

Popular Government

July—August 1950



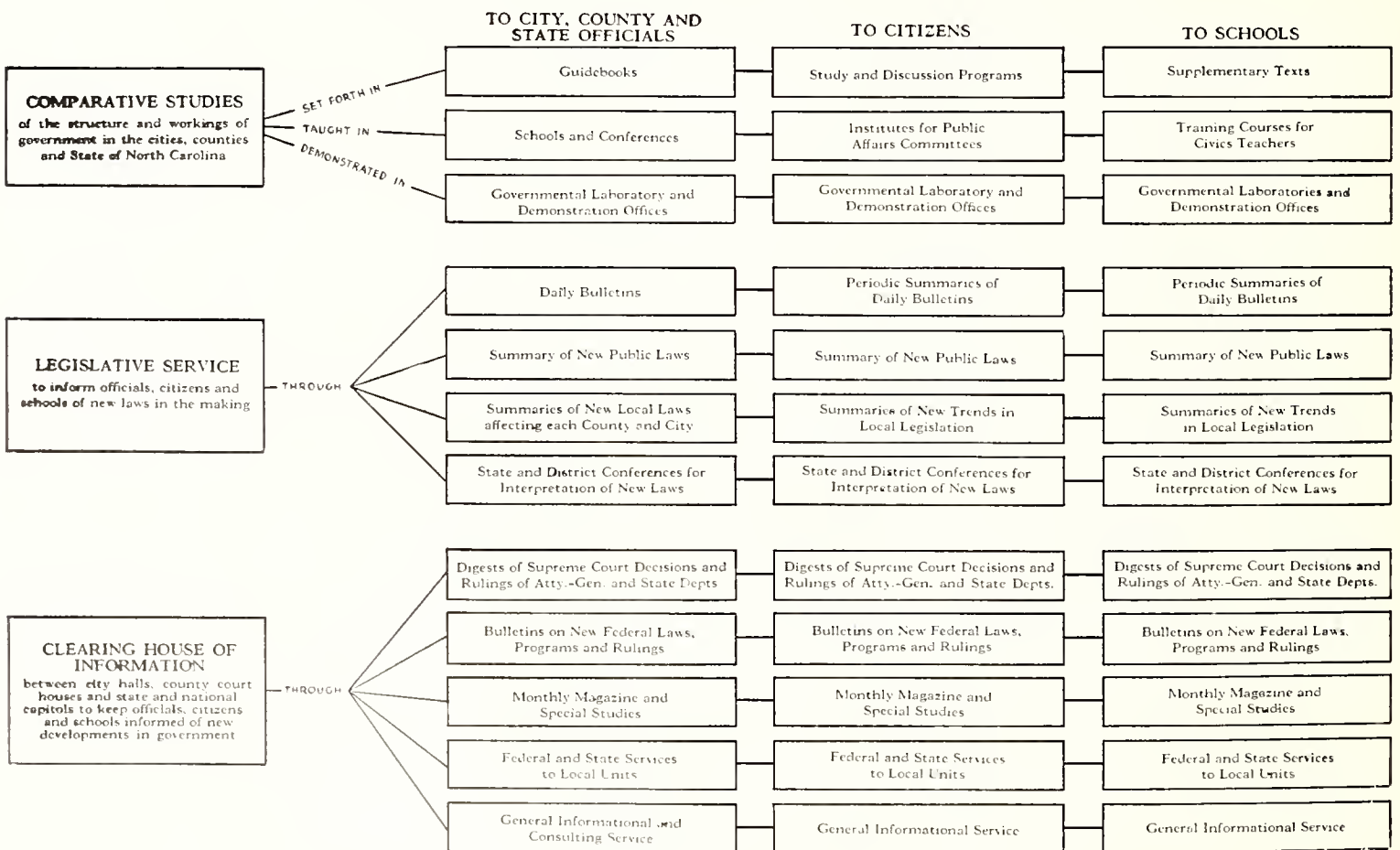
The Supreme Court of North Carolina

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GOVERNMENTAL LABORATORY BUILDING INSTITUTE OF GOVERNMENT



INSTITUTE OF GOVERNMENT SERVICES



THE CLEARINGHOUSE

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

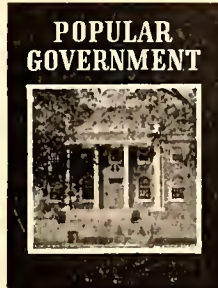
Civil Defense

North Carolina falls in the critical bombing area in the event of an atomic war. The Korean war is a reality. One hundred and one draft boards have been reopened. From Washington comes news that the U. S. Air Force is planning exercises to test the civil air raid warning system and to train a civilian ground observer corps in the coming months. The possibility of danger at home is causing real concern.

Here in North Carolina E. Z. Jones, Burlington radio executive, has been sworn in as State Director of Civilian Defense. The Council of State has authorized the expenditure of funds sufficient to maintain an office force for the Director until 10 days after the 1951 General Assembly convenes by which time it is assumed the legislature will have taken steps to make the establishment permanent. Director Jones' first step was to ask the mayors of North Carolina towns to appoint civil defense directors. Some of them had already done so. At the local level most of the northeastern counties had appointed air observer supervisors, and in the Wilmington area the chamber of commerce was asking the governor for assistance in defense of the port area.

By August 23rd twenty-two cities and towns had local civil defense directors and were in the process of organizing programs. Others have followed. The State Director's office is preparing maps of the major cities showing the approximate damage that would result to each from an atomic explosion. Booklets published by the Atomic Energy Commission on the effects of atomic weapons will soon be made available for distribution. Air raid observation posts are already manned and in 24-hour operation, and the Director's office reports that the state's air raid warning system is almost complete.

On September 8 the national Civil Defense Director, Paul J. Larsen, planned to release to the Council of State Governments in Chicago his first full-scale blueprint for a national, state, and local defense organization. The National Security Resources



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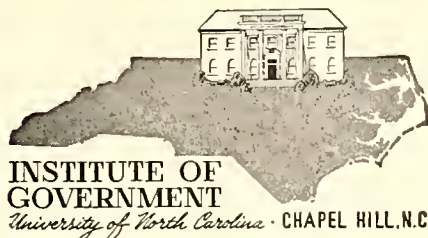
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COVER

The cover picture on this issue of POPULAR GOVERNMENT shows the present membership of the North Carolina Supreme Court. Seated: Justice Devin, Chief Justice Walter P. Stacy, and Justice Barnhill. Standing: Justices Denny, Winborne, Seawell and Ervin.

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Board has offered its plan giving particular emphasis to larger industrial areas which furnish prime targets for atomic attack. Already governors and mayors all over the country have been urged to make studies of the problems that might arise following an atomic attack. These problems include such things as water and food supplies, hospital, first-aid, and general medical facilities, and possible methods of organizing civil defense teams. The concept of civilian defense protection against localized danger points is now virtually obsolete. The new problem involves what to do about disaster "areas" rather than danger points. NSRD Chairman W. Stuart Symington estimates that adequate and not-too-late planning by cities can cut casualties in half.

In Charlotte the city defense director has set up an inventory of the things good municipal study and planning for defense should include:

1. Education of the public covering the whole field of civil defense.
2. Organization and training of adequate police reserves.
3. Organization and training of adequate fire reserves.
4. Provision for emergency fire fighting equipment.
5. Establishment of emergency static water supply for fire fighting, independent of the normal water supply.
6. Initiation of a rescue, first aid, and casualty evacuation program.
7. Organization and training of emergency ambulance crews.
8. Provision for emergency hospitalization on a basis of ten emergency beds for each existing hospital bed or emergency hospitalization for approximately ten per cent of the population. This is a minimum requirement.
9. Expansion of blood donor programs to provide a plasma and whole blood supply many times greater than that provided during World War II, with blood typing of the entire population.
10. A mortuary program to include collection, identification, registration and burial of the dead.
11. Inventory of heavy duty machinery for road clearance (both governmental and private ownership) and

organization of operators into volunteer emergency road clearance crews.

