

POPULAR GOVERNMENT

OFFICIAL BALLOT ON CONSTITUTIONAL AMENDMENTS

INSTRUCTIONS TO VOTER

1. To vote FOR any amendment, make a cross mark in the square to the left of the word FOR.
2. To vote AGAINST any amendment, make a cross mark in the square to the left of the word AGAINST.
3. If you tear or deface or wrongly mark this ballot, return it to the registrar and get another.

1.

- FOR fixing Salaries of Members of the General Assembly at twelve hundred dollars (\$1,200.00) and Presiding Officers at fifteen hundred dollars (\$1,500.00) and fixing salaries for Extra Sessions at two hundred and fifty dollars (\$250.00) and three hundred dollars (\$300.00) respectively.
- AGAINST fixing salaries of Members of the General Assembly at twelve hundred dollars (\$1,200.00) and Presiding Officers at fifteen hundred dollars (\$1,500.00) and fixing salaries for Extra Sessions at two hundred and fifty dollars (\$250.00) and three hundred dollars (\$300.00) respectively.

2.

- FOR amendment removing debt limitation upon the State, counties, and municipalities for necessary expenses.
- AGAINST amendment removing debt limitation upon the State, counties, and municipalities for necessary expenses.

3.

- FOR amendment increasing the amount of total State and county tax which may be levied on property, by changing the limitation on said tax from fifteen (15) cents on the one hundred dollars (\$100.00) valuation to twenty-five (25c) cents on the one hundred dollars (\$100.00) valuation.
- AGAINST amendment increasing the amount of total State and county tax which may be levied on property, by changing the limitation on said tax from fifteen (15) cents on the one hundred dollars (\$100.00) valuation to twenty-five (25) cents on the one hundred dollars (\$100.00) valuation.

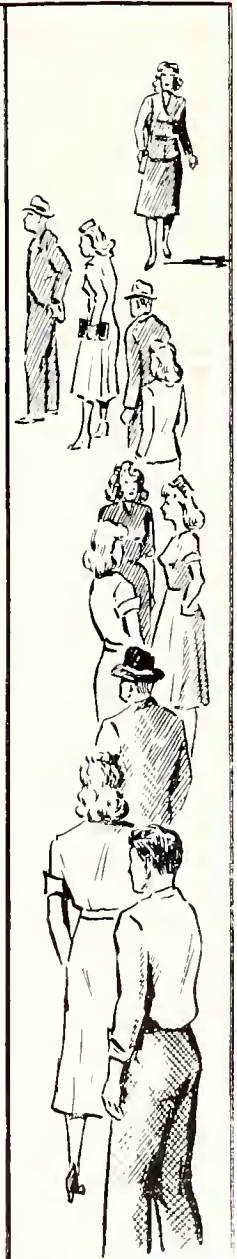
4.

- FOR determining results of special elections by majority vote.
- AGAINST determining results of special elections by majority vote.

Election, November 2, 1948.

Arthur E. Oliver

Chairman State Board of Elections.



See Page 1



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Proposed Constitutional Amendments

Legislators' Pay — Debt Limitation — Property Tax Limitation — Majority Vote in Special Elections

On Tuesday, November 2nd, the people of North Carolina will vote on four amendments to the Constitution. This article undertakes to examine the reasons behind the proposals and discuss the probable effects the amendments would have on the governmental life of the state.

I. Legislators' Pay

- FOR fixing Salaries of Members of the General Assembly at twelve hundred dollars (\$1,200.00) and Presiding Officers at fifteen hundred dollars (\$1,500.00) and fixing Salaries for Extra Sessions at two hundred and fifty dollars (\$250.00) and three hundred dollars (\$300.00) respectively.
- AGAINST fixing Salaries of Members of the General Assembly at twelve hundred dollars (\$1,200.00) and Presiding Officers at fifteen hundred dollars (\$1,500.00) and fixing Salaries for Extra Sessions at two hundred and fifty dollars (\$250.00) and three hundred dollars (\$300.00) respectively.

Present Pay. Article II, Section 28 of the North Carolina Constitution allows members of the General Assembly a salary of \$600 each for a regular session every two years, and \$8 per day for extra sessions—not exceeding twenty days. It allows the Speaker and the Lieutenant Governor—presiding officers of the House and Senate, a salary of \$700 each for regular sessions and \$10 per day for extra sessions—not exceeding twenty days.

Proposed Pay. On Tuesday, November 2, the people of North Carolina will vote for or against an amendment to the Constitution allowing members of the General Assembly a salary of \$1,200 each for a regular session of sixty days and a salary of \$250 for extra sessions; allowing the Speaker and the Lieutenant Governor—presiding officers of the House and Senate, a salary of \$1,500 each for regular sessions and \$300 for extra sessions.

Reasons cited for pay increase. The present pay scale was voted by the people in 1928, changing the pay scale in force since 1875—\$4 per day

By
ALBERT COATES
Director
Institute of Government



for members and \$6 per day for presiding officers for sessions of sixty days, with like pay for as many as twenty days in extra sessions, and ten cents a mile for one round trip between home and capitol. The rise in living costs during the past twenty years has practically doubled, and the proposed increase in pay will leave legislators in 1949 in little if any better situation than legislators in 1929.

Most if not all people will agree that the pay of legislators should not be high enough to induce candidates to run on the profit motive. The pay increase proposed will leave most if not all legislators facing the question their predecessors have faced before them—not how much money they will make, but how much money they will lose: in paying for room, board, laundry, tips and other incidental living expenses; in paying for stationery and postage, telephone calls and telegrams in the course of dealings with constituents; for regularly recurring trips home on weekends to consult with their constituents, keep in touch with their families, and give a lick and promise to the business they left behind them.

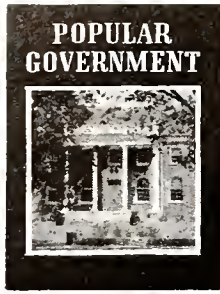
Present and proposed pay is based on the theory of regular legislative sessions of sixty days. Since the present pay scale was adopted in 1923 seven sessions have lasted longer than sixty days—ranging from sixty-six to one hundred twenty days. This

means that legislators who have barely made both ends meet for a sixty day session have had to dig into their own pockets to finance the added costs of six to sixty added days. With the growing volume and complexity of the business of the State which legislators are called upon to deal with these added days are likely to increase and pile up further living costs on long suffering legislators who have increased all state officials' salaries but their own.

The proposed increase in pay cannot be stretched to cover: the loss of income suffered by the legislator who lets his business slide while he is away from home—particularly biting on professional men and little business men; the support of the legislator's family and the upkeep of his office while he is undergoing this periodic income loss; the cost of running for the office—varying with the competition and the heat of local contests. In losing these things legislators suffer loss enough without incurring further loss from lack of living wages while working at their legislative jobs.

A poll of legislators indicates the common feeling that past and present payments of less than living wages to its legislators is costing the state many times its skimpy savings every year: in losing the services of many good men who cannot afford to take the loss involved—such as men without continuing incomes, little business men with large families to support, younger veterans of the wars seeking footholds in their professions, and many others with better heads than pocketbooks.

It may be argued that payment of less than living wages is operating in fact as a property qualification for public office nearly one hundred years after this qualification in theory was swept out of the Constitution. In well nigh every legislative session some men who had not previously counted the costs involved are forced to leave weeks before the session closes on account of sheer financial stringencies—leaving their localities and constituents unrepresented in the all important closing days. One of these legislators writes: "Only the following types of persons can offer their

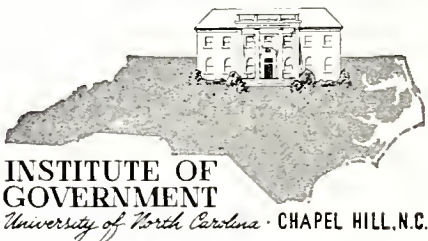


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services as lawmakers: (1) men financially able to sustain a loss in order to render public service; (2) men who may represent special interests who can see to it that the Legislator does not suffer a sacrifice; (3) men of wealth who are interested in the Legislature for the fame (?) or excitement it may offer; (4) or men, unable financially, but willing to 'give' as a sacrifice to public service."

II. Debt Limitation

FOR amendment removing debt limitation upon the State, counties, and municipalities for necessary expenses.

OR

AGAINST amendment removing

debt limitation upon the state, counties, and municipalities for necessary expenses.

The First Debt Limitations. For two hundred years and more—from the Crown Charter in 1663 to the Constitution of 1868, there was no Constitutional limitation on the power of the General Assembly in North Carolina to incur debt or to authorize counties and municipalities to incur debt. A program of internal improvements inaugurated during the 1830's, 40's and 50's invited state aid through subscriptions to railroad stock and endorsements of railroad obligations, supplemented by county and city aid authorized by the General Assembly. This program was wrecked by Civil War and reconstruction and the Constitutional Convention of 1868 brought in the first debt limitations as part of its efforts to deal with the combined problems of debts, deficits and depression.

It repudiated all debts incurred in aid of the rebellion. It acknowledged "the public debt regularly contracted before and since the rebellion." . . . It placed certain limitations on the power of the state and local units to incur debt in the future.

It stopped the legislative practice of incurring debt without levying a special tax to pay the annual interest, until the bonds of the state should be at par. It took away the legislative power "to give or lend the credit of the state in aid of any person, association or corporation" without a vote of the people, except for those railroads begun and not finished or those in which the state had a direct pecuniary interest. It left the legislature free to incur debt without limit or restriction: "to supply a casual deficit," or to suppress "invasion or insurrection" without a vote of the people.

Evolution of State Debt Limit. The Constitution of 1868 placed no limit on the power of the General Assembly to incur state debt "to supply a casual deficit, or for suppressing invasion or insurrection." To these two items, for which the General Assembly could incur debt without limit, constitutional amendment in 1924 added a third—"the refunding of valid bonded debt;" and a constitutional amendment in 1936 added a fourth: "to borrow in anticipation of the collection of taxes due and payable within the fiscal year to an amount not exceeding fifty per centum of such taxes;" and rephrased another: "to suppress riots or insurrections, or to repel invasions."

