

# PUBLIC-LOCAL LAWS

OF THE

## STATE OF NORTH CAROLINA

SESSION 1917

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### CHAPTER 1

#### AN ACT TO APPOINT A CENSUS TAKER FOR WARREN COUNTY.

*The General Assembly of North Carolina do enact:*

SECTION 1. That there shall be created the office of county school census taker for and in the County of Warren.

SEC. 2. That biennially between the first day of April and the first day of September of the odd years of the calendar there shall be a true and accurate census taken of all children between the ages of six and twenty-one years of age residing in the county of Warren, and all illiterates more than twenty-one years of age residing in said county. That said census shall show the name of the parent or guardian, the name of the child, the age and sex of the child, and the name and age of the illiterate above twenty-one years of age. That said census shall be taken by school districts and shall show the number of children of the respective districts, the age, sex, race, and illiterates of said district by districts; it shall show the school property and give the number of school buildings, the value of the school property, including equipment, the condition of the building, and under the general head of equipment show the need of each building in respect to paint or repairs.

SEC. 3. It shall be the duty of said county school census taker to inscribe all of the information required by section two (2) of this act upon suitable blanks to be furnished by the State Department of Education, and, when so transcribed, to make a copy thereof and deliver it to the chairman of the school committee of each school district a copy of and for his respective district, for each race, which said copy shall be delivered to the teacher of each school within said district before the opening of said school. The original census from which said copy was made shall be deposited by said county school census taker with the superintendent of public instruction of said Warren County for filing in his office for inspection by the public.

SEC. 4. That all laws relating to the school census of the State insofar as they have heretofore applied to Warren County are

hereby repealed, and all duties heretofore devolving upon the census takers of Warren County in respect to the same are hereby repealed, and the county census taker of and the County shall perform the duties set forth in this act and the compensation set forth in this act in lieu thereof.

SEC. 5. That the compensation for the performance of the duties prescribed by this act shall be six cents for each child between the ages of six and twenty-one years of age, and four cents for each adult illiterate appearing upon said census. The sum shall be paid by warrant drawn upon the general fund, approved by the county superintendent of public instruction.

SEC. 6. It shall be the duty of said county school census takers to perform all duties in respect to procuring information which may be asked on the census blanks of the Department of the State of North Carolina and such information shall be required by section two of this act.

SEC. 7. The superintendent of public instruction and the County is hereby forbidden to approve any warrants of appointment or compensation of said county school census takers. Said census taker shall under oath state that he has visited the home of each child and each adult illiterate whose name shall appear upon said census and procures the information in respect to that child from its parent or guardian standing *in loco parentis* to said child, and from each illiterate in person.

SEC. 8. That the person named in section nine (9) of this act shall hold office of county school census taker for a term of three years from the first day of April, one thousand nine hundred and seventeen, and until his successor has been appointed and qualified.

SEC. 9. That W. T. Carter of Warren County be and is hereby appointed county school census taker in and for the County of Warren for a term of two years from the first day of April, one thousand nine hundred and seventeen, and until his successor is appointed and qualified.

SEC. 10. That the board of education of Warren County shall on the first Monday in April, one thousand nine hundred and nineteen, and biennially thereafter elect a county school census taker who shall hold the office for a term of two years from the time his successor has been elected and qualified, who shall perform all the duties of the office set forth in this act: *Provided*, that for the purpose of this section a majority of said board of education shall have power to elect to the office of county school census taker.

SEC. 11. That upon failure of the person named in section nine to accept the appointment and qualify, then in that event the board of education for the county of Warren shall fill said office.

the first Monday in April, one thousand nine hundred and seventeen; and all vacancies occurring in the office of county school census taker shall be filled by said board of education.

SEC. 12. All laws and clauses of laws in conflict with the provisions of this act in respect to the county of Warren are hereby repealed.

Ratified this the 8th day of January, A. D. 1917.

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## CHAPTER 2

### AN ACT TO REPEAL CHAPTER 548 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION 1915.

*The General Assembly of North Carolina do enact:*

SECTION 1. That chapter five hundred and forty-eight (548) of the Public-Local Laws of North Carolina, session nineteen hundred and fifteen (1915) be, and the same is, hereby repealed.

SEC. 2. That the office of "county treasurer of Columbus County" be and the same is hereby created and reestablished.

SEC. 3. That William H. Hickman be and he is hereby appointed "county treasurer of Columbus County," who shall hold his office until the first Monday in December, one thousand nine hundred and eighteen.

