named and any
other subdivision of government charged with the duty and having
the power to levy and collect taxes;
"Governing body."
(b) The term "governing body" shall be held and construed to mean and include a board of county commissioners, a board of county or city managers, a board of town commissioners, a board of town aldermen, a city council, or other official body or board charged generally with the duties corresponding to those of a board of county commissioners or a board of town commissioners, and having and exercising the power to levy taxes within a particular territory or taxing jurisdiction:

"Sheriff."
(c) The term "sheriff" shall be held and construed to mean and include any sheriff, deputy sheriff, tax collector, or other officer of any County, City, Town or other taxing jurisdiction charged with the duty of collecting taxes:

"Taxpayer."
(d) The term "taxpayer" shall be held and construed to mean and include any person, firm, association or corporation, or group thereof, subject to a tax imposed by any law of this State;

"Tax" or "taxes."
(e) The term "tax" or "taxes" shall be held and construed to mean and include any taxes, special assessments, costs, penalties, and/or interest, and/or any other payments charged and imposed by authority of law against any taxpayer or upon or against any property.

"County accountant."
(f) The term "county accountant" shall be held and construed to mean and include any person designated by the governing body of any County or municipality charged with the duty of aiding in the collection of taxes.

SEC. 3. It shall be the duty of all tax listers and/or tax assessors in said County, when listing or assessing real estate for taxes, to ascertain the owner of the real estate being so listed and assessed, or some one who has an interest therein, whether the same is encumbered, and if so, to whom and the postoffice address of such landowner and lienholder. Each tract of land shall be listed separately, and this separate abstract or list shall show the acreage, at least three adjoining landowners for each tract, or such other description as shall be sufficient to locate and identify said land by parol testimony. Town lots and other small lots shall be listed in the same way, except the acreages need not be given, but the number of said lot on any Town map or plat, or the street number, shall be given. The County Supervisor of Taxation, or other person charged with supervision of the listing and assessment of property for the County, City or Town, shall inspect the tax abstracts as returned by the list taker or assessor, and if the above requirements have not been complied with, shall refuse approval of the bill or account of such tax lister or assessor for payment for his services until the record with respect to such listing and assessment of property as herein required shall have been complied with.

SEC. 4. After the taxes have been computed for any one year, the tax books and lists shall be delivered to the Sheriff or other
tax-collecting office of the County, or Town, or City, by the chairman of the governing body of said taxing unit, and in and upon said tax books there shall be an order or endorsement in substantially the following form:

North Carolina..........................County..........................City.
To the Sheriff or Tax Collector of..........................County, or..........................Town, or..........................City:

You are hereby authorized, empowered, and commanded to collect the taxes from the persons and taxpayers in the amounts as herein set forth, and the taxes against such persons and taxpayers and in the amounts as herein set forth are declared to be a first lien on all real property of such taxpayer in..........................County, or..........................Town, or..........................City, and superior to any and all other liens on said real estate, and this book and order shall be a full and sufficient authority to direct, require and enable you to levy on and sell any and all real (or) personal property of persons and taxpayers herein named for and on account of the taxes due by and herein charged to said persons and taxpayers, and all interest and cost on account thereof.

Witness my hand and official seal, this..........................day of
.........................................................., 193......

Attest: Chairman, Board of Commissioners.

Clerk to the Board.

The said tax list so endorsed and placed in the hands of the Sheriff or Tax Collector shall have all the force and effect of a duly docketed judgment and of an execution against all of the real and personal property of the persons and taxpayers charged with the taxes and in the amount as set out in said book and list, and shall be a superior lien on all the property set out in said book and list.

Sec. 5. The taxes shall not be a lien upon the personal property except upon a levy thereof. No mortgage, deed of trust, lien, conditional sales contract, or other contract or instrument which operates as a mortgage upon personal property shall have the effect of creating a lien thereon superior to the lien acquired by a subsequent levy upon said property for the payment of any and all taxes levied and assessed against said personal property, and poll taxes, if any.

Sec. 6. The lien of the State, County and municipality taxes levied for any and all purposes for each year shall attach to all real estate of any taxpayer within the County and/or City by which the tax list is placed in the hands of the Sheriff or Tax Collector, which lien shall attach on the first day of June preced-
ing annually, and shall continue until all taxes of the taxpayer, interest and cost which accrue thereon, shall be paid, and shall be superior to all other liens on all property of the taxpayer on which said taxes were levied. This lien, however, shall, at all times, be subject to the right to segregate such lien upon any of the real estate of the taxpayer as provided for in Chapter eighty-three, Public Laws of nineteen hundred and thirty-one.