With State bonds following the

Civil War selling at fifty cents on the dollar it is easy to understand the opening sentence of the debt limitation provision of the Constitution of 1868—that except in case of the emergencies mentioned above, "the General Assembly shall have no power to contract any new debt or pecuniary obligation in behalf of the state . . . unless it shall in the same bill levy a special tax to pay the interest annually . . . until the bonds of the state shall be at par." After the bonds of the state began to sell at par this requirement became obsolete and gave way to a new constitutional limitation in 1924 limiting the state's power to incur indebtedness to "seven and one-half per cent of the assessed valuation of taxable property within the State as last fixed for taxation."

By 1935 the state was fast approaching this limit: its net debt was around \$152,000,000, and 7½ per cent of its total assessed valuation was around \$161,000,000. And in 1936 the 7½ per cent limit gave way to a new limit: "For any purpose other than these enumerated, [above] the General Assembly shall have no power, during any biennium, to contract new debts on behalf of the State to an amount in excess of two-thirds of the amount by which the State's outstanding indebtedness shall have been reduced during the next preceding biennium, unless the subject be submitted to a vote of the people of the State."

Evolution of Local Debt Limit. The Constitution of 1868 took away the power of any "County, City, Town or other municipal corporation" to "contract any debt, pledge its faith, or loan its credit" without a vote of the people, "except for the necessary expenses thereof." This turned out to be an ineffective limitation on the local abuse of public credit as the term "necessary expenses" was by degrees extended to cover a multiplicity of undertakings. By 1935 the tide of defaults ran high. On January 1, 1936, around 130 cities and towns, 45 counties, and 75 other local units were in default, and in some instances bonded debt was in the neighborhood of 50 per cent of taxable values. To the existing local debt limitation a constitutional amendment in 1936 added another: "for any purpose other than these enumerated [above] the General Assembly shall have no power to authorize counties or municipalities to contract debts, and counties and municipalities shall not contract debts, during any fiscal year, to an amount exceeding two-thirds of the amount by which the outstand-

ing indebtedness of the particular county or municipality shall have been reduced during the next preceding fiscal year, unless the subject be submitted to a vote of the people of the particular county or municipality."

Proposed Removal of State and Local Debt Limitations. The proposed amendment to the Constitution provides: "That Section 4 of Article V of the Constitution of North Carolina imposing a limitation upon the increase of public debt of the State, counties and municipalities, be repealed in its entirety; and that said Section 4 of Article V be rewritten to provide as follows:

"The General Assembly shall have the power to contract debts and to pledge the faith and credit of the State and to authorize counties and municipalities to contract debts and pledge their faith and credit."

This proposal removes the 1935 debt limitations on state and local units, together with the 1868 limitation on the power of the General Assembly "to give or lend the credit of the State in aid of any person, association, or corporation, except to aid in the completion of such railroads as may be unfinished at the time of the adoption of this Constitution, or in which the State has a direct pecuniary interest, unless the subject be submitted to a direct vote of the people of the State, and be approved by a majority of those who shall vote thereon."

Reasons cited for and against removal of state and local debt limitations. Opposing the removal some officials write: "I am opposed to this amendment. The sentiment of the majority of the most progressive people in my county is in favor of 'paying as you go'." . . . "It is one of the best laws on the books for the protection of the people of the various counties wherein a board might get elected, because of pressure groups pushing pet projects for particular sections of the county, and plunge the county in debt." . . . "I am opposed to removing the debt limitation so as to permit the issuance of bonds for necessary expenses without a vote of the people. My reasons are that it was the lack of this restriction that got us into such difficulties in the 1930's. My county crippled itself by an excessive debt load so that it will not be out of it in this generation. I am now Attorney for a county and it has an indebtedness of more than \$800,000.00 with a population of only slightly over 20,000, and a county

wide tax rate of one-eighty-two. When hard times hit again that will be a staggering tax load, yet if left to the discretion of the boards without a vote of the people, a small group would pressure them into issuing a million dollars of bonds right now for new school buildings. These are needed, but it would mean a tax rate of more than three-sixty and would be, in my opinion, ruinous." . . . "I am opposed to the amendment which would remove the limitation upon the power of the General Assembly and the governing bodies of counties and towns to incur debts for necessary expenses without a vote of the people. I consider the present limitation a desirable one, particularly in times of inflation such as confront us now."

Favoring the removal some officials write: "The adoption of this proposal is absolutely necessary in order to be prepared for a time that must come sooner or later when the Legislature will have to authorize the raising of funds now prohibited by Section 4 of Article 5. Since the State no longer owes any debts, or at least funds have been provided for the payment of all of the general fund debts, Section 4, as it now stands, means that the State can not borrow any money or contract any new debts except to refund their existing debt, or in anticipation of the collection of taxes due, or to supply a casual deficit, or for police purposes. This may result in a serious situation at any time that the State's revenue failed to come up to expectation. I know of no serious argument that can be offered against this proposal." . . . "As you recall, this debt limitation was established about the same time that the local government commission was set up as a means of helping governmental units to reduce their indebtedness. The situation is entirely different now and I feel confident that the local government commission can control the indebtedness of cities and counties without the benefit of the present limitation." . . . "I am in favor of removing the present debt limitation forbidding the state or local units to borrow in any biennium in excess of two-thirds of the amount by which the state or local unit reduced its outstanding debt during the biennium or fiscal year next preceding, for the reason that this is a crazy law. A city or county heavily in debt may sell quite a sizeable bond issue without a vote of the people, while on the other hand a county or city that owes nothing can borrow nothing without a vote of the people." . . . "This section imposes

unfair restrictions upon municipalities best able financially to incur debts. Cities and towns that have the largest debt requirements can now issue the largest amount of bonds. Under it, municipalities that are completely free of debt cannot issue any bonds without a vote of the people. Since such a vote requires from 60 to 90 days, the municipalities have no safety factor for emergencies. This section has in 13 years failed to accomplish the purpose for which it was adopted. Its objective was to place municipalities on a pay-as-you-go basis, but because under our general laws North Carolina municipalities are not permitted (in the true sense of the word) to adopt capital outlay budgets this has not been realized. The present financial crisis of municipalities, caused by restricted sources of revenue and the increased citizen demand for services of all sorts at inflationary costs, forces them to issue bonds for all capital improvement projects, there being insufficient revenue for general operations and capital improvements. Also, present municipal finance laws do not permit the accumulation of funds for any purpose, and municipalities cannot adopt capital outlay budgets extending over a period of years." . . . "The practical operation of the two-thirds limitation provision is defeating its own purposes—in many localities it is actually increasing the debt. Suppose a school building is badly needed in one end of a county. People in the other parts of the county are not going to vote for a bond issue unless they get something out of it for their particular sections. County authorities are thus put in a position where they have to cook up a comprehensive program of local improvements not so badly needed in other sections in order to carry the election and get through improvements for that end of the county where they are badly needed. Or, suppose a particular street in a heavily congested area of the city is badly in need of paving. City authorities too often have to cook up a comprehensive program of street or other improvements not so badly needed in other sectors of the city in order to put across the bond issue for the badly needed paving in a particular sector. To put it bluntly, the public credit is sometimes being used to bribe the general public to vote improvements badly needed only by a small portion of the public in a small part of the particular governmental unit. The result is that the two-thirds debt limitation provision is increasing debt in

many places rather than reducing it. It is lulling people into a false sense of security from which they are likely to have a rude awakening to find the very provision they were counting on to save them has caused local unit debts to skyrocket upward instead of plummet downward."

III. Property Tax Limitation

FOR amendment increasing the amount of total State and county tax which may be levied on property, by changing the limitation on said tax from fifteen (15) cents on the one hundred dollars (\$100.00) valuation to twenty-five (25) cents on the one hundred dollars (\$100.00) valuation.

OR

AGAINST amendment increasing the amount of total State and county tax which may be levied on property, by changing the limitation on said tax from fifteen (15) cents on the one hundred dollars (\$100.00) valuation to twenty-five (25) cents on the hundred dollars (\$100.00) valuation.

Present Limitation. Article V, Section 6 of the North Carolina Constitution provides: "The total of the State and County tax on property shall not exceed fifteen cents on the one hundred dollars value of property, except when the county property tax is levied for a special purpose and with the special approval of the General Assembly, which may be done by special or general act: Provided, this limitation shall not apply to taxes levied for the maintenance of the public schools of the State for the term required by article nine, section three, of the Constitution: Provided, further, the State tax shall not exceed five cents on the one hundred dollars value of property."

The proposed amendment would lift this constitutional limitation from fifteen to twenty-five cents on the \$100 value of property. It would not lift the tax; it would simply authorize county authorities to lift it—if, as, and when county needs require it for *general operating purposes*.

The Constitution authorizes the county authorities to exceed the fifteen cent property tax limitation for *special purposes*. And this explains the difference between the present fifteen cent limitation on taxes levied for general county purposes and present county tax rates ranging from fifty-five cents in one of the richer counties to two dollars and twenty cents

in one of the poorer counties, representing general and special purposes combined. This fifteen cent limitation for general purposes appeared to give the counties plenty of operating leeway when it was imposed in 1920, coupled with the special purpose exceptions which had been in force since 1868.

If the fifteen cent limitation on property taxes for general operating purposes was fixed and static, the special purpose loophole with equal constitutional recognition was flexible and dynamic, and could be expanded to cover expanding county needs. "It was inserted in the Constitution of 1868," said the Supreme Court of North Carolina, "for the purpose of providing for an emergency that could not be reasonably anticipated, and as a safeguard against increasing taxation hastily and without due consideration. When the sum raised by the ordinary rate is not enough to pay the current expenses, the only relief is to apply to the Legislature for authority to exceed the limit And this has been the course pursued ever since the Constitution of 1868 was adopted whenever the current receipts of a county have not been sufficient to pay its current expenses.