SEC. 4. That the treasurer of Columbus County herein appointed and hereafter elected shall receive a salary of one thousand dollars per annum in full compensation for his services as treasurer, which shall be paid him in monthly installments by order of the board of commissioners of Columbus County out of the county fund.

SEC. 5. The treasurer of Columbus County herein appointed shall perform the same services and do all other acts and things in the same manner and under the same rules and regulations as the treasurer of Columbus County did prior to the enactment of chapter five hundred and forty-eight (548) of the Public-Local Laws of North Carolina, session one thousand nine hundred and fifteen, and provided for county treasurers under the laws of North Carolina, who shall before entering upon the discharge of the duties of his office execute such bond for the faithful performance of his duties as the law of North Carolina prescribed, subject to the approval of the board of commissioners of Columbus 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 from and after ratification.

Ratified this the 8th day of January, A. D. 1917.

## CHAPTER 3

AN ACT TO REPEAL CHAPTER 230 OF THE PUBLIC-LOCAL LAWS OF THE SPECIAL SESSION OF 1913, AND CHAPTER 220 OF THE PUBLIC-LOCAL LAWS OF THE SESSION OF 1915, ENTITLED, RESPECTIVELY, "AN ACT TO ESTABLISH A SPECIAL COURT FOR RICHMOND COUNTY WITH CRIMINAL JURISDICTION, TO BE KNOWN AS RICHMOND COUNTY COURT," AND "AN ACT TO ESTABLISH A RECORDER'S COURT IN RICHMOND COUNTY AND PRESCRIBE THE JURISDICTION THEREOF."

*The General Assembly of North Carolina do enact:*

SECTION 1. That chapter two hundred and thirty (230) of the Public-Local Laws of the special session of one thousand nine hundred and thirteen, entitled "An act to establish a special court for Richmond County with criminal jurisdiction, to be known as Richmond County Court," and chapter two hundred and twenty (220) of the Public-Local Laws of the session of one thousand nine hundred and fifteen, entitled "An act to establish a recorder's court in Richmond County and prescribe the jurisdiction thereof" be and the same are hereby repealed.

SEC. 2. That all causes and processes in said courts which shall not be heard or disposed of on or before the first day of April, one thousand nine hundred and seventeen, shall be transferred, returnable to and tried by the court of proper jurisdiction; and full power and authority is hereby given to said courts to remand such causes and processes to the court of proper jurisdiction.

SEC. 3. That all judgments and decrees which have or may be made by said courts, and all appeals which have or may be taken from said courts, shall be valid and in full force.

SEC. 4. That this act shall be in force from and after the first day of April, one thousand nine hundred and seventeen.

Ratified this the 8th day of January, A. D. 1917.

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## CHAPTER 4

AN ACT TO REGULATE THE SALARY OF THE CLERK OF THE SUPERIOR COURT OF COLUMBUS COUNTY.

*The General Assembly of North Carolina do enact:*

SECTION 1. That section six of chapter fifty-two of the Public-Local Laws of North Carolina, session of nineteen hundred and thirteen, be and the same is hereby amended as follows: Strike

out all after and including the word "and" in line three of said section six of said chapter fifty-two, Public-Local Laws of North Carolina, session of nineteen hundred and thirteen, and all of said section six after and including the word "and" in said line three of said section is hereby repealed.

SEC. 2. That section one of chapter one hundred and fifty-two of the Public, Public-Local, and Private Laws of extra session nineteen hundred and thirteen, be and the same is hereby amended by striking out the word "eighteen" in line four of said section one, and insert in lieu thereof the words "twenty-four," so as to make the salary of the clerk of the Superior Court of Columbus County two thousand and four hundred dollars per annum in lieu of all other compensation whatsoever.

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

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

Ratified this the 8th day of January, A. D. 1917.

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## CHAPTER 5

### AN ACT FOR THE RELIEF OF THE SHERIFF OF DAVIE COUNTY.

*The General Assembly of North Carolina do enact:*

SECTION 1. That J. H. Sprinkle, former sheriff of Davie County, be and he is hereby authorized and empowered to collect all taxes which he may have failed to collect, and which were due for the years one thousand nine hundred and twelve, one thousand nine hundred and thirteen, one thousand nine hundred and fourteen, one thousand nine hundred and fifteen, and one thousand nine hundred and sixteen, under the same rules and regulations now provided by law for the collection of taxes in Davie County.

SEC. 2. That the power and authority herein conferred shall cease and determine on December first, one thousand nine hundred and eighteen (1918).