Sec. 7. The tax books shall be delivered to the Sheriff or Tax Collector on the first Monday in October of each year, and the lien of and for said taxes as therein set out shall be as of and from the preceding June first.

Sec. 8. The Sheriff or Tax Collector shall make diligent effort to locate, find, and levy upon and sell personal property of the taxpayer for the satisfaction of the taxes before resorting to the real estate. It shall be the duty of the taxpayer, mortgagee, or other lienholder of the taxpayer to notify the Tax Collector or Sheriff of such lien and point out to him the personalty, out of which the taxes may be made. Under no circumstances shall the failure of the Sheriff or Tax Collector to levy on or sell the personal property of the taxpayer invalidate any proceedings for the levy on or for the sale of the real estate of the taxpayer for the satisfaction of the taxes or the procedure set out in this Act for judgment and execution against the taxpayer and/or sale of his property for taxes.

Sec. 9. The taxpayer may make partial payment of his taxes in any amount of his taxes assessed against him in any County, City or Town. Such payment shall not operate to release the lien for the remaining and unpaid taxes of such taxpayer, and such receipt for said taxes shall not be given until all taxes, interest, and cost have been paid.

Sec. 10. All unpaid taxes shall bear interest at the rate of six per centum per annum from and after the entry of judgment against the taxpayer as hereinafter provided.

Sec. 11. That on the first Monday in October following the delivery of the tax books to the Sheriff or Tax Collector he shall make a settlement with the County or municipality for the taxes collected by him during the preceding year, and he shall deliver all unpaid tax receipts on real property to the County Accountant or other person designated by the governing authorities to receive them: Provided, however, that said County Accountant or other person designated to receive said tax receipts shall be required to furnish a bond payable to the State of North Carolina in a sufficient amount to fully protect the County or municipality and the amount of said bond shall be fixed by the governing authorities. The said County Accountant shall give a receipt to the Sheriff or Tax Collector for the amount of tax receipts so delivered to him and which receipt shall be used by the Sheriff or the
tax collecting officer in making a settlement for the taxes for the previous year: Provided, that the real estate of said taxpayer shall be liable for the personal property tax charged to each of said taxpayers.

Sec. 12. Within thirty days after July the first after the delivery of the tax receipts to the County Accountant or other person designated to receive said tax receipts or notes given for said tax receipts on certificates by the County or other governing body the County Accountant or other person having charge of said tax receipts shall notify the delinquent taxpayers by registered mail, to their last named address, that unless said taxes are paid on or before the first Monday in January following that judgment will be rendered against him for said taxes and costs, which judgment shall bear interest at the rate of six per centum per annum from July first preceding the rendition of judgment until paid; and if said notice cannot be served by mail or personal service upon the said delinquent taxpayer, an action may be instituted against said delinquent taxpayer, in the same manner as civil actions against non-residents of the State, and said summons and service by publication shall be as now provided by law in action of this kind, and shall be completed on or before the first Monday in January following, and if no answer is filed by any delinquent taxpayer who has been served by registered mail or by publication or personal service on or before the first Monday in January following, the Clerk of the Superior Court shall proceed to render judgment against said delinquent taxpayer for the amount of taxes, costs and interest accruing, and when said delinquent taxpayer is known by the Sheriff or the Clerk of the Superior Court to be a resident of or living in a different County of this State, notice shall be sent to the Sheriff of the County of the said delinquent taxpayer's residence, and the said Sheriff shall make diligent effort to serve said notice upon him. That whenever a notice is served by registered mail under the provisions of this Act, a return receipt shall be requested, and when returned shall be filed in the record of the respective case, and shall be competent evidence in any court and conclusive proof that said notice was served according to law: Provided, however, that in the case of the death of the taxpayer and no one has qualified as the administrator or executor of the deceased and it should become necessary to serve a notice on him as provided herein, then it shall be the duty of the Clerk of the Superior Court to appoint an administrator of the deceased taxpayer, and the notice served on him under provisions of this Act shall be deemed sufficient. Service of such notice shall be made by delivering a copy thereof to the delinquent taxpayer, and return of said notice shall be made by the Sheriff making such service on said notice in the usual way for making returns on said sum-
mons. Where such notice is served by the Sheriff of a County other than that from which it shall issue, the Sheriff so serving shall be entitled to a fee of fifty cents.