This flexibility began to fade as the legislative practice of permitting special taxes for special purposes yielded to the Court's authority to say what a special purpose is. "If the General Assembly can authorize the levy of a tax in excess of the Constitutional limitation for the ordinary expenses of a county," said the Court, "Article V, Section 1 which was intended to protect the people against excessive taxation, would be a 'dead letter' and of no effect." Accordingly the court, on taxpayers' protests, has pronounced against the practice of absorbing "floating indebtedness", incurred in ordinary operating expenses of the county, as a special purpose for which taxes may be levied in excess of the fifteen cent limitation; against the practice of budgeting the maintenance of jails and the care of prisoners, county commissioners' pay, expense, and board, county courthouse and grounds, and county attorney's fees, etc. as special purposes instead of general operating expenses. The General Assembly imposed a five cent limitation on the levy of taxes for "county aid and poor relief" even though the Court had held this to be a special purpose and thus forced this expenditure back into the general purpose fund. A suit now in the courts questioning the power

of Mecklenburg County Commissioners to set up \$200,000 for the rural police as a special purpose beyond the fifteen cent limitation can play havoc with the county budget.

This fading flexibility has left the counties under growing pressures from expanding needs, in a strait jacket between the fifteen cent limitation—fixed and static in the Constitution—and the ever tightening limitation of the special purpose doctrine crystallizing in the Court's decisions. Local biddies hatched out in first Monday sittings of county commissioners are being driven from the sheltering wing of "special purpose" to seek standing room in the "general county fund", and find no room for sanctuary there. The counties are seeking to raise the general fund property tax limitation in the Constitution from fifteen to twenty-five cents on the hundred dollars value of property as one way out of this dilemma.

In many counties commissioners with heads butting against revenue ceilings are forced to choose between cutting to the quick, and sometimes to the core, of local services they feel are worthwhile and which the people want, and beating the devil around the stump by levying general fund taxes under a special purpose guise, or by transferring funds from the special purpose ledger to the general fund, or by openly dispensing with the special purpose law in the effort to administer justice as they see it in their localities.

Reasons cited for and against the proposed amendment. Some officials seek to avoid the necessity of this increase: by insisting that "the State assume its full school obligations as it should and that counties be allowed the fines and forfeitures to be added to the general fund . . . by cutting expenses down, and out, if necessary, in view of the fact that the more services rendered by a governing body to its people the more services are demanded." Others write: "If this ceiling were raised to 25c, within ten years there would be a clamor that it be raised still higher" . . . "We have got to stop somewhere and let's stop where we are" . . . "If you raise the constitutional limit most of the counties will go the limit and assess the whole rate" . . . "I realize that in small Counties this works a very great hardship and it is almost impossible for them to get along but the danger in this is that if you elect an extravagant board of Commissioners they are liable to abuse this

(Continued on page 13)

THE CLEARINGHOUSE

Recent Developments of Interest to Counties, Cities and Towns of North Carolina

Cities and Towns

City-County Consolidation

The *Durham* city council has once again instructed the Mayor to appoint a committee of four, and to ask the county commissioners to appoint a committee of three, to jointly study the proposed consolidation of the city and county governments. Such a study was undertaken in *Durham* as early as 1932 and again last February when the General Assembly authorized the action. The commission disbanded last spring when it was advised that the act of the legislature might be unconstitutional, since it delegated to the commission wide powers for making recommendations. The present resolution of the city council provides for consultation between the commission and the Attorney General before it presents its proposals to the General Assembly.

Administrative Procedures

A plan for greater administrative efficiency was presented to the heads of the municipal departments of *Winston-Salem* by City Manager C. E. Perkins recently when he called their attention to an outline of uniform procedures drawn up to cover everything from budgeting to office orderliness and telephone manners. He particularly requested that preparation of material to be considered by the board of aldermen be made a week in advance to provide time for review by the city manager and to relieve the aldermen of unnecessary detail. Under the new system an organizational chart of each department will be made for the city manager, and memoranda on topics discussed in all departmental conferences will be turned in to his office regularly.

Public Works

A four-million dollar public works program is now under way in *Danville, Va.*, as the city is attempting to catch up on the backlog of needed improvements which accumulated during the war years. The largest item is the street widening program, to cost \$1,500,000, and in addition the city will build a new steam plant and electric substation, expand the gas and water plants, improve the jail, and provide



a new recreation area. Since city-owned public utilities are absorbing most of the expense, the investment is regarded as self-liquidating.

Comic Books

The *Roanoke Rapids* City Commissioners were startled at one of their recent meetings when one of their number appeared carrying several comic books under his arm. He brought them, not to read, but to ask the commission to take action in banning their sale within the city. After scanning their contents the commissioners quickly agreed to instruct Mayor W. B. Allsbrook to study possible measures by which the books could be successfully kept out of *Roanoke Rapids*.

Working Hours for Policemen

A new work schedule recently authorized by the board of aldermen for the *Statesville* police force has been in effect for the past month. Each man will work eight hours a day instead of 12 as formerly. In order to provide for three daily shifts, four new policemen have been added to the force, bringing the total to 22. *Statesville* thus becomes the 37th North Carolina city to adopt the eight-hour day for its police force.

Police Cars

Kannapolis police have received the first of three automobiles ordered for them by the Cabarrus county commissioners last spring. These are the first ever provided for the city police by the county, officers having heretofore used their own automobiles while on duty. The new cars will be equipped with two-way radio receivers and transmitters which will connect local police with the county

(Continued on page 6)

Counties

1948-49 Budgets

Results of the annual budget-making sessions of North Carolina county commissioners show that the majority of the commissioners have had to continue, this year, to wrestle with the problem of skyrocketing costs as well as having to provide more and better services for their citizens.

Budget increases are the rule, according to information available for sixty of the hundred counties; ad valorem tax rates remained the same or were raised, and decreases in budgets and tax rates were rare. Only five of the counties will have smaller budgets this year, while 39 report substantial increases. Although 32 tax rates were unchanged, only six were decreased and 22 counties found it necessary to raise their rates.

Emphasis on the school situation marked more than a third of the counties' budget considerations. In 18 counties, added appropriations for the repair and enlargement of schools accounted for the largest share of the budget increases. In *Davidson*, for example, \$130,000 of a \$135,000 budget increase was earmarked for schools, and similarly in *Johnston* almost all of a \$23,000 increase will go toward a school appropriation higher than ever before. Twelve counties attributed their budget increases to the generally higher costs of materials and supplies as well as higher wages, greater welfare appropriations accounted for increases in six counties, and eight of the counties which reported are planning various public works projects which will require larger budget appropriations.

Although tax rates range from 55 cents in *Durham* to \$2.20 in *Hyde* and *Pamlico*, it is interesting to note that generally ad valorem tax rates did not increase correspondingly with larger budgets. In 15 counties where last year's tax rates were maintained or lowered, tax supervisors gave as the reason a large increase in property valuation. *Mecklenburg*, which lowered its tax rate by 6 cents while adopting a budget increased by half a million over last year's, report-

(Continued on page 11)

Cities and Towns

(Continued from page 5)

sheriff and the State Highway Patrol station at Salisbury.

Inspection Trips

Pendleton, Oregon and *Boulder, Colorado* have inaugurated a series of inspection trips around the city for city councilmen. The tours include reservoirs, parks, highways, sewage plants and other public works. City Manager Oren L. King of Pendleton conducted the city councilmen on their trip during the month that they were considering the 1948-49 budget. R. E. Baumberger, city manager of Boulder, has stated that planned trips not only enlighten the council members but also "will go far in developing and maintaining effective teamwork between the council and the manager."

Health and Sanitation

Amendments to the comprehensive Standard House Ordinance of 1947, passed by the *Charlotte* city council after lengthy consideration, will put teeth into the current slum-clearance campaign aimed toward permanent betterment of the city's living standards. The ordinance as amended requires that installation be begun within 30 days, of inside running water, sink, toilet, heating facilities, electric lights and screens for all doors and windows in houses where these facilities are lacking. The provision calling for the installation of bathing facilities gives the property owner until June, 1951 to comply, but in making all other improvements, landlords' observance of the 30-day period will be strictly enforced.

Stricter sanitary rules are in force in *Waynesville* following passage this month of two ordinances dealing in detail with the treatment of all garbage and waste matter. The first ordinance makes it lawful to leave waste food or other matter uncovered within the city limits and states that garbage must be kept in receptacles "made substantially of metal and provided with a tight fitting cover and strong handles . . ." The ordinance further provides that all such containers must be watertight and the garbage wrapped and drained before it is set out for collection. Collectors are warned to use care in handling the cans. The second ordinance requires that all decaying matter which might attract insects, be buried or properly treated. Viola-

(Continued on page 11)

Report From Washington



Partisan opinion of the record of the 80th Congress will shortly reach the zenith of what can be mildly termed disagreement, as the November elections approach. It cannot be denied that much of vital importance was left undone. But not to be lost in the scuffle is the fact that federal funds appropriated by Congress during the past few crowded months will soon begin to roll into North Carolina, to enable the state, counties and municipalities to undertake and expand a variety of activities.

Mental Health Program

One of the smallest, but most significant, of the grants-in-aid to North Carolina will be the sum of \$101,900, given to the state for research into mental disease and the improvement of local mental health programs. The appropriation was made under the terms of the National Mental Health Act of 1946, which provided for distribution, this year, of a total of \$9,028,000 to the states. In order to be eligible to receive the funds the state must match the federal grant and submit a plan for the improvement of its mental health program to the United States Public Health Service. The State Hospitals Board of Control, headed by Dr. David Young, will administer the funds in North Carolina. The plans for use of the money, outlined by Dr. Young, provide that the major portion will go toward expanding the facilities of the existing mental health clinics for out-patients, now located in Winston-Salem, Wilmington, Raleigh, Durham and Charlotte. These cities must match the funds received, since the purpose of the grant, according to Dr. Young, is to stimulate local activity in mental hygiene, rather than to relieve the

cities of a financial burden. Money will also be used to establish a part-time clinic in Asheville, and possibly another city, this year, and to subsidize education and training for those going into mental health work.