SEC. 3. That no person shall be compelled to pay any taxes under this act who holds the sheriff's tax receipt for said taxes, or who shall make affidavit that such taxes have been paid, nor shall any purchaser for value, *cestui que trust*, or mortgagee without notice of such arrears of taxes due on the lands, be compelled to pay any arrears of taxes under this act.

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

Ratified this the 8th day of January, A. D. 1917.

## CHAPTER 6

### AN ACT TO AMEND THE HIGHWAY COMMISSION LAWS OF MACON COUNTY.

*The General Assembly of North Carolina do enact:*

SECTION 1. That the chairmen of the several highway commissions in the townships of Ellijay, Cowee, Smiths Bridge, Cartoogechaye, and Franklin, in Macon County, shall at the first meeting after the ratification of this act appoint two of their number, who, with himself, shall transact all road business necessary to be done for each township under existing law.

SEC. 2. That the said highway commissions of the various townships above mentioned shall, at their first meeting after the ratification of this act, divide up all public roads in their respective townships into suitable and convenient road districts, and after due notice sell out the sections to the lowest responsible bidder who shall obligate himself to keep his section in good condition for the least amount of money. He shall be styled the supervisor of the section and shall give a bond with surety to be approved by the highway commission of his said township in a sum to be fixed by said commission, conditioned that his section of road shall be kept in good condition. It is hereby made the duty of the said supervisors to put their respective sections of the roads in good condition with permanent improvements, and they shall make a written report to the highway commission every three months, showing that they have kept their respective sections of the roads in good condition, and the said highway commissions of the various townships shall carefully examine into the accuracy of such reports and may accept or reject the same. It is hereby made the duty of the highway commission of each of the various townships heretofore mentioned to see that each supervisor's section is in good condition at the end of every three months. At the end of each year the chairman of the highway commission shall transmit such reports to the clerk of the Superior Court for the inspection of the solicitor, whose duty it is hereby made to examine closely as to the accuracy of the same. The said supervisors shall be appointed for one year. If any supervisor or highway commission shall willfully fail or neglect to faithfully discharge any duty imposed upon him or them by this act, he or they shall be guilty of a misdemeanor. Any member of the highway commission who willfully fails or refuses to discharge any duty imposed upon him by this act, he shall be guilty of a misdemeanor. That in addition to the powers and duties conferred upon the highway commission by this act, they are also fully empowered to provide for the regrading of any roads or the construction of roads under existing laws.

SEC. 3. That sections eleven and twelve of chapter one hundred and ninety-one of the Public-Local Laws of nineteen fifteen be and the same are hereby stricken out.

SEC. 4. That each member of the highway commission of the several townships heretofore mentioned in section one hereof shall serve without compensation except they shall be each allowed the sum of one dollar for each day that they shall actually attend the meetings of said board, which, if more than one day in any one month, shall be without compensation.

SEC. 5. That sections nineteen, twenty, twenty-one, and twenty-two of said chapter one hundred and ninety-one of the Public-Local Laws of nineteen fifteen be and the same are hereby stricken out and the following substituted in lieu thereof: "That in case any bonds should be voted by the people and issued under existing law for road purposes in the townships of Ellijay, Cowee, Smiths Bridge, and Cartoogechaye, it shall be the duty of the members composing the highway commissions of such townships, or a majority of them, to grade, macadamize, etc., in their discretion, such roads as may be deemed by them most advantageous.

SEC. 6. That the provisions of sections twenty-five and twenty-six of chapter one hundred and ninety-one of the Public-Local Laws of nineteen hundred and fifteen shall not be in force unless and until road bonds shall be issued in the aforesaid townships.

SEC. 7. That the highway commissions of the several townships herein named shall hold their respective offices and serve until the next general election to be held in nineteen hundred and eighteen, at which election there shall be elected by the people of the several townships herein named three men who shall be the highway commission of said township, and who shall qualify and serve under existing laws. If any vacancies occur by death, resignation, or otherwise, the remaining members of the highway commission shall fill such vacancies until the next succeeding election. That said highway commissions shall hold their office for two years and be elected at each succeeding election held for members of the General Assembly thereafter.

SEC. 8. That condemnation proceedings, being in derogation of the rights of landowners, the highway commissions of the various townships above named shall before any road is graded or constructed cause a jury to be summoned to assess such damages as the person over whose lands the road is intended to go may have sustained, and such damage as they may award to the landowner shall be paid or satisfactorily arranged before such road is graded or constructed. Each party has a right to appeal to the board of county commissioners, if not satisfied, and if such appeal is carried to the Superior Court by either party it shall have precedence over all other causes.