12. Provision of bomb-proof control centers, emergency radio and telephone communications and emergency light and power supply for these facilities.

13. A public works program designed to restore and repair water, gas, electric, telephone, telegraph, teletype and radio broadcasting communications. Inventory and study of critical installations. Detailed planning to provide prompt assistance to minimize damage. Provision for prompt repairs to industries and installations vital to the war effort.

14. A broadly conceived welfare program which will include: (a) responsibility for dispersion of population, (b) evacuation of localities and (c) reception, housing and feeding of evacuees.

Personnel and the Korean Crisis

Local government is already beginning to feel the pressure of the draft and enlistments. In Greensboro, for example, about 75 city employees are eligible for the draft or for active duty with reserve units. Seventeen of the 99 men in its fire department are between the ages of 19 and 26. Of the 111 men in the police department, one is an air force reservist, and 18 are of draft age. In Winston-Salem all male employees under the age of 38 have received questionnaires to help the personnel department determine what plans it must make.

Greensboro's policy will be to grant leaves of absence to men who serve in the armed forces and to restore their jobs upon their return. In Durham City Manager Flack agreed, stating that he felt municipal employees should be given leaves of absence, making no distinction as to how the individual employee gets into service, and that such employees should be given their old jobs back when they return. Speaking for himself before the council had taken any action, Mr. Flack said that all of Durham's younger male employees who will be taken either by draft or through the reserves are in the pension system to which both the employees and city make contributions. "If the employee desires . . . to pay his contribution either by himself or his family" then

he felt the city might pay its part so as to prevent interruption in the retirement system now in effect.

New Budgets

It is not too early to assess the local government budget picture for 1950-51. News stories point generally to slight increases in total expenditures planned for the new fiscal year. While the costs of normal governmental operations do not seem to have advanced markedly over last year's figures the number of new projects—school buildings, water and sewer systems, street improvements, and hospitals—have pushed a majority of the budgets higher than last year. Why it costs more to run the local government now than it did five or ten years ago is a constantly recurring question before governing bodies and in the newspapers.

The *Twin City Sentinel* answers it this way: "Practically everything costs more than it did in the years past. Managers who hire other people find that they have to pay higher wages. It's the same in business as it is in working for the city. The cost of materials is higher. In Winston-Salem there has been an increased building program . . . The city limits have been extended, and it is obligatory that city services be rendered to the people who now live inside the city. This means water mains, street paving. Ten years ago we were paying common labor in the Public Works Department as low as 27 cents an hour, and only five years ago 47 cents an hour. The present common labor beginning rate is 72 cents an hour with most labor receiving 85 cents an hour and above."

An investigating citizen reported that his analysis showed the costs of "personal services" had risen in the Winston-Salem budget 351.79% since 1940-41, that per patient cost at the city hospital had gone from \$3.17 ten years ago to \$11.32 now, and that water expenses (based on each million of gallons pumped) were \$45.54 ten years ago and \$73.13 now.

This is a familiar picture. County commissioners and city councilmen have been forced to decide whether to put an arbitrary ceiling on services for the sake of economy. Decision is especially hard in the case of normal operations. Proposed capital expenditures usually feel the first cuts.

City-County Cooperative Building

One interesting proposal for city-county cooperation in financing a capital expenditure recently felt the stress of the present cost situation. Rejecting a proposal to add a new wing to the county courthouse, in July the Durham city council and Durham county commissioners appointed a joint committee to study the feasibility of erecting a single building to help house some of the agencies of both governments. Before the committee met, its chairman remarked that, "Although this doesn't look like a very propitious time to start building, we are going to look into the matter anyway."

When the group sat down to thresh the question out the Korean war had reached a critical status and it was generally felt that the chairman's estimate of the building situation was correct. There was some hope that a plan could be worked out by which each unit might set aside some money for such a building each year for an indefinite period so that it might be erected without any heavy outlay in a single year, but on legal advice it was decided that before such action could be taken it would be wise to get the plan approved by the 1951 General Assembly. The outcome was that the joint committee agreed to adjourn until December when it will meet again to consider construction of a separate police and court building, together with the purchase of land to provide space for a consolidated building program in future years.

Citizens Law Enforcement Committee

A citizens committee to assist law enforcement officers in cleaning up whiskey, gambling and other evils has been organized in the Dunn-Erwin section of Harnett County. The organization was formed under sponsorship of the local ministerial association which called in laymen to assist and direct the campaign. Prior to its organization the *Dunn Dispatch* reports that a secret committee of citizens had been quietly investigating conditions for three months. The chairman stated that this investigation showed approximately 100 boot-

leggers operating within a four-mile radius of Dunn. The citizens committee states that its purpose is to offer active aid and support to existing law enforcement agencies. "We realize that our law enforcement officers are underpaid, overworked, improperly equipped and short-staffed. It will not be our purpose to interfere with the officers, but give them the support they need." One recommendation calls for paying regular deputies for the local sheriff. Another suggestion being considered by the committee is to pay cash awards or bonuses for the capture of whiskey stills and bootleggers, and to work out an "incentive plan" to inspire the officers and to make their efforts financially worthwhile. This is an interesting idea and few law enforcement officers would quarrel with the plan, but the newspaper reports have not indicated who will pay the bonuses.

Privileged Parking

Privileged parking has come under heavy fire from Raleigh's city council this summer. Effective September 15th parking spaces heretofore reserved for doctors and taxi-cab companies will be thrown open to the parking public.

Raleigh physicians, or some of them at least, protested their loss with some force. They called attention to the small number of spaces reserved for doctors in comparison with the space set aside for service stations. Attorney Allen Langston representing the doctors maintained that in Raleigh's downtown business district there is more than a mile and a quarter set aside for 53 service stations, an average of from 180 to 210 feet per station. To this he added that if the city's franchise bus company were limited to stops at street intersections the city would be able to lay off another 100 parking spaces. The doctors lost their appeal, but the council indicated that it was not seeking to free the doctors' spaces alone. Up for action is a proposal that would do away with all other reserved parking space in the city except loading zones. This would open up the space now reserved for local, state and federal government employees. Local merchants have been urged by their own bureau to make careful studies of the loading areas at their establishments in an effort to see if some of this space can be released voluntarily.

Recognizing that the parking prob-

lem is critical in residential areas as well as in the business district, Raleigh's council passed a second ordinance. Effective November 15 all new construction outside the downtown business district must provide off-street parking facilities according to use; for single family residences, one space would be required; multiple family residences, two spaces for every three families; retail businesses in one and two-story buildings, one space for every 400 square feet of sales floor area; churches, one space for every ten seats. Theaters, institutions, clubs, hospitals, hotels and industries come under similar requirements.

State Reorganization

About a year and a half ago New Hampshire decided to undertake reorganization of its state administrative structure. Within a period of nine months and with a total expenditure of less than \$15,000, a broad and effective base of citizen participation was established, a thorough usable and persuasive report was prepared and published, a 155-page bill was drawn, a special session of the legislature was called, and within nine legislative days the work was accepted unanimously, substantially as submitted, by the largest state legislative body in the country. Such is the report Dr. John F. Sly makes in a recent newspaper release.

After careful consultation with leaders in all fields of interest the first step was getting a bill passed by the legislature setting up a non-partisan commission to make the administrative study. Its work was collated by the governor, the commission's secretary and two technical consultants. Numerous meetings and conferences ensued, the great majority of them open to the public. When the bill incorporating the proposed changes was presented to the special legislative session public hearings were held. The work started on a non-partisan basis and remained non-partisan until the final vote.

While the reorganization, in Dr. Sly's words, "does not have the sweeping implications and textbook fidelity that have marked so many reorganization efforts . . . it nevertheless accomplishes fundamental changes in the administrative structure which promise better government for the state."

To illustrate some of the changes, the new plan relieves the governor and council of many direct operating responsibilities leaving them free to supervise. A complete reorganization of personnel management was adopted. A new department of administration and control, something like North Carolina's Budget Bureau, was set up to handle budgeting and purchasing. A new department of correction consolidated all correctional institutions and probation and parole.