Sec. 13. That on the first Monday in January following, and if for any reason the County Accountant is unable to comply with this Act and moves for judgment as herein provided, then he shall move for judgment on any first Monday thereafter after the delivery of the tax receipt or notes given for tax receipts on certificates as herein provided to the County Accountant or other person designated to receive such tax receipts, the County Accountant or other person having said tax receipts or notes shall make a motion before the Clerk of the Superior Court for judgment against each of said taxpayers for the amount of the taxes due by the respective taxpayers and the cost; and the Clerk shall thereupon enter judgment against said taxpayers for the amount due as shown by the motion of the County Accountant or other person having possession of the tax receipts or notes; that the said judgment shall have the full force and effect of a judgment in rem of a Superior Court and shall be a specific lien on all the property on which said taxes were levied and shall include a specific lien on all the real estate of the respective taxpayers or any personal property on which said taxes were levied that may be due by the respective taxpayers, and shall operate as a continuation and renewal of the lien acquired and imposed by the delivery of the tax books to the Tax Collector as hereinabove set out on all the real estate of the taxpayers in said County, which said lien shall be superior to all other liens existing before or acquired after the entry of said judgment.

Sec. 14. With respect to all such delinquent taxpayers as may appear before the Clerk of the Superior Court on or before the first Monday in January and undertake to show cause why judgment shall not be entered against them on account of such delinquent taxes, interest and cost, the Clerk of the Superior Court shall consider and pass upon any questions of law and fact that may be raised in any answers filed by such delinquent taxpayers, and shall enter judgment in accordance with his findings. Any delinquent taxpayer so appearing and filing answer to such notice may appeal from any judgment entered by the Clerk of the Superior Court to the Superior Court at term-time and upon such appeal the Clerk of the Superior Court shall transmit the record with the statement of the issue of fact so raised, together with a copy of his findings, to the Superior Court at term-time, where the matter shall be set for trial as other civil actions and receive precedence over all other actions.

Sec. 15. That any time after one year after the rendering of said judgment the Board of County Commissioners or other governing bodies shall request the Clerk of the Superior Court to
issue execution against the property of any or all of said delinquent taxpayers, and it shall be the duty of the Clerk, before issuing execution thereupon, to notify the delinquent taxpayers by registered mail to the last known postoffice address that execution will be issued within sixty days unless said judgment is satisfied with the cost and accrued interest, and at the expiration of the sixty days from the date of the notification, the said Clerk shall issue execution against the property of the delinquent taxpayer and especially the property on which said judgment is a specific lien, and when said execution is issued the Clerk shall deliver it to the Sheriff of said County and thereupon the Sheriff shall sell the said land and any and all property of said delinquent taxpayers which he may be able to find in said County on which taxes were levied and unpaid or so much thereof as may be necessary to satisfy said taxes, interest and cost, first giving thirty days' notice of said sale by advertisement once a week for four weeks in some newspaper published in said County, or by posting a notice thereof at the courthouse door and three other public places in said County, if no newspaper is published in said County, naming in said advertisement a day to be selected by him as a time for said sale under execution for said land. All sales of real property under such judgment and execution shall be at the courthouse door, and all sales of personal property at such places as such personal property may be selected by the Sheriff. The cost of the publication of such notice shall not be in excess of the rate which newspapers are now permitted by law to charge for such advertising, and if no newspaper will publish said notice at said rate then posting at a courthouse door and three other public places shall be deemed sufficient advertisement.

Sec. 16. Upon making said sale, the Sheriff shall make report to the Clerk of the Superior Court, which report shall be by him filed among the records of his office. The said sale shall remain open for ten days for advanced bids thereon as now allowed in sales under mortgages or deeds of trust or exceptions thereon, and thereafter, if there be no exceptions or advanced bid, the Clerk of the Superior Court shall make his order approving and confirming said sale and directing that a deed be made by said Sheriff to said purchaser. All such orders shall be submitted to the resident judge or the Judge holding the courts of the judicial district of which the County is a part, and be subject to his review and disapproval or confirmation. There shall be as many sales or re-sales as there are advanced bids placed upon the real property.

Sec. 17. The proceedings with respect to said sale, including the report thereof for the Sheriff, the order of confirmation by the Clerk, and the review or disapproval or confirmation thereof by the Superior Court Judge, shall be recorded in the book of
special proceedings in the office of the Clerk of the Superior Court or in such other book as may be prepared and used for that purpose.