Water Pollution Control

On the last day of the session, Congress passed the Water Pollution Control Act, possibly the most significant piece of public health legislation in recent years. While observing the primary rights and responsibilities of the states in controlling water pollution, the act provides for decisive measures to be undertaken by local and state governments with the aid of federal funds and with the cooperation of the United States Public Health Service. Loans, not exceeding \$250,000, will be made by the Federal Works Administrator, to states, municipalities, and interstate agencies for the construction of sewage treatment plants, following approval of the projects by the Surgeon General. \$1,000,000 will be divided among the states for preliminary research and surveys related to the prevention and control of water pollution caused by industrial wastes. These studies may be directed by the Surgeon General at the request of any local water pollution agency. The act further charges the Surgeon General to encourage the enactment of uniform state laws and inter-state compacts dealing with the abatement of water pollution.

Roads and Highways

The largest chunk of federal aid money to be made available to North Carolina, on July 1, 1949, will be used to improve primary, secondary, and urban roads. The fund, totalling \$10,176,628 will be administered by the Public Roads Administration in cooperation with the North Carolina state highway department. Of the total, \$4,867,144 will be allotted to the primary system, \$3,983,477 will be used for secondary roads, and \$1,326,007 for urban routes.

Wildlife Conservation

North Carolina will receive \$186,120 as its share of the largest appropriation ever made for use by the states in wildlife conservation. The

(Continued on page 10)

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The Attorney General Rules

Institute digest of recent opinions and rulings by the Attorney General of particular interest to city and county officials.

I. AD VALOREM TAXES

B. Matters Affecting Tax Collection

49. Tax collection—prepayments

To Arthur B. Shepherd.

Inquiry: Can a municipality be compelled to accept prepayment of taxes; if so, is a discount compulsory?

(A.G.) G. S. 105-345 (6) provides: "Should an taxpayer desire to make a prepayment of his tax between July first and October first of any year, he may do so . . . , and shall be entitled to the following discounts:" [italics by A. G.]. I am of the opinion that under the foregoing provision it is mandatory upon a municipality to accept prepayments of taxes and to allow the appropriate discount as provided in these subsections.

III. COUNTY AND CITY LICENSE OR PRIVILEGE TAXES

A. Levy of Such Taxes

45. License tax on amusements

To W. C. Hardison.

Inquiry: May a county tax a horse or car racing track operating in the county?

(A.G.) Counties may tax only upon express authorization from the legislature, and I find no such express authorization for a tax upon race tracks. I am advised that the state levies and collects a tax from the activity in question under the provisions of Section 105½ of the Revenue Act. Since that Act also provides that counties shall not levy any license tax on a business taxed under section 105½, I am of the opinion that the county cannot levy and collect a license tax from the business or activity in question.

58. License tax on filling stations

To C. E. Garrett.

Inquiry: Is the operator of a service station, the distributor of gas and oil or the oil company which owns a majority of the pumps required to pay the county tax levied under the authority of G. S. 105-89 (1)?

(A.G.) The section referred to imposes a tax upon "every person, firm or corporation engaged in the business of servicing," etc., or "retail selling and/or delivering of any tires, tools", etc. Subsection (b) provides that the state tax will in no case be less than \$5.00 per pump and subsection (e) provides that a county may levy a license tax "on each place of business located therein under this subsection not in excess of one-fourth of that levied by the state." The tax is levied upon the operator of the service station. It is not levied upon the pumps as such; the number of pumps merely determines the minimum state tax. I am therefore of the opinion that the tax should be paid by the operator of the service station.

**HARRY
McMULLAN**
Attorney
General
of
North
Carolina



60. License tax on laundries

To C. E. Garrett.

Inquiry: How much tax may a county levy on laundries located within the county which solicit business throughout the county by the use of trucks?

(A.G.) G. S. 105-85 is the only provision relative to county taxation of laundries. It authorizes county taxation of laundries only when the laundry work is performed outside the county and solicitation therefor is carried out in the county. It does not authorize county taxation of laundries located within the county, whether or not those laundries are engaged in soliciting work throughout the county. Counties have no general taxing power such as that given to cities and towns by G.S. 160-56 and can only levy such taxes as are expressly authorized by the Legislature. I am therefore of the opinion that a county may not levy any tax upon laundries located within the county.

71. License tax on dry cleaning solicitors

To John S. Butler.

Inquiry: Where dry cleaning establishments located in other towns solicit business in a town by means of several agents may that town impose a license tax upon each of the individual solicitors?

(A.G.) Under G. S. 105-74 a town may levy a tax upon "every person, firm, or corporation" soliciting cleaning or pressing work within its confines to be done outside. This tax is levied upon the person or firm engaged in such business and not upon the individual agents of the firm doing the soliciting. That is to say, a license issued to an outside establishment would cover any number of soliciting agents of that establishment.

IV. PUBLIC SCHOOLS

N. School Lunch Rooms

3. Foods taxable

To E. W. Constable.

Inquiry: Are public school lunch-

rooms so classified as to be liable for the tax on colored oleomargarine?

(A. G.) The operation of lunchrooms in the public schools of this state is a state function which is governmental in character, as these lunchrooms are authorized to be operated under the provisions of G. S. 115-381, a part of the public school law. On September 23, 1943, the Commissioner of Internal Revenue advised this office as follows: "It is held that a state owned educational institution may color oleomargarine and serve the product to the students as a part of their meal without incurring special and commodity taxes as a manufacturer of colored oleomargarine." Based on this opinion, this office has held that public school lunchrooms are not liable for the tax on colored oleomargarine.

V. MATTERS AFFECTING COUNTY AND CITY FINANCE

1. Local Budgets and Audits

3. Appropriations resolutions

To John D. Shaw.

Inquiry: May a municipality, after having adopted its appropriations resolution for the next fiscal year but before the levy of taxes, increase an appropriation for a proper municipal expense because of inadequacy of the amount previously appropriated?

(A.G.) The Fiscal Control Act contemplates that the appropriations resolution provided for by G. S. 153-120 shall cover all of the contemplated expenditures of the municipality for the next fiscal year but in the event, before the levy of taxes as provided by G.S. 153-124, it is found that the amount appropriated is inadequate for a particular item, it is my opinion that the municipality could validly increase the appropriation for that particular purpose as an amendment to the appropriations resolution. This would not mean that the board could make very extensive and substantial changes in the appropriations resolution which would change substantially the nature of the same.

VII. MISCELLANEOUS MATTERS AFFECTING CITIES

F. Contractual Powers

15. Requirement for competitive bids

To A. W. Andleton.

Inquiry: Where only one bid for street paving is submitted may a municipality accept that one bid?

(A.G.) If the municipality has once advertised for bids and otherwise complied with the statute with respect to public contracts and only one proposal has been submitted, there is no legal objection to accepting the one bid in our opinion.

Q. Town Property

15. Mortgaging of town property

To Charles H. Manning.

Inquiry: Is there any authority for

(Continued on page 8)

Attorney General

(Continued from page 8)

a municipal corporation to execute a purchase price deed of trust or mortgage?

(A.G.) In the case of *Vaughn v. Commissioners*, 118 N. C. 637, our Court held that a board of commissioners of a county had no authority to mortgage property on which it was building a county courthouse, the opinion of the court being based upon the principle that the authority vested by law in the board to convey county property did not impliedly grant the right to mortgage. As the authority of a municipal corporation to sell its property, provided by G. S. 160-59, is more restrictive than the authority of a board of county commissioners to sell its, it is my opinion that the same principle, *a fortiori*, would be applicable and that the governing body of a town would have no authority to execute a purchase price mortgage or deed of trust.

VIII. MATTERS AFFECTING CHIEFLY PARTICULAR LOCAL OFFICIALS

B. Clerks of the Superior Court

9. Wills and caveats

To E. O. Falkner.

Inquiry: May devisees under a will who are not subscribing witnesses thereto testify as to the genuineness of the testator's signature (the subscribing witnesses being dead) without losing any of their rights under the will?

(A.G.) G. S. 31-10 prevents a person from taking under a will who is a subscribing witness thereto. G. S. 31-18 provides for the proof of the handwriting of the testator and witnesses of a written will by testimony as to its genuineness satisfactory to the clerk when any one or more of the subscribing witnesses is dead. It has been held in the case of *In Re Westfeldt*, 188 N. C. 702, that G. S. 31-10 applies only to the attesting witnesses and would not prevent an interested party from testifying as to the will's being found as required by law in the case of a holographic will. In *Hampton v. Hardin*, 88 N. C. 593, the purpose of enactment of G. S. 31-10 was pointed out as being inapplicable to the proof of handwriting of a testator or subscribing witness by an interested party under the will. These are the closest cases to yours which I find. From their reasoning I am inclined to the opinion that the interested parties under the will could testify to the handwriting of the testator or subscribing witness, with no effect on their rights under the will.

C. Sheriffs

31. As witness in criminal case

To Lon H. West.

Inquiry: Should a sheriff who is to be a witness in a criminal case be subpoenaed as other witnesses?

(A.G.) It is our opinion that the sheriff's being the chief law enforcement officer of a county places him under the duty to render himself available as a witness in criminal



**T. WADE
BRUTON**

Assistant

Attorney

General

cases without subpoena. A sheriff is a law enforcement officer and is not on the same basis as a ordinary citizen.

L. Local Law Enforcement Officers

38. Automobile drivers' licenses

To Clarence Griffin.

Inquiry: Under the regulation of the Motor Vehicle Department prescribing certain dates by which persons must be re-examined for drivers' licenses based upon their surname's initial letter, would a woman's maiden surname control where her present license is in such name, or would her present married surname control?