New Hampshire's achievements can be attributed to a strictly non-partisan program planned to invite citizen assistance and advice and to seek the experience of officials actually doing the work.

Increased Electric Power

For some months the papers have reported the controversy over who should build a proposed dam on the Roanoke River near Roanoke Rapids. The Federal Power Commission's chief examiner has recommended that the Virginia Electric and Power Company be permitted to erect the dam; the Department of the Interior together with the Virginia REA Association argued that the dam, as part of the Army Engineers comprehensive plan for development of the Roanoke, should be constructed by the Federal government in the same way it is now constructing the principal dam at Bugg's Island. This controversy is still raging. For the people in northeastern North Carolina, however, it is not so much who builds this particular dam that is important, but the simple fact that the dam will be built and that its production added to that of the Bugg's Island dam will increase the amount of electric power available in that area to tremendous proportions. What abundant electric power can mean to a region is illustrated in a report of TVA's chairman last year: "Between 1933 and 1946 employment opportunities in privately operated manufacturing establishments in the Tennessee Valley increased 140 per cent as compared to an increase of 98 per cent in the nation as a whole. Since 1933 some 2,100 new manufacturing and processing plants have been established in the Tennessee Valley and the area supplied by TVA power . . ."

Commenting on this report some

months ago the Greensboro *Daily News* asked, "Is this significant for Eastern North Carolina which is said to possess only about 5 per cent of the total industry of the state?" Then the editorial made the point that all this new Roanoke power will be used *somewhere*. "The question is whether Eastern North Carolina will get its share of it. What are its businessmen, chambers of commerce, civic groups and merchants associations doing about it?" They might also have asked how the eastern towns intend to make use of this new resource. The only action so far reported comes from cities operating their own power plants in the area. They are making plans to tap this new supply, but the *Daily News'* general question is still pertinent. Will eastern North Carolina work to use this power locally?

Payments in Lieu of Taxes

Sizeable areas of North Carolina counties are owned by the federal and state governments. Some of this land is used for military reservations, some for parks, some for other purposes. A large part of it is occupied by forests, some of them operated by the United States Forest Service and some by the state on lease from the federal government. A constantly recurring question is how local governments can make up for the tax revenue this land would produce were it not in exempt hands. Federal statutory financial arrangements have been made for some kinds of federal holdings either in the form of payments in lieu of taxes or in the form of grants.

An interesting example of how payments in lieu of taxes can work is furnished by the Nantahala National Forest. One-Fourth of the receipts of this forest are distributed each year to the 6 counties in which it lies. The amount each county receives is based on its portion of the total forest acreage. For the fiscal year 1949 these payments averaged approximately 6½ cents per acre:

Cherokee, 77,385 acres	\$4,996.78
Clay, 57,106 acres	3,687.36
Graham, 103,787 acres	6,701.57
Jackson, 18,888 acres	1,219.63
Macon, 147,177 acres	9,593.26
Swain, 9,780 acres	631.52

In addition to the amount distributed

directly to the counties, 10 per cent of the gross receipts of the forest is made available for construction and maintenance of roads within the forest.

Practically all the income from the Nantahala Forest came from the sale of timber. In the fiscal year 1949, 36,259,000 board feet of sawtimber, acidwood, pulpwood, crossties, posts and fuel wood was cut. This was done under a long-range timber management plan to insure a steady increase in growth.

In the same year the Pisgah and Croatan National Forests returned a total of \$58,734.83 to 18 North Carolina counties. The total return to North Carolina counties from these forests came to \$85,498.*47 on 1,066,649 acres of land.

Intangible and Utility Taxation

Local governments have been able to do some mild financial rejoicing this month. They have been receiving checks for their share of this year's \$3,417,199.23 state-collected intangible property tax. In addition they have received the State Board of Assessment's report of public utility valuations against which the counties and cities are entitled to apply their local property tax rates. Mr. J. C. Bethune, secretary of the Board, reports that the total valuation of utilities for tax purposes has been set at \$371,555,490 this year, an increase of \$25,006,282 over the total figure for last year. Electric, gas and power companies have been valued at \$155,558,613, an increase of \$18,912,833; telephone companies have been valued at \$59,866,319, a gain of \$6,222,001; water companies are valued at \$154,362, a gain of \$2,717. In the case of railroads, however, the total figure showed a slight decline. This year's total figure for railroads is \$153,141,995, a drop of \$16,665 from last year's assessment.

Machine Accounting

Having appropriated funds for specific purposes local governing bodies often feel the need of frequent accurate checks on the rate at which these funds are being spent. In some instances preparation of this kind of

report requires much work, time and resulting expense.

The City of Winston-Salem has recently set up a new machine-accounting system designed to give exact monthly reports on expenditures of each city department. It will also break down departmental spending by activity and objective so that accurate information will be available at all times. Under this machine system, a control system is set up by numbers for the various activities. In the police department, for example, expenditures may be broken down into expenses for detectives, patrol, traffic control, and various other types of work. Expenditures are listed on machine bookkeeping cards as well as on the department journals. Any time someone wants to know how much has been spent for a particular activity in a given department or in the entire city, all that is necessary is to punch the button for cards of the required code number and let the machine produce the figures.

It is planned that regular monthly totals will be run for city activities, and quarterly analyses will be made showing how well the city is staying within its budget in all activities.

Airports

In a number of places airports have become essential agencies. In a single day last month 400 passengers boarded planes at Charlotte Municipal Airport. At the same airport plans are under way for repaving the runways. Water seeping under the existing concrete has softened the ground and caused the surface to crack and cave in in some places. Whether the cost of this improvement will be borne by the city is unknown, but the newspapers report that it is believed the federal government might pay some of the cost. Charlotte finances airport improvements from revenues received from rental of buildings and facilities at the field. Money from that source goes directly into the airport funds and not into the city treasury.

At Smith Reynolds Airport in Winston-Salem more than \$100,000 has been spent in the past year to install flying safety devices, the bulk of it to pay for installing an instrument landing system for landing planes in the worst kind of weather. While present CAA rules prevent commercial planes from making blind landings, this new equipment will make blind landing completely feasible at this field.

In smaller communities airports continue to pose problems. At least one town is willing to assume some financial burden to retain its modest field.

Warrenton now operates its own airport. Early this year the CAA told Mayor Banzet that the agency's location policy required it to abandon operation of the small field near Warrenton but expressed the hope that the town by itself or in cooperation with Warren County might take it over. Under the agreement now in force the CAA will continue to operate the beacon and the town will operate the landing lights on call. Warrenton will pay the rent on the land and keep it mowed. Officials are hopeful that the hay they harvest will go a long way toward paying the rent. Warren County Commissioners may lend a hand with a small annual appropriation.

Cooperative City Fire Protection

In late June fire department officials from Lenoir, Hickory, Valdese, Statesville, Blowing Rock, Boone, Granite Falls, Wilkesboro, North Wilkesboro, and Morganton met to map plans for lending aid to each other in the event of large fires in their four-county area. They set up a temporary organization and laid plans for holding quarterly conferences in the interest of their mutual assistance program. These officials feel that each department can be of real help in fire emergencies if a cooperative system is set up on a business-like basis. One of the group's first acts was to decide that no fire equipment was to be sent from one town to another unless the call is authorized by the fire chief, one of his assistants, the mayor, or the town councilmen.

Legislative Reapportionment

Meeting in June the United States Conference of Mayors passed a resolution urging states in which fair representation in legislative bodies does not exist to initiate action leading to reapportionment at the conclusion of the 1950 population census.