At such sale the County, City, or Town for which the sale is being conducted shall bid on said property to the extent of the amount of uncollected and unpaid taxes, interest and cost, on such property in such County, City or Town, or other purchaser shall receive a deed for said property as hereinafter set out.

Upon confirmation of the sale of said real property by the Judge of the Superior Court, the Sheriff shall thereupon execute and deliver to the purchaser, whether County, City, Town or other corporation, or person, a deed for said real property conveying to the purchaser full, absolute, and indefeasible fee-simple title thereto, and thereupon said taxpayer and any and all other persons having or claiming any interest in said property shall be forever barred from any right in and to the same, and the purchaser shall have full, complete and absolute title to said property, free and clear of the claims of the taxpayer and of any and all other persons: Provided, however, that after the payment of taxes and costs as herein provided if there be a surplus it shall be paid to the delinquent taxpayer, his heirs or assigns.

Sec. 18. For all services in connection with the said serving of notice, judgment, execution and sale of property as set out in this Act, the Sheriff shall receive a fee of one dollar, and the Clerk of the Superior Court for all of his services in connection with the same shall be paid a fee of two dollars, and the County Accountant or other person designated by the County Commissioners to receive such tax list a fee of one dollar: Provided, that where the taxes of any delinquent taxpayer are not more than ten dollars that the fees shall be only one-half. The fees herein fixed for the Sheriff, Clerk and County Accountant shall be paid into the general fund of the County if said officers are on a salary, or paid to them if the compensation for their services as such officers be by way of fees: Provided, however, that the governing body of the several Counties, Towns and municipalities of the State may allow said officers the fees, if any allowed, in addition to their salaries now allowed by law. None of the said fees as herein provided shall be paid except upon completion of the sale of said property, payment of the purchase price and delivery of deed, unless prior to said execution and sale the taxes and costs are paid by the taxpayer. The County or City shall print the necessary forms for all notices, forms and deeds required hereunder, provided that the cost of publication in the newspaper shall not exceed two dollars.

Sec. 19. Between the first Monday in December and the first Monday in May, of each year, after the taxes are due, any lienholder or interested party may file a list with the Clerk of Supe-
rior Court of any County in which the land lies containing the names of taxpayers on whose property a lien or interest is held, showing such information with respect to each of such taxpayers as is hereinafter required to be recorded by the Clerk of Superior Court, and such list shall be accompanied by a fee of ten cents for each name contained therein, and may be filed with the Clerk of the Superior Court by registered mail, with return receipt requested therefor. It shall then be the duty of the Clerk of the Superior Court to record such list in a book designated as a Record of Lienholders, and such record shall contain, with respect to each taxpayer included in such list, the following: The deed, when the list was filed, the name of the taxpayer, the name and address of the lienholder or other interested party, a brief description of the lands contained in the lien, giving the township, process agent, the book and page in the office of the Register of Deeds wherein such lien or liens are recorded, and, if the property is subject to taxes of a municipality or other taxing district, the name of such. The Clerk of the Superior Court shall keep a cross index of such record.

Sec. 20. If the report filed with the Clerk of the Superior Court by the Sheriff or Tax Collector contains the name and description of the lands of the persons named in the list filed by any lienholder, then such lienholder shall be served with notice as required for service upon the delinquent taxpayer under this Act. In order for any non-resident lienholder filing such list to receive service of such notice, it shall be necessary for such lienholder to file with each list the name and address of an agent in North Carolina upon whom such notice may be served, and service of the notice shall be made upon such agent. The cost of serving any notice upon a lienholder shall be one dollar and shall be paid by such lienholder at the time of serving such notice upon him or his agent.

Sec. 21. At any time after the taxes levied by any County, City or Town become due, but before execution as hereinbefore provided shall have been issued for sale of such property, it shall be lawful for any Sheriff, Clerk of Superior Court, or other officer to assign to any lienholder or other person a certificate of transfer in the manner and form as follows:

State of North Carolina,

County of________________________________________.

I,______________________________________________, of the County of ____________________________________________of the State of North Carolina, do hereby certify that the________________________________________taxes for the year 19________, on the property listed in the name of________________________________________________________ have been paid by________________________________________, lienholder or other interested party, and that the amount received for the payment of said taxes is $________________; and that, in consideration of the payment of said
taxes, I hereby transfer to ..........................................................
his heirs or assigns, or successors or assigns, the said tax claims
and all the rights and powers of enforcing the payment of said
taxes which are possessed by the State of North Carolina and
County of.................................................................