(A.G.) The name of a person is merely the means of identifying the particular person. So long as the identity of the person is certain the name is ordinarily not material. *Patterson v. Walton*, 119 N. C. 500, 26 S. E. 43 (1896). Although a woman's legal name may have changed, the license issued to her by the Department of Motor Vehicles under her original name continues to be a valid operator's license under the regulation until the time fixed therein for re-examination of operators whose surname starts with the same letter as her now legal surname. The privilege to operate a motor vehicle is granted to the individual and not to the name. It seems to me therefore that for this purpose, it is the legal name of the operator which controls and not the name on the license issued.

To Hubert E. Olive.

Inquiry: May operators' licenses be issued to persons only 15 years of age under any conditions?

(A.G.) G. S. 20-9 provides that an operator's license will not be issued to anyone under the age of sixteen years. It is my opinion that this is the law as it exists today. Ch. 834 of the Session Laws of 1945 did authorize issuance of operator's licenses to individuals who were only fifteen years of age, but section 7½ of that act provided that it should remain in force "for two years from the date of its ratification and no longer". This act was ratified on March 19, 1945 and has expired by reason of the above mentioned provision.

39. Motor vehicle law

To Dan Beach.

Inquiry: Does state law or city ordinance control with respect to speeds over state highways through cities?

(A.G.) The maximum speed limits fixed by state laws control at all points within the state, both within and without the city limits. The city authorities may reduce the speed limits fixed

by state law for business and residential districts at intersections within the city on certain highways through cities and city authorities may increase the speed limits fixed by state law for business and residential districts.

52½. Suspended sentences

To J. H. Morris.

Inquiry: Does a court have power to suspend sentence in a case in which a defendant is convicted of operating a motor vehicle after revocation or suspension of his driver's license since the statute fixes a minimum punishment for this offense?

(A.G.) This office is of the opinion that courts are not deprived of their inherent power to suspend sentences by a statute which merely contains the minimum punishment for a stated offense; that therefore sentence may be suspended in the case mentioned.

67. Possession of weapons

To Carl V. Venters.

Inquiry: Is it unlawful for a person to carry a loaded pistol or other weapon on his person at any time so long as it is not concealed?

(A.G.) Concealment of the weapon is the gist of the offense and this is true whether the weapon is loaded or unloaded. The only statute which I have been able to find with respect to carrying weapons unconcealed is G. S. 103-2, which makes it a misdemeanor to carry a shotgun, rifle or pistol off of one's premises on Sunday. It is the opinion of this office that a person may lawfully carry a loaded pistol or other weapon on his person at any time except on Sunday so long as the same is not concealed.

90. Warrants

To J. V. Wilson.

Inquiry: May a justice of the peace issue a warrant and make it returnable before a Recorder, or must he make it returnable before himself, hold a preliminary hearing and bind the defendant over to the Recorder's Court on finding probable cause?

(A.G.) G. S. 7-227 clearly gives a justice of the peace authority to issue a warrant returnable before the Recorder. In cases where he has final jurisdiction, I am of the opinion that he need not make the warrant returnable before a Recorder but can take jurisdiction himself with appeal lying from him direct to Superior Court rather than to Recorder's Court. In cases where he does not have final jurisdiction, he could either conduct a preliminary hearing and bind over

(Continued on page 10)



**PEYTON B.
ABBOTT**

Assistant

Attorney

General

Books Received

The Dismal Years

THE AGE OF THE GREAT DEPRESSION, 1929-1941. By Dixon Weeter. New York: The Macmillan Co. 1948. \$5.00. Pages xii, 362. Illustrated.

Dixon Weeter has taken a long view of the decade which ended with America's entrance into the second World War, and has produced a panoramic picture which manages to include the misery, the hopes, the emotional coloring, and the vital statistics of the American people during those years. Weeter writes dispassionately and in great detail of the years between 1929 and 1941; the phenomena which colored all aspects of America life are brought back to the reader with added reality mainly because they emerge from a scholarly array of factual material which carries an overwhelming power of suggestion.

The book, perhaps unexpectedly, is neither a "political" book nor merely a recapitulation of an era it would be more comfortable to forget. The federal government, of course, plays the leading role throughout, but Weeter's emphasis is on the vast effects on almost all activities in every corner of the nation wrought by the two waves which hit America in 1929 and again in 1933. Just as the country was overwhelmed by the most severe financial panic in its history, so did it find itself four years later in the midst of another unprecedented experience, the growth of a central government which reached from Washington to every farmer, shopkeeper, businessman and consumer. And as the American standard of living plummeted downward, the people welcomed the experiment with new hope and a state of mind aptly termed by Weeter as "cheerful desperation."

Weeter's analysis of that decade, which was sandwiched between an economic collapse and the Japanese attack on Pearl Harbor, in no sense closes the chapter on the New Deal. On the contrary, the book is aimed toward the present and the future of those new institutions introduced under the Roosevelt administration. The legacy of the Thirties is still with us, Weeter implies; the changes in the outlook, customs, aims and

values of the American people which took place under the pressure of tragic events 15 years ago cannot easily be discarded today. Above all, many of the innovations necessitated by economic emergency have become ingrained in the American political, economic and social structure, to its advantage or not depending upon one's political philosophy.

The context of these changes can be outlined by the chapter headings themselves: "From Riches to Rags" and "New Design for Living"—the introduction of a new low in standard of living to millions of citizens; "Change of Command"—the new philosophy of government as a giant service agency to individuals as well as to institutions, developed by Roosevelt as he began to tackle the problems of the depression; "The Hundred Days"—a step-by-step exposition of the most dramatic legislative period in American history, the spring of 1933, when the President and Congress, themselves groping for solutions, enacted banking and investment reforms, took the country off the gold standard, and laid the groundwork for other New Deal measures with the establishment of the Federal Emergency Relief Administration, granting aid to the states for direct relief, and consideration of the Civilian Conservation Corps and the Public Works Administration. Perhaps the most important chapter in the book is "The Citizen and His Government", the title implying the new intimacy between the government and the individual in all spheres of economic life. In this chapter Weeter describes carefully and with admirable objectivity the growth of federal regulation through such instruments as the NRA, the AAA, extension of the emergency transportation act, the Public Utility Act.

The true story of this program, why part of it failed, what was salvaged, and what remains today as permanent legislation, is seldom told with the clarity which Weeter brings to it. People forget, and the flood of vindictive opposition to "that Man" expressed since those years has helped them to forget. (A popular New Yorker cartoon of 1936 showed a little band of Park Avenue citizens dressed in dinner jackets and sables inviting their neighbors to go to the

movies with them: "Come along. We're going to the newsreel to hiss Roosevelt.")

Of the progress of the South, nurtured by the New Deal, Weeter has a great deal to say. He does not hesitate to point out the displacement of the ill-fated tenant farmer caused by the provisions of the Agricultural Adjustment Act which enabled the farmer to replace his tenants with machinery for greater efficiency. But on the other hand he awakens new pride in the TVA, an attempt to "improve vocational opportunities, security and health, in other words the standard of living and social values of an entire region." And elsewhere in the South: "The New Deal took on the aspect of a popular movement, rejuvenating old efforts for community betterment and starting fresh ones Once the forgotten section, it had become the proving ground for some of the most thorough-going New Deal innovations." The administration's concern for soil conservation, crop control, public health, electrification and general rural welfare, not only benefited the South but brought forth a new realization on the part of the rest of the nation of the region's wealth in natural resources and industrial potential.

In the general spread of regional thinking, fostered by New Deal projects which cut across state lines, by the National Planning Board which placed emphasis on the study of economic and human geography, and by the research agencies of the WPA, AAA and FERA, the South was affected perhaps to a greater extent than any other part of the nation. Weeter credits Dr. Howard W. Odum, of the University of North Carolina, in particular, for a "creative interpretation of regionalism", seeing "sectionalism as aggressive and ego-centric, regionalism as rational and reciprocal." The truly reciprocal nature of regionalism was brought out by the President himself, when he told a conference of Southerners in 1938 that the poverty of the South was "the nation's problem, not merely the South's." Weeter's statistics on the actual state of southern economic conditions during those years show the gravity of this problem, encompassing education, health, income, and even cultural life. One of the most serious aspects of the problem was the loss by migration from the South of over 3½ million people, including a large proportion of educators, scientists and technicians, between 1900 and 1936. But nevertheless

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Washington

(Continued from page 6)

total fund of \$10,780,620 comes from the 11 percent excise tax paid by the manufacturers of sporting arms and ammunition, and is apportioned to the states under the Pittman-Robertson Act. The states must match 25% of the appropriations with their own funds.

Public Welfare

Dr. Ellen Winston, state commissioner of public welfare, has estimated that the new Social Security law, passed over the President's veto, may add more money to the state's welfare funds. The law requires that state and local agencies each match one-eighth of the federal appropriation, increasing the federal quota from 2/3 to 3/4 of the total funds. Dr. Winston estimates that with only about \$350,000 in state appropriations, North Carolina will receive \$1,600,000 in federal funds.

Federal Trade Commission Policy

The Senate Subcommittee on Trade Policies is currently investigating the policies of the Federal Trade Commission relating to freight absorption and delivered prices in all basic industries. In considering the prohibition of freight absorption, the committee, headed by Senator Homer E. Capehart, is studying the effect of the FTC policies in sample communities all over the country. Goldsboro was asked this month to contribute information to the committee, on the experience of its own industries under these policies.

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Attorney General

(Continued from page 8)

to the Recorder's Court or issue the warrant returnable before the Recorder in the first instance.

BB. Local Governmental Employees' Retirement System

1. Eligibility

To Nathan H. Yelton.

Inquiry: May the light and water department of a town become a member of the Local Governmental Employees' Retirement System without approval or participation by the town?