From Mecklenburg and Forsyth have come loud editorial amens. *The*

Charlotte Observer figures North Carolina legislative representation this way: "If the population of the State is four million or more, as now appears to be certain, each of the 120 members of the House will represent 33,333 people on the average . . . But representation in the House is not strictly based on population. In the first place, under the Constitution each of the 100 counties must have a representative. That leaves only 20 to be distributed among counties with larger populations. Great numbers of counties have less than the average population of 40,000, which means that in many cases a member of the House must of necessity represent fewer than that number of people. However, the distribution of the 50 members of the State Senate is different. Each senator represents a senatorial district, and these districts are supposed to be approximately equal in population . . . If the State's population of four million be divided by the number of senators, the average population represented by each is 80,000." Recognizing that the reapportionment problem is essentially a rural-urban struggle, the *Winston-Salem Journal* expresses the hope that "Perhaps our 1951 North Carolina General Assemblymen will discover new areas for co-operation between the rural and urban areas of North Carolina. If so, it will be in order to cite reasons why reapportionment is a mutual advantage." It is suggested that the way to reapportionment is to convince the rural counties' representatives that the cities and the rural areas have much to gain by co-operation. "Appeals must be made in the interests of justice and fair play, but at the same time it must be demonstrated to the rural assemblymen that they may have much to gain by coming out for an equitable reapportionment program."

Traffic Lights

Raleigh is taking bids on equipment for installation of two pedestrian-operated traffic signals. When the harrassed pedestrian wants to cross a street safely he simply punches a button in a small control box on the sidewalk. For cars and trucks the light turns red, for the pedestrian it turns green. There is only a couple of seconds delay after the button is punched before the lights change to green for the pedestrian. It remains

green for about 15 seconds giving the walker time to cross. Then it changes to green for motorists again to remain green until another pedestrian pushes the button. Installation of this kind of equipment will certainly require a safe-guarding ordinance to protect motorists from pranksters.

Buttermilk

Will raw buttermilk find its way to the bootlegger's shelf? The joint Winston-Salem and Forsyth health board recently passed an ordinance prohibiting delivery for sale of all raw milk in Forsyth County to become effective August 16. Almost immediately the local health officer received petitions bearing more than 4,000 signatures of farmers, consumers, merchants and some doctors, asking that the ordinance be modified so as not to apply to unpasteurized buttermilk. Glowing articles praising the qualities of buttermilk fresh from the churn began to appear in the newspapers. The protesting group organized under the tentative name of Forsyth County Independent Farmers Association and threatened to boycott both the Winston-Salem tobacco market and the whole city trading area if the ban should be put into effect.

The board of health considered the ordinance necessary for two reasons. First, for the area to obtain a high milkshed rating enabling local dairymen to deliver surplus milk to markets outside the county 100% pasteurization must be required. Second, raw milk, including buttermilk, is considered a hazard to health because it may contain Bang's Disease bacteria which can result in undulant fever for the human consumer. Of the first reason, one speaker before the protesting group asked, "Since the farmers' buttermilk is peddled inside the county, and is not sold to processors, how does its sale affect the milkshed standards?" And with reference to the second reason, the group's chairman wrote, "We know of people that have been using buttermilk for ninety-six years without one day of sickness from it and Hadaeol can't match that record."

But the board of health stood its ground. Four days before the ordinance was to have become effective the farmers obtained a temporary Superior Court order restraining the board from putting the ban into ef-

(Continued on page 16)

Guidebooks for Law Enforcing Officers

The Institute of Government is planning to start thirty-five local schools at strategic centers in different sections of the State during the first week in November, in the effort to bring systematic police training within reach of twenty-five hundred law enforcing officers in North Carolina.

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We have prepared three guidebooks for use in these schools:

1. *Treffic Laws*, including the following chapters: 1) What is Driving, 2) Who is Driving, 3) What is a Street or Highway, 4) Where on the Highway May You Drive, 5) How Fast May You Drive, 6) Meeting a Vehicle, 7) Overtaking and Passing a Vehicle, 8) Being Overtaken and Passed, 9) Intersections, 10) Servient Highways, 11) Private Drives, 12) Railroad Crossings, 13) Winding or Mountainous Roads, 14) Stopping on the Highway, 15) Backing, 16) Pedestrians, 17) Frightened Animals, 18) School, Church and Sunday School Busses, 19) Railway, Inter-urban and Street Cars, 20) Police and Fire Department Vehicles, 21) Vehicles Which Must Be Labelled, 22) Duty to Stop in Event of Accident, 23) Reckless Driving.
2. *The Law of Arrest*, including the following chapters: 1) What is an Arrest, 2) Arrest under Authority of a Warrant, 3) Arrest Without Warrant, 4) Making the Arrest, 5) Procedure Following Arrest.
3. *The Law of Search and Seizure*, including the following chapters: 1) Search under a Valid Search Warrant, 2) Search Without Warrant, 3) Situations Not Covered by the Constitutional Limitations on Search and Seizure, 4) Observing the Constitutional Limitations on Search and Seizure.

Introduction to the guidebook on the Law of Arrests

The Institute of Government's training programs for law enforcing officers began with a one-day instruction program conducted as part of a three-day convention of police chiefs in Chapel Hill in 1928, and grew with the years to three days, five days, seven days, ten days of systematic instruction, spread thin over a wide field. It broadened and deepened in 1944 when: a three-hour period of instruction in police records in the ten-day school expanded to a three-day school in police records only; five hours in scientific aids in police investigation to a seven-day school in scientific aids in crime detection; six hours in traffic laws and investigation to a twelve-day school in traffic law enforcement; seven hours in fingerprints to a fourteen-day school in fingerprinting; leaving the general school two weeks to outline criminal laws, court procedure, and evidence most needed by police. It expanded further in succeeding years with six-week training courses in traffic law enforcement for newly recruited members of the enlarging State Highway Patrol and short refresher courses for all patrolmen, followed by systematic instruction in law enforcing techniques to officers in the law enforcement divisions of other state agencies. It is expanding still further in 1950 as the instruction given to a few hundred officers in these statewide schools is being carried through district and local schools within reach of the thousands of law enforcing officers in the cities, the counties, and the State of North Carolina; as the state-wide schools in specialized techniques of criminal investigation are increased and intensified; as thirty-day schools are held at quarterly periods for newly recruited officers in two hundred or more police departments throughout the state.

Guidebooks for the use of law enforcing officers in these training schools have included extended chapters on the laws of Arrest, Search and Seizure, Jurisdiction, Confessions, Limitations on Investigating Officers, Motor Vehicle Laws and Investigations, Scientific Aids in Crime Detection, Elements of Crimes, and Court Procedures. These guidebooks are being rewritten and new topics are being added for the expanded training program getting under way during the fall of 1950 with the expectation of going forward with increased momentum in succeeding years. This guidebook on the Laws of Arrest, by Ernest Machen, Assistant Director of the Institute of Government, reaches the high water mark in all the guidebooks for law enforcing officers published by the Institute of Government throughout its history, and sets a pattern of excellence for those to follow.

Instructors in these training schools for law enforcing officers have been drawn from the staff of the Institute of Government, the Federal Bureau of Investigation, the State Bureau of Investigation, the State Highway Patrol, and Police Departments and Sheriffs' Offices throughout North Carolina; from Justices of the Supreme Court of North Carolina, Judges and Solicitors of the Superior Court and City and County Courts, and other members of the Bar. Without their voluntary and unpaid efforts supplementing its staff, the Institute of Government could not have carried on its program for law enforcing officers in the past and cannot carry on its expanding program for the years to come.

The fitting accolade for all these efforts comes from the Supreme Court of North Carolina in the recent historic decision of *Green v. Kitchin*. (This decision is summarized beginning on the opposite page.)

Police Training: A Public Purpose And a Necessary Expense

Says the Supreme Court of North Carolina in *Green v. Kitchin*

Introduction

On April 1, 1946, the mayor and commissioners of the Town of Weldon adopted a resolution authorizing the town police chief, P. R. Kitchin, to attend a three months' session of the National Police Academy conducted by the Federal Bureau of Investigation in Washington, D. C., with salary and expenses paid by the town. On August 27, 1947, a town taxpayer called on the mayor and commissioners of the Town of Weldon to recover \$1,100.00 paid to the police chief for salary and expenses while attending the National Police Academy pursuant to the foregoing resolution, and on their refusal to comply with this demand brought a taxpayer's suit against the mayor, commissioners, and chief of police.