SEC. 9. That all damages on account of the laying out, building, or construction of any of the public roads in any township in Macon County shall be a county charge: *Provided*, that this section shall not apply to any road that has heretofore been constructed nor to any damage that has heretofore been assessed.

SEC. 10. In order to raise funds with which to pay damages as aforesaid, and to help the weak townships, the tax collector shall turn over to the treasurer of Macon County, or the person acting as such, an amount of money not to exceed ten per cent of all the road funds of each township in said county, and such amounts as may be necessary to pay any damage assessed for building, grading, or repairing roads in any township in the county shall be paid out of this fund on the order of the board of county commissioners. If there should be in any one year any excess after payment of damages, the same may be held over by the commissioners of Macon County to help pay damages assessed in the next year, or may be applied to the townships for road or bridge purposes, in the discretion of the county commissioners.

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

Ratified this the 8th day of January, A. D. 1917.

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## CHAPTER 7

### AN ACT REGULATIVE TO THE ESTABLISHMENT OF THE OFFICE OF COUNTY TRÉASURER FOR THE COUNTY OF MARTIN, STATE OF NORTH CAROLINA.

*The General Assembly of North Carolina do enact:*

SECTION 1. That the office of county treasurer for the county of Martin, State of North Carolina, is hereby reestablished.

SEC. 2. That Charles D. Carstarphen be and he is hereby appointed treasurer for said county, and shall exercise the duties of said office until the next regular election of members for the General Assembly, or until his successor is duly elected and qualified.

SEC. 3. That the county commissioners, at any regular or called meeting, shall induct the said appointee into said office, upon his entering into the usual bond as required by law.

SEC. 4. That the salary of said officer shall be fifty dollars per month.

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

Ratified this the 8th day of January, A. D. 1917.

## CHAPTER 8

### AN ACT RELATIVE TO THE PRIMARY ELECTION LAW OF THE COUNTY OF MARTIN, STATE OF NORTH CAROLINA.

*The General Assembly of North Carolina do enact:*

SECTION 1. That chapter seventy-four, Public-Local Laws of North Carolina, session one thousand nine hundred and fifteen, entitled "An act to repeal chapter six hundred and twenty-five of the Public-Local Laws of the session one thousand nine hundred and thirteen," be and the same is hereby repealed.

SEC. 2. That chapter six hundred and twenty-five, Public-Local Laws of North Carolina, session one thousand nine hundred and thirteen, entitled "An act to provide for and regulate the holding of primary elections in the county of Martin" as amended by section three hereof, be and the same is hereby reenacted.

SEC. 3. Amend section two of the act referred to in section two hereof by adding in line three thereof, between the words "fourteen" and "shall," the words "and every two years thereafter."

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

Ratified this the 9th day of January, A. D. 1917.

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## CHAPTER 9

### AN ACT TO AMEND CHAPTER 332 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION 1913, AUTHORIZING THE COMMISSIONERS OF CARTERET COUNTY TO ISSUE BONDS, ETC.

*The General Assembly of North Carolina do enact:*

SECTION 1. Amend section six in lines twelve and thirteen by striking out the following: "or unless removed by the board of said commissioners for good cause shown."

SEC. 2. Amend section 8, beginning in line eight, by striking out the following: "Provided further, that the board of county commissioners may remove any member of the various township highway commissioners provided for in this act upon good cause. In case of such removal the successor of the commissioner so removed shall be selected as in case of the death of one of the commissioners."

SEC. 3. Amend by striking out all of section sixteen and one-half.

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

Ratified this the 8th day of January, A. D. 1917.

## **CHAPTER 10**

**AN ACT TO AMEND CHAPTER 356 OF THE PUBLIC-LOCAL LAWS OF 1915, RELATING TO CASWELL 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 fifteen be amended by striking out section four thereof and the remaining sections renumbered.

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

Ratified this the 8th day of January, A. D. 1917.

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## **CHAPTER 11**

**AN ACT FOR THE APPOINTMENT OF A HIGHWAY COMMISSION FOR WARREN COUNTY.**

*The General Assembly of North Carolina do enact:*

SECTION 1. That one man from each township in Warren County be herein appointed as highway commissioners of said county, and these herein appointed shall constitute the highway commission for said county, and that said highway commission shall be vested with all the rights, powers, and duties respecting the public roads of Warren County, which are now vested in the commissioners of the county of Warren or which are now vested in the respective township commissioners (except that of levying taxes, and the county commissioners shall levy such taxes as the highway commission recommends).