(A.G.) G. S. 128-21 defines "employer" with respect to the Retirement System as follows: "'Employer' shall mean any county or incorporated city or town, or the light and water board or commission of any incorporated city or town, participating in the retirement system," etc. You will see that there is a comma after the word "town" and before the word "participating." This comma, therefore, cuts off the phrase "participating in the retirement system" so that all of the units named in this section can participate in the system and, in our opinion, a light and water board or commission of any incorporated city or town can participate in the system and this is not dependent upon the participation of the city or town itself.

XI. GENERAL AND SPECIAL ELECTIONS

G. Miscellaneous Laws Affecting

1. Closing ABC stores on election days

To James P. Bunn.

Inquiry: Must ABC stores remain closed on days fixed for an election upon the question of a municipal bond issue?

(A.G.) G. S. 18-45 (f) uses the words "election days" in designating periods when ABC stores must be closed. It is the opinion of this office that this would include all elections, whether held for the election of public officials or upon any other question which is being submitted to a vote of the people.

P. Beer and Wine Elections

5. Time of holding

To Z. V. Rawls.

Inquiry: May an election on the question of establishing ABC stores in a county under G. S. 18-61 be held on the same day and by the same officials as an election on the question of the sale of wine and beer in the county?

(A.G.) Section 1(f) of Ch. 1084 of the Session Laws of 1947 which authorizes the holding of elections on wine and beer, reads as follows: "No election shall be held pursuant to the provisions of this act in any county within sixty days of the holding of any general election, special election or primary election in said county or any municipality thereof." Since an

election on the question of establishing ABC stores in your county is a special election, it appears that section 1(f) specifically prohibits the holding of an election on the same day or within 60 days of an election being held on the question of establishing ABC stores.

LO! THE POOR COMIC BOOK

Described in the Clearing-house section of this issue is the move in one North Carolina town to prohibit or at least restrict the unlimited sale of what are universally known to the children of this scientific, atomic, Buck Rogers age as "funny-books." In a recent opinion, the Attorney General gave the town fathers a lead on a weapon which is capable of delivering the death ray if only the target can be brought into range. He stated that any publications which are not acceptable in the United States mails can be barred from newsstand sales.

Books

(Continued from page 10)

Roosevelt was able to observe later during his administration: "In these past six years the South has made greater economic and social progress than at any other period in her long history.

From his discussion of the South in "Old Sections and New Regions," Wecker goes on to cover the problems of the youth and of the aged of the country, the problems of local governments, with their falling revenue and increased responsibilities, the progress of science, the plays, books and music of the thirties, and finally, in "Rendezvous with Destiny", the steps leading to our entry into the war, as climactic a conclusion as were the events with which the "Age of the Great Depression" began.

It should be noted that the "great depression" covers the years up to and including 1941, a reminder that even in 1940, until the defense industry reached its full proportions, the problem of unemployment had not been solved. Despite the present aura of prosperity, this spectre still hangs over America. If it should materialize again, the experiences of the Thirties will not provide the precedents for a quick solution, but careful analyses (such as Wecker's) of the government's failures and successes in those years may very well produce guides of invaluable aid in the future.

Cities and Towns

(Continued from page 6)

tions of these ordinances carry \$50 fines.

Similar measures were taken in *Scotland Neck* and in *Wilson County*, where homeowners and businessmen are required to provide metal receptacles for refuse. (It was reported this month that cleanup campaigns all over North Carolina had caused a temporary shortage in the state, of garbage cans.)

An open meeting at which some 200 citizens of *Newton* gathered recently to discuss the town's sanitation problems, resulted in the immediate passage of an ordinance prohibiting the maintenance of animal shelters in *Newton* within 300 feet of any residence or place of business. To be effective April 1, the ordinance also provides for strict sanitary regulation of all shelters where fowls are kept for family use.

City Manager

Statesville joined the ranks of many North Carolina towns and cities this month when the citizens voted to adopt the city manager form of government. Reorganization of the city government is scheduled to take place with the change of administration in 1949, at which time the present eight-member board of aldermen will be reduced to a four-man council, one from each ward. This council will then select the city manager. A mayor will continue to be elected every two years as in the past.

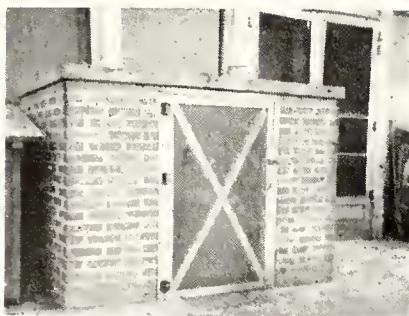
Municipal Parking Garage

A municipal parking garage is being considered at *Lexington, Ky.* as part of the city's move to relieve traffic congestion. A city-wide poll will be made to determine its location and the parking fee. The parking survey now under way in *Lexington*, in an effort to find solutions to the traffic problem, is scheduled to continue beyond 1950. City Manager O. A. Bakhaus has announced that a Traffic Division will shortly be established in the Police Department.

Anti-noise Ordinance

Harried citizens of *Laurinburg* welcomed the passage, this month, of a comprehensive anti-nuisance ordinance which curbs all noises except the fire station's horn. It prohibits such nuisances as unnecessary noises of all motor vehicles, includ-

(Continued on page 15)



Shown above is the model trash and garbage container which is now under construction at four places of business in *Newton*. These boxes are being built by the owners of the business establishments with the cooperation of the town's sanitation committee and the district health department. They are of brick and concrete construction and will be fly proof and rat proof.

Counties

(Continued from page 5)

ed a 15 million dollar increase in property valuation. *Person* accomplished the greatest decrease in tax rate—from \$1.30 in 1947-48 to \$.80 in 1948-49—on the basis of an increase in valuation resulting from a property revaluation program recently completed. At the same time the county's budget was increased by \$8,000. *Randolph*, whose recent revaluation program produced a 52% increase in valuation, was able to lower its tax rate by 26 cents.

ABC profits were of considerable aid in keeping tax rates down in six counties, *Edgecombe* in particular being able to lower its rate by 30 cents while adopting a budget larger by over \$400,000.

Onslow, unlike most of the counties, was forced to raise its tax rate from 60 cents to \$1.38 while decreasing its operating expenses by \$26,000. A lowered surplus and unencumbered balance in comparison with that of last year, and a "substantial" loss of ABC profits, accounts for the situation. In addition, the county is building a new courthouse, to cost \$232,000, and the commissioners anticipate being able to reduce the rate when the building is completed.

Proportional Representation

The charter commission of *Jackson County, Missouri*, which includes *Kansas City*, is framing a new charter for the county which may provide for proportional representation as the method of electing the county's legislative body. The commission is studying the plan, according to the

Kansas City Star, "to see if it might offer a guarantee against suppression of minority interests by machine domination of the county government."

Electrical Inspection

A revised electrical ordinance was adopted by the *Transylvania* board of commissioners, creating the office of electrical inspector and providing for the inspection of all wiring, devices, appliances and other electrical equipment. The ordinance states that no equipment shall be installed without securing a permit or by other than a licensed electrical contractor. Installations must pass the inspection of the electrical inspector within 24 hours after completion.

School Survey

J. O. Bowman, superintendent of *Anson County* schools, has announced that a committee of school planning experts from *Duke* and the University of North Carolina has begun work on a thorough survey of public education in the county, with a view toward presenting its recommendations to the board of education. The committee will survey the buildings, physical equipment, faculties, curricula and location, of both town and rural schools.

Using forms prepared by the State Educational Commission, H. D. Browning, superintendent of *Wilson county* schools, has conducted a survey in the county to determine what type of schools the parents want for their children, and how they think the schools should be operated. The parents gave an overwhelming vote for school modernization, with funds coming from both the state and the local government. They approved of the consolidation of administrative units within the county for school purposes, and of the procedures by which the school board is elected. The only major change supported by a majority of the voters was to give greater authority over the school board to the county commissioners, through the power of the purse.

Retirement Plan

A retirement, death and disability compensation plan for county employees has gone into effect in *Travis County, Texas*. All appointive employees who desire to become members of the system will have five percent of their salaries deducted monthly, and the county government will contribute an equal amount to the fund.

Cities

Jail Standards Discussion Renewed

SECOND MEETING OF ADVISORY COMMITTEE OF LAW ENFORCEMENT OFFICERS HELD

This article concludes a report on the second meeting of the advisory committee of law enforcement officers on jail standards.

Mental Cases

In the afternoon the group was joined by Dr. David Young, General Superintendent of the State Hospitals Board of Control. Sheriff Andrews raised the question of how to avoid confining a mental patient in jail. Dr. Young pointed out that often an alcoholic is confined in jail and is reported as a mental patient with no notation of having been confined as an alcoholic. He further pointed out that from time to time the clerk of court or a local county official feels that the only way to get the person admitted to the State Hospital is to put him in jail. He felt that there is no excuse for this, particularly when a person is removed from a place where he is receiving care and put in jail. Sheriff Andrews pointed out that often when families wish to place a person in the hospital, being unable to handle him, and find that the small hospitals are not equipped to handle extreme cases, the jail is their last resort.

Sheriff McDonald said he thought the only solution to this problem would be for the state institutions to have sufficient room and sufficient personnel to allow the sheriff to bring a person to the hospital without first placing him in jail. He gave an example of a Negro's being held in his jail at the present time awaiting admittance to Goldsboro. Dr. Young said that Negroes were being accepted as soon as papers are received and pointed out that his staff had noticed that often there is an undue delay between the time the commitment is ordered and the time the patient is brought to the hospital. Sheriff McDonald pointed out that he takes his cases promptly and emphasized the fact again that he felt the facilities and personnel are inadequate. Dr. Young said he thought there should be more careful screening of the cases in the counties. In screening a case, the person making the examination would decide whether the case is an emergency; whether the person could

JAIL MANAGEMENT COURSE

See page 15 of this issue for announcement of a three-day course in jail management, to be offered October 27-29 by the Institute of Government and the State Department of Public Welfare.

be cared for in some local facility—such as the county home—and perhaps make an adjustment in the community; or whether the person could be cared for temporarily in the local community and be admitted to the State Hospital when his condition becomes acute.