This lawsuit cast its shadow beyond the borders of the Town of Weldon and involved officers who had attended similar sessions of the National Police Academy and received their salaries and expenses while attending; the governing boards of cities, towns, and counties, and the heads of state departments, who had sent them and authorized their salaries and expenses to be paid from revenues derived from taxes.

It involved city councilmen of nearly three hundred cities and towns, county commissioners of one hundred counties, a score or more of state department heads, and the officials and employees they had sent by the thousands to training schools lasting from three days to six weeks conducted by the Institute of Government at the University of North Carolina at Chapel Hill.

It involved hundreds of city, county, and state officials attending annual meetings of their respective official associations in North Carolina and other states with expenses paid from taxes levied by their respective governmental units.

For the first time in any American court this case squarely raised the question whether tax monies may be spent for the salaries and expenses of officials while attending training schools to fit themselves the better for

the public service. This question involves the following basic issues:

I

Is the Power to Pay the Salary and Expenses of Police Officers While Attending Police Training Schools "Fairly Implied in, or Incident to, the Powers Expressly Granted" to Cities and Towns, or "Essential to the Accomplishment of the Declared Objects and Purposes of the Corporation—not Simply Convenient, but Indispensable"?

To this question the court answered: "It is an established rule that a municipal corporation is authorized by implication to do an act if the doing of such act is necessarily or fairly implied in or incident to the powers expressly granted, or is essential to the accomplishment of the declared objects and purposes of the corporation. . . .

"In Blackstonian phrase, North Carolina has delegated to municipalities power to maintain law and order within their respective borders since 'the time whereof the memory of mankind runneth not to the contrary.' Both its charter and the general law expressly empower the Town of Weldon to appoint and employ police for performing this function within its limits.

"The Legislature contemplated that persons engaged as police officers under this explicit grant of authority should be qualified to do the task specified above. Poets may be born, but policemen must be made. Some of the statutes relating to the duties and powers of the police appear in article 6 of chapter 15 and article 2 of chapter 160 of the General Statutes. Both the letter and the spirit of these laws reveal that a city or town cannot convert a neophyte into a policeman in the true sense of the word by the simple expedient of investing him with a badge, a billy, a firearm, and a uniform.

"Before one is fitted to discharge the duties of a police officer, he must know what those duties are and how they can be performed. The requisite preparedness necessitates the possession of a special knowledge, which must be acquired either by travelling the hard road of experience or by sitting at the feet of teachers qualified to give proper instruction.

"Since the fact is a matter of common and general knowledge in this jurisdiction, this Court judicially knows that persons employed to serve as police in the municipalities of this State seldom possess familiarity with

their duties or skill in performing them when they enter such service. Although one may be experienced in law enforcement, his proficiency as an officer can undoubtedly be enhanced by proper instruction in modern methods of crime prevention and detection. Certainly a city or town must have competent policemen if it is to protect persons and property within its boundaries against the lawless. Whether a municipal corporation should rely upon experience, or training, or both for securing competency in its police ought to be left to the discretion of its governing body. Likewise, whether or not necessity compels or prudence justifies a specific outlay of municipal funds to provide special training for a particular officer seems to be a problem which of right lies within the domain of the municipality involved.

"For these reasons, we conclude that the power of a city or town to spend tax money for instruction of its police in the performance of their duties is fairly implied in and incident to a power expressly conferred upon the city or town to appoint and employ police for preserving law and order within its limits. It follows that the Town of Weldon had implicit legislative authority to make the expenditure set out in the complaint.

". . . the plaintiff maintains that the expenditure in controversy was illegal under Article VII, Section 7, of the Constitution even if it had legislative approval and was for a public purpose. The plaintiff asserts here that the prevention, detection, and prosecution of crime is a function of the State and not of the municipality; that the police of a city or town act for the State and not for the municipality when they undertake to enforce the law; and that in consequence the cost of training police officers of a city or town cannot be deemed a necessary expense of the city or town under Article VII, Section 7, precluding a municipal corporation from levying or collecting taxes 'except for the necessary expenses thereof' without first being authorized so to do by a vote of the majority of its qualified voters.

"The unsoundness of this contention is revealed by a consideration of the legal characteristics of cities and towns. 'A municipal corporation is dual in character and exercises two classes of powers—governmental and proprietary. It has a twofold existence—one as a governmental agency, the other as a private corporation. Any activity of the municipality which is discretionary, political, legislative or public in nature and performed for the public good in behalf of the State, rather than for itself, comes within the class of governmental functions.

When, however, the activity is commercial or chiefly for the private advantage of the compact community, it is private or proprietary. When injury or damage results from the negligent discharge of a ministerial or proprietary function it is subject to suit in tort as a private corporation. While acting in behalf of the State in promoting or protecting the health, safety, security, or general welfare of its citizens, it is an agency of the sovereign. No action in tort may be maintained for resulting injury to person or property."

II

Is Police Training for Police Officers a Public Purpose for Which Tax Revenues May Be Appropriated Within the Meaning of Article V, Section 3, of the North Carolina Constitution?

To this question the Court answered:

"In this connection, the plaintiff maintains that when special training is given a police officer, the resultant increase of proficiency is a personal attribute of the officer; that the city or town can not compel the officer to continue in its service after obtaining the training until its has received recompense for its outlay of public funds; and, that, therefore, the disbursement of public moneys for such purpose inures to the private advantage of the officer rather than to the collective benefit of the inhabitants of the city or town. Upon this premise, the plaintiff asserts that the expending of municipal tax money to train a policeman diverts public funds to the private use of the policeman contrary to Article V, Section 3, of the Constitution expressly limiting the levy of taxes to public purposes. . . .

"It is unquestionably a sound and salutary rule that the power to make appropriations of money out of the treasury of a city or town must be measured by the same criterions as those by which it is raised by taxation and put into such treasury.

"A tax or an appropriation is certainly for a public purpose if it is for the support of government, or for any of the recognized objects of the government . . . Hence, the expenditure challenged by the plaintiff was for a public purpose because its object was the maintenance of law and order, which is an essential function of government.

"The fact that the execution of the purpose required payment of the money involved to the defendant, P. R. Kitchin, did not affect its public character. This is true because 'the test is not as to who receives the money, but the character of the purpose for which it is to be expended.'

"The expenditure of tax moneys by a city or a town to further the training of its policemen does not grant an exclusive emolument or privilege to the policeman contrary to Article I, Section 7, of the Constitution because it is for a public purpose and 'in consideration of public services.' "

III

Is Police Training for Police Officers a Necessary Expense Within the Meaning of Article VII, Section 7, of the North Carolina Constitution?

To this question the Court answered:

"This Court has uniformly held that where the purpose for which a proposed expense is to be incurred by a municipality is the maintenance of public peace or administration of justice, or partakes of a governmental nature, or purports to be an exercise by the municipality of a portion of the State's delegated sovereignty, the expense is a necessary expense within the Constitution, and may be incurred without a vote of the people

"It necessarily follows that the expenditure in controversy constituted a necessary expense within the meaning of Article VII, Section 7, of the Constitution because the purpose of the expenditure was to enable the town of Weldon to exercise that portion of the sovereignty of the State which had been delegated to it by the State for the maintenance of law and order within its borders. This holding harmonizes with *Tucker v. Raleigh*, 75 N. C. 267, where it is said that a debt contracted to obtain money to pay the compensation of the police is a necessary expense within the purview of the constitutional provision here considered."

IV

Does Payment of the Salary and Expenses of a Police Officer While Attending a Police Training School Come within the Prohibition of Article I, Section 7, of the North Carolina Constitution, Providing: "No Men or Set of Men Are Entitled to Exclusive or Separate Emoluments or Privileges from the Community but in Consideration of Public Service?"