In witness whereof, I have hereunto set my hand and seal, this
..................day of.................................................., 19......

Powers conferred by certificate.

Subrogation.

Lien of such certificate.

Other remedies preserved.

Recording certificates.

Lien lost upon failure to record.

Right of redemption from holders of tax liens.

Notice given by Register of Deeds to tax collecting officers of land transfers.

Entry of transfers upon tax lists.

Such certificate of transfer shall confer upon the transferee the
priority of lien and all the rights and powers as to enforcing and
collection of same at the time of the transfer possessed by the
County, State, municipality, or taxing district issuing the certificate,
and such transferee shall be subrogated to all the rights and powers in respect to said taxes possessed by or which thereafter
have accrued to the County, State, municipality, or taxing district
issuing the certificate, had no transfer been issued. The owner
shall have such first and prior lien upon the property of said
owner or taxpayer or person liable for the taxes held by the
State, County, or municipality, with all the rights and powers for
enforcement of the collection of same now possessed by the officers
of the State, County, or municipality. In addition to the remedies hereinbefore provided, the owner shall have the right to
enforce the collection of same in any court of competent jurisdiction
for instituting action to enforce the lien on property against
which said taxes have been assessed.

Sec. 22. The transferee and the holder of a certificate of transfer shall have said certificates of transfer entered upon the records of the County in the Clerk's office, or City, within thirty days after its issuance, and if within thirty days from said transfer the said certificate of transfer shall not be so entered, it shall lose its lien upon any property which has been transferred bona fide and for a valuable consideration before the record of said certificate of transfer.

Sec. 23. That any taxpayer whose tax certificates have been sold for taxes may pay to a holder of said lien the amount of taxes and interest and cash at any time prior to the sale of the property for taxes and upon payment thereof the lien shall be cancelled on the records in the office of the Clerk of the Superior Court.

Sec. 24. When any transfer of title, except mortgages and deeds of trust and like liens, are recorded in the office of the Register of Deeds of said Caswell County, it shall be the duty of said Register of Deeds to certify the same to the Auditor or County Accountant or Supervisor of Taxation, and the record of such transfer shall be entered upon the tax list of the County to the end that the property so transferred may be listed in the name of the party to whom said property is transferred. The said
Register of Deeds shall include in his notice to the Auditor, County Accountant, or Supervisor of Taxation the name of the person conveying said property, the person to whom it is conveyed, the township in which it is situated, a short description of said property, and whether the property is conveyed in whole or in part: Provided, however, that said Register of Deeds shall be allowed, when on fees, the sum of ten cents per entry for such transfer, to be paid by the County and if on salary, such allowance as may be made by the governing body.

Sec. 25. This Act shall be in substitution of any and all Acts for the sale of all real property beginning with such taxes for the year nineteen hundred and thirty-four, subject to the provisions hereinafter set out in this paragraph. The laws in force prior to the passage of this Act with respect to the sale and foreclosure of land for such taxes shall remain in full force and effect in so far as the same shall affect foreclosure actions instituted and pending prior to the passage of this Act. In all cases of delinquent taxes outstanding at the time of the passage of this Act, where no foreclosure action has been instituted, then the terms of this Act shall govern the collection of said delinquent taxes, and it shall be the duty of the Sheriff or Tax Collector, or the office having control of the collection of such delinquent taxes, to make a report thereof to the Clerk of the Superior Court in the manner provided for in this Act, and thereafter the tax foreclosure shall proceed as provided for herein.

Sec. 26. That it shall be the duty of the Attorney-General to prepare the forms of notice, judgment, and deed and other necessary forms to be used under provisions of this Act and the forms shall be used by the various officials in the several Cities, Towns or municipalities of said County in carrying out the provisions of this Act to the end that all Cities, Towns and municipalities of said County will have the same forms.

Sec. 27. This Act shall apply only to Caswell County.

Sec. 28. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 29. That this Act shall be in full force and effect from and after its ratification.

Ratified this the 11th day of May, A.D. 1935.
STATE OF NORTH CAROLINA,
OFFICE OF SECRETARY OF STATE,
RALEIGH, N. C., MAY 17, 1935.

I, STACEY W. WADE, Secretary of State of the State of North Carolina, hereby certify that the foregoing (manuscript) are true copies of the original Acts on file in this office.

[Signature]

Secretary of State.
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