Dr. Young told the group that approximately 479 patients had been moved from Camp Sutton to Camp Butner and that 424 patients had been placed in Butner in addition to the 479. Eventual capacity at Butner will be about 1800. He said they were receiving applications about as rapidly as they had before Butner was opened. He pointed out that the other State Hospitals are badly crowded and in need of repair and some patients had to be moved from them; and emergency cases are coming in more rapidly than ever because communities are less tolerant of any delay. He said one of the main problems is securing personnel. Sheriff McDonald asked what to do with cases when there is no solution other than jailing them, saying that there had been a suicide in his jail. Dr. Young replied that suicides occur at the hospitals too. Sheriff McDonald pointed out, however, that where there is an attendant, there is better control than in jails. He brought up the question of having more trouble recently in getting Negroes admitted to Goldsboro. Dr. Young said that the limit of the facilities at Goldsboro had finally been reached and that buildings are being used there which are not as good as the average jail. Persons are being admitted there without a waiting list. He said that other plans for old age cases were being requested.

Sheriff Andrews pointed out that the sheriffs would like to have a rem-

edy for the situation and said he thought adequate appropriations should be made for facilities and personnel to take care of cases who really need treatment. He asked what authority the Hospitals Board of Control had when a patient brought to the hospital was discovered to be not a mental case. Dr. Young replied that the hospital can discharge him or refuse to complete commitment on him. He added that the State Hospital is not a good place for old age cases, that only ten per cent of this group are discharged back into the community, and that the death rate is high on these cases. Dr. Young stated further that if facilities in the counties are more generally used and selection of cases to be sent to State hospitals is more careful, the space will eventually be ample.

Dr. Winston asked if any progress is being made in getting general hospitals to take mental patients. Dr. Young replied that the Medical Care Commission is willing to add money to provide an isolation room if the county wants it. He said he thought this committee could be of great help by encouraging this type of room in hospitals. Mr. Morris pointed out that some jails have padded cells.

Sheriff Andrews brought up the fact that the publicity given to Butner gave the impression that in a short while North Carolina would have no problem in taking care of the feeble-minded and aged. Mr. Morris commented that the public had the idea that the only way to get a patient admitted was to "raise a big fuss."

Mr. Morris asked if there were a tendency on the part of counties to unload their county homes. Dr. Winston pointed out that some county homes are being closed because of low standards. She suggested that if a person does not belong in an institution, instead of remaining in a county home he should be placed in a boarding home. She further pointed out that the State Board of Public Welfare is looking toward a smaller number of county institutions with higher levels of care and the development of a larger number of licensed boarding homes.

Dr. Young pointed out again that

there should be more screening of cases and more care in selecting cases for admittance to the State hospitals.

Mr. Morris posed a question about getting alcoholics into the hospital without delay. Dr. Young pointed out that alcoholics are kept only two months and, therefore, turnover is steady and there is usually room for alcoholics.

Mr. Morris stated that he thought we should have good county homes and more good nursing homes for caring for the aged and infirm and should keep such people out of institutions insofar as possible.

Juvenile Delinquency

Hathaway Cross, Commissioner of Paroles, joined the group at this time to discuss juvenile problems.

Mr. Cross stated that he thought the best way to deal with the more serious behavior problems of young boys is to have some form of custody. He pointed out that some people want to get away from the idea of custody, since we have training schools. However, there is no way of keeping boys there and often they will run away and soon appear in the courts again. He thought that if we had something in between the training school and the prison, called, perhaps, a reformatory, this would solve the problem. He said he thought the youthful offender camps would help the situation if they could be equipped with the proper facilities and with instructors to teach the boys a trade. He pointed out that the superintendent of the camp in Gates County is interested in the boys but stated that he was not sure that they have the proper facilities for vocational training. He thought that the State Highway and Public Works Commission would have to give careful consideration to the money needed for providing the necessary facilities to teach these boys so that when they are released, they may return to their community and become a part of it instead of returning to their old ways.

It was brought out by Mr. Morris that about 75 per cent of all crimes are committed by boys between 16 and 19 years of age. Mr. Moore stated that an appropriation would be needed to supply adequate training for this group. Mr. Cross said he thought we would also need highly selected instructors who would understand the youths. He further said that the public would have to be sold the idea of doing something for this group.

Dr. Winston pointed out that what

we need is a training program rather than a work program and that there should be careful selection of the boys sent to the camps. Mr. Cross said he thought we would need to know their backgrounds and that there would have to be careful admissions. Sheriff McDonald said he thought that publicity along this line would be helpful. Mr. Morris stated that if material were sent out from the committee the public would accept it more readily than if sent out by some State department.

Reports

The State Board of Public Welfare is receiving monthly jail reports from counties. From these reports the numbers of mental patients and of juveniles in jail are elicited. Dr. Winston asked the group what they thought of requesting city jails to make monthly reports. It was decided that this question would be checked with the police officers.

Dr. Winston called to the attention of the group a pamphlet of rules and regulations prepared by the State Board of Corrections in Virginia and asked what the members thought about a similar pamphlet for North Carolina. It was decided that Mr. Moore and Mr. Morris would work together on rules and regulations to submit to the committee at the next meeting.

It was decided that this committee will meet twice a year—once in the spring and once in the fall. The next meeting will be held in the latter part of September.

Amendments

(Continued from page 4)

privilege and make it hard on the taxpayers". . . "This amendment is not necessary if counties will reasonably follow the law with respect to revaluation. We are in a period of inflation with real estate alone being exempted by the County Commissioners from inflation insofar as tax valuation is concerned". . . "I find that all over the State, cities and towns are making improvements and using money to purchase materials at inflated prices upon the assumption that there will be no downward adjustment of prices ever. In the past generation, we experienced a somewhat different situation in an attempt to extricate our cities and towns from an apparent bankrupt financial status. It is easy with low

interest rates and a seemingly permanent inflated income to make improvements which appear almost essential. Later, when there is an abundance of material and the labor cost is more reasonable, our governmental departments are fighting with every resource to maintain a solvent position and are unable to do any public improvement. Frankly, I think that the fifteen cent limitation is a brake in inflationary tendency and should be continued."

Other officials favor lifting the rate: "The present cost of every expenditure is practically double what it was four or five years ago". . . "Since the present limitation was written into the constitution, the Counties have been forced to take on and furnish services to the people of the Counties on a far broader scale than they were called upon to render back in those days." . . . "I know it to be a fact that the majority of the counties with lower property valuations can't possibly operate within the fifteen cent limitation. Various and sundry means are resorted to to get around this limitation but I think it would be better to face the issue squarely and permit counties to levy a rate sufficient to take care of necessary expenses." . . . "Only the richer counties can operate on the 15c levy" . . . "It is practically impossible to operate the departments and functions which come under the general fund on a 15c tax rate unless counties have A.B.C. store profits or other sources of revenue." . . .

One official spells out the following case for lifting the limitation: "There have been many new offices created in many of the counties of our state in the past few years, Tax Collector, Veteran Service officers, along with other personnel added to the various offices of the counties as time has demanded it. Board of prisoners, lights and fuel, repairs and replacements and general upkeep of jails have almost doubled since 1920. The expenses of the Old Age Assistance, Aid to Dependent Children, Health Department, Aid to Blind have gone up. In some instances, the personnel has almost doubled since 1920 when an amendment to this section of the constitution was made. The salaries of all the personnel have been raised, either by legislation, or by the governing body, and such was demanded in order to keep competent employees."

Another writes: "Having experienced the difficulty of the county operating on the 15c Constitutional limitation, and knowing that it is impossible to run a county as desired on

this rate, I naturally hate the subterfuges that are resorted to in order to give the people what they desire. It is a question of higher valuation which the taxpayers seem to despise and do not understand, or a raise in the county purpose rate which they can understand. Taxes go up faster than the county's valuation. I have seen the county tax rate rise from 90c to \$2.00 since the state took over the schools and there has been remarkably little complaint, but recently a raise of 10 per cent in the real estate valuation brought on quite a furor.

"The failure to adopt this amendment in my opinion would throw many counties practically into bankruptcy, unless the various subterfuges are upheld whereby additional taxes are placed in the general fund. I think that this amendment is essential to the proper legal functioning of county government. I think the voters should honestly realize that conditions require a larger expenditure for county purposes and that these are the foundations of our democratic system."

IV.

Majority Vote in Special Elections

FOR determining results of special elections by majority votes.

OR

AGAINST determining results of special elections by majority votes.

Present Voting Requirement. Article VII, Section 7 of the North Caro-

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

The Proposed Change in Voting Requirement. For the words in the last clause of the foregoing provision—"unless by a vote of the majority of the qualified voters therein," the proposed amendment would substitute the following words—"unless approved by a majority of those who shall vote thereon in any election held for such purpose."

To illustrate the meaning of this proposed change: Under the present voting requirement, if 1000 voters are registered ("qualified" voters are held to be "registered" voters) 501 votes must be cast for the proposition voted on in order to vote it in. If 500 votes are cast for and one against it, the proposition is voted out, because 500 votes are not a "majority of the qualified voters."

Under the proposed voting requirement, if 1000 voters are registered and 501 vote — 251 for and 250 against it, the proposition is voted in, because 251 are a majority of those voting. Similarly, if only 100 of the 1000 registered vote, and 51 are for and 49 against it, the proposition is voted in, because 51 are a majority of those voting.

Issues involved in the Change. It is obviously more difficult to levy a tax or incur a debt under the present voting requirement than under the proposed voting requirement. Or, to put it another way, it is obviously more difficult for people to get what they want through a tax levy or a bond issue under the present than under the proposed voting requirement. In still other words, the present voting requirement makes it easier for people to keep down debts and taxes, while the proposed voting requirement makes it easier for people to get the services they want. It is for the voters to say which is the wiser policy and this policy will be decided on Tuesday, November 2, by a majority of those voting rather than by a majority of those registered.