SEC. 2. That the said highway commission may appoint, as they may deem advisable for the best interest of the public roads of said townships, one or more men in said townships, who shall be designated a subcommittee, whose duties shall be defined by the highway commissioners, whose term of office shall be for two years from the date of their appointment.

SEC. 3. The term of office of the said highway commissioners shall begin on the second Monday in April, one thousand nine hundred and seventeen, and end on the first Monday in December, one thousand nine hundred and twenty, when their successors shall be elected and qualified as other county officers are, and the term of office of said highway commission on and after the first Monday in December, one thousand nine hundred and twenty, shall be two years.

SEC. 4. Said highway commissioners shall meet in the court house in Warrenton, North Carolina, on the second Monday in

April, one thousand nine hundred and seventeen, and organize by electing a chairman, secretary, and a treasurer and such other help as they may see fit and fix the pay for same.

SEC. 5. That said highway commission shall establish a chain-gang during the first three months of their term of office for the county of Warren, and provide for the upkeep of the same, and pay the court cost for all convicts worked upon said roads, and that all persons sentenced to work upon the roads of Warren County shall be by said court ordered to work under the direction of the said highway commission, and any person convicted of crime in the courts of other counties may be committed to the chain-gang of Warren County.

SEC. 6. That all moneys due for public roads in any of the townships of Warren County shall be paid over to the treasurer of said highway commission, who shall deposit the same in the banks of Warrenton, Littleton, Macon, and Norlina, equitably. Said treasurer shall give a bond as required by the highway commission.

SEC. 7. That the moneys collected from property in each township shall be expended upon public roads of that township.

SEC. 8. All vacancies caused by failure to qualify, resignation, or otherwise, shall be filled by the remaining members of the highway commission.

SEC. 9. Said highway commission may fix their day of regular meetings when they organize and shall receive as compensation four dollars per day and mileage for each day's service in attending meetings, and all costs and expenses of the highway commission shall be paid out of any funds in the hands of the treasurer of said highway commission.

SEC. 10. The following persons shall constitute the Warren County Highway Commission:

River Township.....	T. D. King.
Six Pound Township.....	J. M. Coleman.
Hawtree Township.....	Dr. T. J. Holt.
Sandy Creek Township.....	S. J. Pritchard.
Nutbush Township.....	J. W. Dowling.
Shocco Township.....	J. W. Clements.
Smith Creek Township.....	J. A. Meeder.
Fork Township.....	John S. Davis.
Fishing Creek Township.....	C. S. Tharington.
Roanoke Township.....	H. L. Wall.
Judkins Township.....	W. R. Vaughan.

SEC. 11. Bonds having been issued for the working of the roads of Warrenton Township, and said township now having good roads, Warrenton Township is exempt from the operations of this act: *Provided, however,* that all convicts shall be worked

as recited in section five of this act: *Provided further*, that should said township desire to become a part of this act it can do so by a petition signed by a majority of its present township road commissioners to the Warren County Highway Commission and accepted by said highway commission. Said township shall name the commissioner in their petition.

SEC. 12. That all laws and parts of laws in conflict with this act are hereby repealed.

SEC. 13. That this act shall be in force and effect from and after the second Monday in April, one thousand nine hundred and seventeen.

Ratified this the 8th day of January, A. D. 1917.

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## CHAPTER 12

### AN ACT TO APPOINT CERTAIN JUSTICES OF THE PEACE FOR BEAUFORT COUNTY.

*The General Assembly of North Carolina do enact:*

SECTION 1. That A. Mayo of Washington Township, N. W. Paul of Pantego Township, and Franklin Edwards, W. A. Cratch, and W. G. Yeats of Chocowinity Township, in Beaufort County, be and they hereby are appointed justices of the peace for their respective townships for the term of six years from and after the ratification of this act.

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

Ratified this the 8th day of January, A. D. 1917.

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## CHAPTER 13

### AN ACT AUTHORIZING THE COLLECTION OF BACK TAXES IN SURRY COUNTY.

*The General Assembly of North Carolina do enact:*

SECTION 1. That Caleb H. Haynes and T. W. Davis, former sheriffs of Surry County, North Carolina, be and they are hereby authorized and empowered to collect all arrears of taxes, including poll taxes, taxes on property, real and personal, county and State taxes, special school taxes, township and road taxes, all railroad taxes, corporation excess taxes, and all other taxes in their hands, charged to them, said former sheriffs, for the years one thousand nine hundred and nine, ten, eleven, and one thousand nine hundred and twelve, and all taxes charged to T. W.