To this question the Court answered:

"The complaint reveals that the defendant, P. R. Kitchin, has been serving the Town of Weldon in the capacity of a police officer ever since he completed the course at the National Police Academy. For this reason, it seems somewhat inappropriate to argue here that the spending of municipal funds to train a policeman for the more efficient performance of his duties must be deemed to serve merely a private purpose because the municipality can not compel him to remain in its service after obtaining the training until it has received recompense for its outlay of public moneys. But in any event, this objection seems relevant to the question of the advisability of making the expenditure rather than to the existence of the power to make it. If the city or town does not choose to rely upon the mutual confidence and satisfaction existing between it and the police officer to induce the officer to stay in its employment for

the desired period, it has the option of exacting an agreement from the officer with respect to this matter before making any outlay of public moneys.

"The expenditure of tax moneys by a city or a town to further the training of its policemen does not grant an exclusive emolument or privilege to the policeman contrary to Article I, Section 7, of the Constitution because it is for a public purpose and 'in consideration of public services.' "

Conclusion

No dissents were filed to the foregoing holdings of the court: (1) that the Town of Weldon had the power to pay the salary and expenses of its police chief while attending the police training school in question; (2) that this payment of salary and expenses is a public purpose for which tax monies may be spent within the meaning of Article V, Section 3, of the North Carolina Constitution; (3) that it is also a necessary expense within the meaning of Article VII, Section 7, of the Constitution, for which tax monies may be spent without a vote of the people; (4) that it is not a violation of Article I, Section 7 of the Constitution forbidding "separate emoluments or privileges from the community but in consideration of public service." In fact, two justices, concurring in a dissenting opinion filed on a point of pleading, went out of their way to say that: "If the question were properly before us we might not have any quarrel with the majority view that the expenses incurred in question here might fall within that class of expenditures that come within the definition of necessary expenses, within the meaning of Article VII, Section 7, of the Constitution of North Carolina." And there is nothing in the dissenting opinion itself to indicate a disagreement with this view.

The point of pleading on which the court differed involved the sufficiency of the demurrer to bring before the court the foregoing questions argued by plaintiff and defendant in the trial court, presented in their briefs on appeal, and discussed in the majority opinion of the court. It was raised for the first time in the dissenting opinion. As an added safeguard against the pitfalls pointed out in the dissenting opinions the governing bodies of cities and towns should formally enter in their minutes the finding of fact that the training of officers they are sending to police training schools is a necessary expense.

Judicial Council Recommends Court Amendments

By FRANCIS PASCHAL

Research Director
of the
Judicial Council

In the November elections, the voters of North Carolina will have an opportunity to take a significant step towards a general improvement in the administration of justice in the State. Three constitutional amendments affecting the courts are to be voted on at that time. Briefly, these amendments provide:

1. That the General Assembly shall have power to prescribe the number of regular Superior Court judges in each judicial district, provided each district has at least one.

2. That the Chief Justice of the Supreme Court shall exercise the authority now exercised by the Governor in the assignment of judges and that the General Assembly shall have the power to define the jurisdiction of the Special Judges.

3. That any person, when represented by counsel, may waive indictment in all except capital cases.

What produced these proposals? The answer to this question can be simply stated. These amendments are the direct result of the great popular dissatisfaction with the administration of justice in North Carolina. While recognizing that it is the system to blame and not the individuals who operate it, our people have clearly indicated their impatience with the exasperating delays and expense involved in going to court. In response to this feeling, the 1947 General Assembly provided for a special Commission to study the problem and make appropriate recommendations. The Commission had twenty-three members—judges, lawyers, clerks of court and lay representatives of the public. Its chairman was the distinguished Supreme Court Justice, Sam J. Ervin, Jr. For over a year it studied our courts, soliciting suggestions from scores of judges and lawyers and investigating what had been accomplished in other jurisdictions. The result was a program of eighteen bills presented to the 1949 General Assembly. The Commission concluded that the best beginning on its task could be achieved by dealing with a few *basic* problems affecting the courts. Accordingly, it limited its recommendations to those which were

considered as necessary foundations for future progress. Part of its program was possible of achievement through ordinary legislation but for a great part, a rewriting of the constitution was found to be essential. The amendments now proposed are the result.

Number of Judges

The purpose of the first proposal is to provide a simple method for securing additional judicial manpower *when* and *where* it is needed. To do this it was found that Art. IV, Sec. 10 of the Constitution must be rewritten. Under present arrangements, there are two ways of adding judges in North Carolina, neither of which is entirely satisfactory. The General Assembly may increase the number of special judges or it may increase the number of judicial districts, each of which has a single regular judge. The difficulties of redistricting the entire State are so great, however, that it is seldom attempted. Yet, it is obvious that there are some districts where a single judge cannot possibly do all the work that must be done. In the Fourteenth Judicial District (Mecklenburg and Gaston Counties), for example, there are regularly over 100 weeks of court a year. This is possible now because special judges are sent in for a week or two at a time to assist the regular judge riding the district. But there are serious faults in this arrangement, the principal one being that the special judges can assist the regular judge only in the actual trial work. By law, they cannot relieve the regular judge of many pressing matters which must be disposed of when court is not in session. Even if the law were otherwise, it would not be practical for the special judges to handle some of these matters as they cannot be in any one district in any regular schedule or, ordinarily, for any extended

period. The problem can be fully met only by permitting the election of an additional regular judge in the most crowded districts.

The proposed amendment makes this possible. It does not make mandatory the election of an additional judge in any district. When that is desirable and when it shall be done are questions left entirely to the General Assembly. Once the decision is made, it can be put into effect with a minimum of friction. An extra judge can be added at the exact spot he is needed and the entire State will not be forced to undergo the pains of redistricting, which, at present, is the only available method for obtaining additional regular superior court judges. Surely, an amendment at once so practical and so simple will commend itself to the voters.

Assignment of Judges

The second amendment involves a rewriting of Art. IV, Sec. 11 of the Constitution. One purpose of the amendment is to give to the General Assembly the authority to define the jurisdiction of special judges. At present, this jurisdiction is limited by the Constitution in a manner that has caused considerable doubt as to what the powers of a special judge are. This has, of course, caused much needless confusion which could easily be eliminated with the adoption of the proposed amendment. Furthermore, the usefulness of the special judges could be greatly enhanced as they could be given authority to act in many situations where their present inability to do so causes serious inconvenience to all concerned. Plainly, if the special judges are to contribute as much as they might to the successful operation of our courts, they must have a jurisdiction substantially equal to that of the regularly elected judges. This is made possible by the proposed amendment.

This amendment also provides that the power now exercised by the Governor in the assignment of judges be transferred to the Chief Justice of the Supreme Court. The report of the Commission makes clear that its pur-

pose here is to bring to an end the situation in which no one department has either the authority or the responsibility for the efficient administration of justice in North Carolina. The reasoning of the Commission is well presented in its report as follows:

"Without intending any criticism of the manner in which our Governors have exercised the authority vested in them to assign judges, we believe that in our form of government such authority properly belongs to the judicial department. The problem of which judge to assign to hold a particular term of court may involve a keen appreciation of judicial skills. It seems to us reasonable to suppose that the Chief Justice of the Supreme Court is the officer in our government likely, year in and year out, to discharge these functions most successfully. By training and experience, he will be able readily to assess the needs of a particular county and to know the judge best fitted to meet those needs.

"We urge that the Chief Justice be given these powers for another reason. It is our belief that the successful administration of justice, like any great labor, requires unified direction. Obviously, the Chief Justice of our Supreme Court is the public officer who can best be expected to supply this unity. But he can not do so if the administrative direction of the judicial system is in other hands. Our proposal is a beginning towards making the office of Chief Justice the decisive one in the administration of justice in this State. We contemplate that through this and other measures, the Chief Justice will be not only the presiding officer of our highest court but the chief judicial officer of the entire State to whom all others in the judicial department will be responsible. He would inform himself of the needs of the various sections of the State, of how the task of administering justice is being performed and of the proper measures to take or recommend to others for improvement. And the people of the state could hold him responsible for the performance of such duties. When difficulties arose, the people would know to whom to turn for remedial action.