Reasons cited for and against the change follow the line of cleavage outlined in the foregoing paragraph.

One official writes in opposition to the change: "My observation has

been that in elections called for approval of the issuance of bonds, we have a very small registration and if the election is carried by only a majority of those who vote, then we have a bond issue authorized and saddled upon the tax paying unit by only a small proportion of the people. I think the present arrangement is better and fairer. If the majority of the people do not want bonds issued, then I think a minority should not be permitted to authorize it." Another writes: "I do not think it would be wise to change the voting requirement in elections on necessary expenses. There are so many pressure groups today just waiting for an opportunity to further some pet project and in most cases the pressure groups are composed of people who do not own property and, therefore, would not have to bear the additional tax burden." Another writes: "I think that we should use every effort possible to hold down our bonded indebtedness; therefore my thought is that all bond elections should require registration and the vote counted against the registration in order to carry the bond election."

Officials favoring the change write: "Hot primaries increase registration. Special elections bring out a small percentage of the vote. Any proposal starts out with two strikes against it." . . . "Voters may register under the present system, stay away from the polls through forgetfulness, design, bad weather, sickness, and the like, and their absence from the polls counts as decisively against a proposal as if they had taken the time and trouble to cast their votes against it." . . . "Under the present system a minority can very easily block a measure by registering and failing to show up on election day. For example, I know of an instance where a registrar in an election to provide a supplement to teachers' salaries was personally opposed to the supplement, and he took his registration book to a baseball game, where he registered almost everyone in sight. These citizens failed to show up on election day, and their failure to do so counted as a vote against the supplement. It would seem to me that the more democratic way is the vote of the majority who actually appear at the polls." . . . "Most of the representative citizens in a certain area favored a local movement for the betterment of schools, even though, for a great many of them, it meant additional tax. There was a small minority group in opposition to the movement that succeeded in register-

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ing a sufficient number of people that did not vote in the election to defeat the movement; although the election carried by five or six to one. This is a specific case of where the old law stood in the way of the majority of the people." Another official writes: "I favor changing the laws governing special elections on necessary expenses and also on special school district matters from 'a vote of a majority of the qualified voters,' to 'a majority of those who shall vote thereon.' Recently, we had a very close school district election upon the question of enlargement of a Local Tax School District to include an outlying district of considerable size. Of course, under the law, the registrar is entitled to go from house to house and register any qualified voter at any time during the period the books are open for registration. Also, the registrar is entitled to receive three cents a name for each registrant placed on the books during a new registration. These two facts generally make for a large registration, particularly if the registrar happens to oppose the proposition under consideration. In the instant case, a rather popular proposal failed by some 200 votes. I feel that the burden placed on proponents under the present law is entirely too great, and that an equal burden should be placed on the opponents, in order to provide real democracy."

Cities and Towns

(Continued from page 11)

ing airplanes, after-hours carpentering, and noisy loading and unloading of trucks.

Sunday closing hours

A Sunday closing hour ordinance has been enacted by the *Bayboro* board of Aldermen, which requires all stores and filling stations to remain closed between 10 a.m. and 1 p.m. and after 6 p.m. on Sundays. The board also banned the playing of pool and "piccolos" or "jukeboxes" at any time on Sunday.

Fire Station

The town commissioners of *Hamlet* have approved plans now being made for the erection of a new fire station, which will also serve as a garage for city-owned street equipment, and, at election time, a con-

venient polling place. Funds for the building are expected to be made available through a loan from the pension fund of the Hamlet fire department.

Planning and Zoning

The *Newton* board of aldermen has created a five-member planning and zoning commission for the town, which will have the power to adopt a zoning plan for the control of height, area, bulk, location and use of buildings in *Newton*. A comprehensive survey of present conditions and future needs will be made this month with the assistance of the League of Municipalities. Results of the survey will be used as a basis for future planning.

Parking Meter Revenue

The *Roanoke Rapids* board of commissioners has passed a motion to request the General Assembly to pass an act enabling the board, in its discretion, to use surplus profits from parking meters for recreational purposes. Under the existing set-up, all parking meter profits are earmarked for use in enforcing traffic regulations.

Numerous Cities Expand Borders

On September 21, citizens of *Winston-Salem* voted their approval of an annexation bargain which will add approximately three square miles of formerly suburban territory to the city's area, and which will require provision of municipal services for an additional 5,500 people. *Winston-Salem* is one of a number of North Carolina cities and towns which have taken advantage of the legislation passed by the 1947 General Assembly authorizing an extension election without a special act of the legislature.

Thus these cities and towns join a growing list of municipalities in all parts of the country, which have contributed, during the past year, toward an unprecedented rate of urban expansion. According to a report of the International City Managers' Association, a record total of 298 U. S. municipalities extended their corporate limits last year. This marks a 15 per cent increase over the number of cities adding land in 1946,


when 259 municipalities expanded their areas. Of last year's annexations, 170 were by cities of over 10,000 population, and 128 were by cities of between 5,000 and 10,000.

Three major reasons were put forth by the association to account for the widespread growth of annexation movements: cities are striving to annex adjacent territories in order to equalize local tax rates, provide uniform public services, and allow for long-range community planning on a broader scale. The report added that in many cases the citizens of the territories to be annexed, showed reluctance to join the cities because of the higher taxes they would be required to pay.

In the list of 12 leading cities in number of acres annexed in 1947, five were in Texas. The list, however, shows that urban expansion has become a nation-wide trend:


The leading cities in number of acres annexed in 1947 were:

Dallas, Texas	6,477 acres
New Braunfels, Texas	5,400 acres
Pine Bluff, Ark.	5,000 acres
Texas City, Texas	4,083 acres
Rapid City, S. D.	4,000 acres
Martinsville, Va.	3,840 acres
Portsmouth, Va.	3,600 acres
Staunton, Va.	3,593 acres
Waco, Texas	3,000 acres
Greenville, S. C.	2,560 acres
Beckley, W. Va.	2,560 acres
El Paso, Texas	2,200 acres

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The Institute of Government and the State Department of Public Welfare offer a three-day course in jail management to the county and city jailers of North Carolina—

Beginning with registration at 1 p.m. on Wednesday, October 27, continuing through Thursday, October 28, and ending at noon on Friday, October 29.

Sheriffs and chiefs of police whose jailers are in attendance at the school are invited to be present at the final session of the course, beginning at 8:30 a.m. Friday morning, October 29, and ending at noon.

Write to the Institute of Government, Chapel Hill, for reservations.

PROGRAM

WEDNESDAY, OCTOBER 27—AFTERNOON SESSION

- 1:00-2:00 p.m. *Registration*, Institute of Government
- 2:00 p.m. *Purpose and Plan of Course* — Albert Coates, Director, Institute of Government
- The Jail and Its Relation to Welfare Problems*—Dr. Ellen Winston, State Commissioner of Public Welfare
- Physical Examination and Medical Treatment of Prisoners*—Dr. W. G. Cheves, State Prison Medical Officer
- Jail Sanitation Problems — How the County or District Sanitarian Can Help*—R. L. Caviness, Sanitary Engineer, State Department of Public Health

WEDNESDAY, OCTOBER 27—EVENING SESSION

- 8:00 p.m. *Moving Picture*—"Canon City"

THURSDAY, OCTOBER 28—MORNING SESSION

- 8:30 a.m. *Jail Management*—Jailer Norman Butler, Cumberland County
- Jail Inspection*—J. B. Moore, Inspector of Institutions, State Department of Public Welfare
- Panel Discussion on Jail Operation*—Mr. Butler; Mr. Moore; John Morris, Secretary, North Carolina Sheriff's Association, Wilmington; John Gold, Chief of Police, Winston-Salem; and Walter Anderson, Director, State Bureau of Investigation
- Community Responsibility for Jails* — Walter Anderson, Director, State Bureau of Investigation

Officers' Responsibility to the Public—John Gold, Chief of Police, Winston-Salem

THURSDAY, OCTOBER 28—AFTERNOON SESSION























- 2:00 p.m. *Fire Prevention and Control* — Mark Boone, Engineer, State Insurance Department
- Opportunities for Cooperation Between Law Enforcement, Judicial, and Welfare Officers*—Tom Grier, Field Representative, State Department of Public Welfare
- Discussion of Recommended Jail Standards*—Led by W. M. Cochrane, Assistant Director, Institute of Government

THURSDAY, OCTOBER 28—EVENING SESSION

- 8:00 p.m. *Examination*

FRIDAY, OCTOBER 29—MORNING SESSION—SHERIFFS AND JAILERS

- 8:30 a.m. *Salaries vs. Fees*—Institute of Government
- The Value of a Jailers' School* — Hoyle Ebird, Sheriff, Gaston County
- Legal Rights of Prisoners*—Clifton Beckwith, Attorney General's Office
- Summary of Course*—Dr. Ellen Winston, State Commissioner of Public Welfare
- Closing Exercises*—Presentation of Certificates

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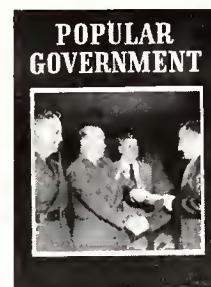
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The Institute of Government joins officials and candidates in urging every qualified person to register and vote in the general election on Tuesday, November 2. The books will be open for registration on the second, third and fourth Saturdays in October—October 9, 16 and 23.

This year as in the past, North Carolina election officials will be using the Institute of Government's guidebook outlining the laws and procedures governing elections, as follows:

- | | |
|--------------------------------------|---|
| I. The County Board of Elections | VI. Counting and Recording Votes |
| II. Precinct Election Officials | VII. Criminal Liability Arising from Elections |
| III. Registration of Voters | VIII. Special Elections to Fill Certain Offices |
| IV. Preparation for the Election | |
| V. Election Day | |
| IX. Absentee Registration and Voting | |

Officials, citizens and schools may obtain copies of this guide by writing to the

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