"Of course, we do not expect the Chief Justice to assume the administrative responsibility of the entire judicial system unless he is furnished the necessary assistance. But for the fact that any such recommendation would be premature before our amendment is accepted, we would in this report urge the establishment of the

Office of Administrative Assistant to the Chief Justice. Such an office would perform for the judicial system of North Carolina a work comparable to that now done for the United States Courts by the federal Administrative Office in Washington. It would collect and publish quarterly a set of judicial statistics which would enable one to know the status of the administration of justice anywhere in the State. If such statistics should demonstrate the need for more courts in a particular locality, they could be provided. If they revealed in certain areas a marked prevalence of particular types of cases, the Chief Justice could assign to those areas the judges most skillful in the trial of such cases. In short, such an office would make possible an administration of justice based on valid information rather than conjecture. The business of our courts is much too enormous and affects the lives of our people in too many ways for us not to supply it with the most excellent administrative supervision at our command. It seems to us that the Chief Justice is the one whom we may expect to discharge this task most successfully. We therefore un-animously urge that this beginning be made in giving him the authority to do the job."

Waiver of Indictment

The third amendment represents an attempt to expedite the business of our criminal courts. It provides simply that a person may, under such regulations as the General Assembly shall prescribe and when represented by counsel, waive indictment in all except capital cases. An indictment can come only from a grand jury. But there are situations where a grand jury is not in session and cannot immediately be assembled and where the accused wishes to plead guilty and begin serving his sentence. But this is not presently possible because the accused cannot waive action by the grand jury, even though it would be to his own benefit.

The requirement of a valid indictment in felony cases is, of course, for the protection of the accused. It protects him in two ways,—first, against unreasonable prosecution and second, by informing him of the charge against him. These protections must be continued but we now know that the time-consuming proceedings of a

grand jury are only one way of securing them. If an accused person is represented by counsel, he can be trusted to waive the action of the grand jury only when there is a reasonable basis for prosecution. And as for being informed of the charge against him, that will still be necessary. The only change in this respect is that the accused need not necessarily be informed by an indictment. A warrant or information could be used with the prisoner's consent.

It can readily be seen that, on occasion, this will expedite the disposition of criminal cases to the advantage of both the State and the accused. A person may now be arrested and wish immediately to plead guilty to the offense charged. Under present procedure, however, if the offense is a felony, he must wait until the grand jury acts. Sometimes this involves a delay of several months, whereas, if indictment could be waived, the matter could be quickly disposed of.

The amendments discussed must stand or fall on their individual merits but important as they are in themselves, they are more important when taken together and when considered as integral parts of a larger program for the improvement of the administration of justice in North Carolina. No public cause can be of more vital concern to all the people. For many years now, there have been incessant demands that the waste of time and money in our courts be eliminated. At long last, the people of the State have been offered a coordinated program designed to achieve this. This program represents the composite thought of many of our ablest judges, lawyers, and laymen. It has been approved not only by the Commission and the General Assembly but also by the Judicial Council, and by many Bar Associations. The constitutional amendments discussed here have been approved by the Clerks of the Superior Court in their annual convention. The amendments have been before the public for nearly two years. In all that time, no substantial criticism of them has appeared. The need for some changes is almost universally recognized. It is also coming to be recognized that the only present hope for improvement lies in the program of the Commission. That program requires for its success the support of the people of North Carolina. That support can best be demonstrated by going to the polls on election day and voting for the constitutional amendments proposed.

Clerks Hold Meeting

Report on 32nd Annual Convention

The clerks of the Superior Court held their thirty-second annual convention at the Robert E. Lee Hotel in Winston-Salem on July 5, 6, 7 and 8, with a large representation of the clerks and their wives, city and state officials, and other guests in attendance. Registration began at 4 p.m. Wednesday, July 5, followed by the opening session at 8 p.m., at which Mayor Marshall C. Kurfees of Winston-Salem welcomed the Association, and Mr. Lester Wolfe of Charlotte responded. The President of the Association, Mr. Arthur W. Greene of Winton, presided at all sessions.

On Thursday morning, President Greene reported on the activities of the Association during 1949-50 and made the President's annual address. The Honorable Sam J. Ervin, Jr., Associate Justice of the North Carolina Supreme Court, then delivered an address on pre-trial procedure in North Carolina. Justice Ervin pointed out that the pre-trial work is more difficult to administer in our Superior Courts than in federal courts, due to the rotation of Superior Court judges in North Carolina, but that the administration of justice could be advanced by use of pre-trial conferences, and was being advanced wherever the system was in actual usage. After the address in a discussion centered upon the actual practices with pre-trial procedure in various counties, Justice Ervin pointed out that the success of the new system depended largely upon the attitudes of the Superior Court judges. Those judges who looked upon their duties as that of an active participant in the cases before them were putting pre-trial procedure to good advantage in shortening the length of trials and in reducing the expense of litigation, while those judges who regarded their duties as primarily that of an umpire were leaving the decision as to pre-trial conferences to the members of the bar.

At the afternoon session Dr. Ellen Winston, Commissioner of Public Welfare, thanked the Clerks for their fine cooperation with the Welfare Departments, and discussed the workings of the 1949 adoption law in North Carolina, along with new legislation which the public welfare agency intends to propose to the 1951 legislature. The State Auditor, Hon.

Henry Bridges, made a few remarks to the Association following Dr. Winston. Capt. L. R. Fisher of the Motor Vehicles Department then explained some of the details of the reports which his department requires from the Superior Court Clerks, and participated in a discussion of ways and means to coordinate the reports of Motor Vehicle violations to his department from the Clerks and from the State Highway Patrol. The remainder of the Thursday afternoon session was devoted to a discussion of proposed legislation, led by Clerks J. N. Sills and J. P. Shore. Resolutions were adopted approving of lowering the age of majority from 21 to 18 years of age, repeal of the 1949 act directing sale of pistols by the Clerks, changing the words "lunatic" or "insane" wherever they appear in the General Statutes to "mentally disordered," a clarification of N. C. G.S. 21-1 through 12 on assignments for the benefit of creditors, a clarification of the law on settlement of missing persons' estates, and to refer to a committee the question of liability of a decedent's estate for purchase money mortgages. The Association heard Mr. Francis Paschal, Research Director of the Judicial Council, formerly the Commission for the Improvement of the Administration of Justice, explain three proposed constitutional amendments, which would (1) permit waiver of indictment for all except capital cases, if defendant is represented by counsel, (2) permit greater flexibility in assignments of Superior Court judges, and allow the Chief Justice of the North Carolina Supreme Court to make these assignments, (3) permit an additional Superior Court judge in populous judicial districts. The convention passed a resolution approving these amendments.

On Friday morning Dr. Edward N. Pleasants, Superintendent of the State Hospital in Raleigh, addressed the convention. Dr. Pleasants made many proposals for legislation which would aid the Clerks and the Raleigh hospital in admission of patients. After the address Dr. Pleasants participated with the Clerks in a discussion of the problem of restoration of rights to a patient discharged from the state hospitals under pro-

cedure. Hon. Thad Eure, Secretary of State for North Carolina, spoke to the group, and asked for opinions of the members present on a proposal for eliminating marginal notes from the Session laws, and indexing by Chapters rather than page numbers, the purpose being to speed the distribution of the Session laws. Hon. Peyton B. Abbott, Assistant Attorney General of North Carolina, summarized the Judicial Sales Act of 1949.

At the Friday afternoon session Dr. Christopher Crittenden, Director of the State Department of Archives and History, addressed the convention, discussing the functions of his department. The remainder of the afternoon session was filled with exhibitions by printing houses, book makers, and micro-film companies, with the latest equipment on display.

The entertainment committee, headed by Mr. W. E. Church, of Winston-Salem, had spared no efforts to provide for the comfort and entertainment of the Association. There was a luncheon at the Forsyth Country Club on Thursday, and later in the afternoon a tour of the new Wake Forest College site and the Reyno's estate, concluded with refreshments at the Old Town Country Club. A buffet supper at the Robert E. Lee Hotel Thursday evening highlighted the evening. On Friday morning a breakfast was given at the Hotel, and on Friday evening the Annual Banquet was its usual success. Mr. William S. Babcock of Tarboro was the toastmaster for the occasion.

On Saturday morning a resolution was passed opposing immediate extension of Juvenile Court jurisdiction to 17 years of age on the grounds that machinery and facilities for handling juveniles is not now adequate to deal with offenders under 16 years of age. Another resolution was adopted which asked the General Assembly to permit, but not require, use of micro-film for records and documents.

New officers elected for the coming year are: Carl G. Smith of Statesville, President; Charles G. Lamm of Wilson, first Vice-President; Thomas E. Rhodes of Lincolnton, second Vice-President; and George A. Hux of Halifax, Secretary and Treasurer.

A committee was appointed to select a convention site for 1951.

City and County Tax Collectors Meet

Tax Collectors Association of North Carolina Holds Regular Session at Institute of Government, September 21st and 22nd, 1950

For the first time since 1946 the North Carolina Tax Collectors Association is meeting in regular session this year at the Institute of Government. This association composed of both city and county tax collectors is going forward and intends to continue meetings for the discussion of mutual problems on an annual basis.

Under the leadership of its officers, Mr. H. M. Chason of Bladen County, President, Miss Reeves Forney of Gastonia, First Vice President, and Mr. A. E. Akers of Roanoke Rapids, Second Vice President, response to the resumption of these meetings has been strong. Collectors are interested in the benefits of study and discussion of property and license tax problems. A list of the subjects scheduled for special attention at this meeting appears elsewhere on this page. These meetings are designed to give every collector a chance to ask all the questions he wants to ask and then contribute his own ideas and experience in response to questions from others.

The Institute of Government began to study tax administration in the cities, towns, and counties of North Carolina in 1933 through the efforts of Henry Brandis, Jr., who went from one city hall and county courthouse to another, studying the laws and practices involved in tax listing, tax assessing, tax collecting, and tax foreclosure. The results of his work have been published in guidebooks, taught in training schools, demonstrated and passed on to collectors and attorneys through correspondence and consultation through the years. In 1943 Peyton B. Abbott picked up the threads of Mr. Brandis' studies and went forward with the Institute of Government program. In 1947 Henry W. Lewis began work in these fields. At the present time a new guidebook for tax collectors is in the printer's hands and should be ready for distribution within a few months. A list of Institute publications in the property tax field appears on this page.

Subjects Discussed at Meeting of Tax Collectors Association

Property Taxes

- Records
- Prepayments
- Regular collection techniques
- Remedies for collection of delinquent taxes:
 - Against personal property
 - By attachment and garnishment
 - By levy and sale
 - Against real property
 - By sale of tax lien
- Penalties and interest—computation
- Settlements

License Taxes

- Privilege license taxes—county and city
- Dog licenses
- Beer and wine licenses

General Matters

- Collection problems most frequently asked the Attorney General
- Cooperation of tax collector with unit treasurer, accountant, and county tax supervisor
- Advantages and disadvantages of joint city-county tax collection

Property Tax Publications of the Institute of Government

1. Tax Listing

- a. Instructions for the use of List Takers and Assessors, November, 1949.

This nine-page pamphlet is designed to place before the township list taker concise and understandable instructions for his work during the annual listing period. It has been customary for the Institute of Government to re-issue these instructions following each session of the General Assembly in which the Machinery Act has been amended.

2. Tax Assessing

- a. The Listing and Assessing of Property for County and City Taxes in North Carolina (Revised Edition, March, 1938), by Henry Brandis, Jr.

This 158-page guidebook is a comprehensive study of the statutes, decisions, administrative rulings, and practices used in tax assessment work. It is no longer available for general distribution, but a revised edition is planned.

- b. The Assessment of Real Property for Taxation in North Carolina, December, 1948, by Henry W. Lewis.

This 269-page guidebook is designed to explain the proper methods to be used in handling the re-assessment of real estate and to suggest a scientific system that can be carried out by local people. The supply of these guidebooks is limited, but a copy has been furnished each county tax supervisor.

3. Tax Collecting

- a. The Collection and Foreclosure of County and City Property Taxes in North Carolina (Revised Edition, June, 1938), by Henry Brandis, Jr.

This 230-page guidebook is a complete explanation of the law and practice of collection and foreclosure before enactment of the Machinery Act of 1939, and should be valuable to attorneys and collectors who are interested in delinquent items.

(Continued on page 16)

The Attorney General Rules

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

Prepared by the Staff of the Institute of Government

Clerk of Court

Attorney receipting for judgment.

Does an attorney of record have authority to receive and receipt for money rewarded his client by a judgment of the court?

To: J. E. Swain

(A.G.) Your inquiry is answered in the affirmative by the case of *Harrington v. Buchanan*, 222 N.C. 698, in which the Court said: "Furthermore, the primary objective of a suit on a money demand is the collection of the debt. The obtaining of judgment is merely a necessary step to that end. It will not be assumed that an attorney who is employed to prosecute an action to judgment is not also authorized to receive and receipt for the money demanded." Such is the rule in the great majority of American jurisdictions. Unless the defendant has notice or knowledge that the attorney lacks such authority in fact, an attorney who has recovered a judgment for his client has, merely by virtue of his employment or retainer in the action, the general implied authority to receive payment of the money due on the judgment and thereupon satisfy or discharge it.

Criminal Law

Intoxicating Liquor—Possession Outside the Home in Wet Counties. Does G.S. 18-11, which provides that possession of any amount of liquor, except within the home, is *prima facie* evidence of possession for the purpose of sale, apply to ABC territory?

To: George M. Fountain

(A.G.) It is the opinion of this office that the possession of liquor in counties conforming to the ABC Acts is governed by those acts. In ABC territory it is lawful to possess tax-paid whisky, subject to the presumption of the possession of more than one gallon as provided by G.S. 18-32 (2), and subject to the prohibition against the possession of any amount of tax-paid whisky for the purpose of resale as provided in G.S. 18-50. Our present thinking is to the effect that these provisions govern the possession of tax-paid whisky in ABC territory, and that G.S. 18-11 governs the possession in dry territory. Therefore the possession of two pints of tax-paid whisky in an ABC county outside of the home does not subject

a person to criminal prosecution unless he holds it for the purpose of resale in violation of G.S. 18-50.

Intoxicating Liquor—Regulation of the Manufacture of "Smoke." "Smoke" is an intoxicating beverage prepared from "Solox," "Safetex," varnish alcohols, paint thinners, etc. Can a workable ordinance be devised regulating the sale of these ingredients even though they are materials normally used by painters?

To: Oliver G. Rand

(A.G.) I seriously doubt the validity of an ordinance which would attempt to remedy this situation. Of course, if the persons making "smoke" could be apprehended in the act of preparing this intoxicating beverage, or should be caught in the possession of the same after manufacture, they could be charged with a violation of the prohibition laws.

Criminal Procedure

Arrest—Warrant for Arrest of Insane Person. May a desk sergeant in a police department issue a warrant for a person affected with a mental disorder and dangerous to himself and others, the warrant being issued prior to a judicial inquiry into the question of insanity and with a view to awaiting mental examination?

To: Thomas G. Lane, Jr.

(A.G.) G.S. 122-44 provides for the incarceration of persons believed insane but that statute confines the power of such commitment to the clerk of the superior court and I do not think that it can be extended to include a desk sergeant.

It is a principle of the common law that a person so insane as to be dangerous to himself or others may be arrested or taken into custody without any warrant or other judicial proceedings. However, this is justifiable only when the urgency of the case demands immediate intervention. The person who makes the arrest takes the responsibility of an error of judgment, and mere belief of insanity, though based on reliable information, does not justify an arrest. The right to arrest is dependent on the existence of facts upon which the right is predicated.

Arrest—Steps to Be Taken by Arresting Officer. What steps must be taken by an arresting officer and how soon after the arrest must they be taken?

To: Thomas G. Lane, Jr.

(A.G.) The requirements set out in G.S. 15-47 make it mandatory for

the arresting officer to immediately inform the person arrested of the charge against him; to immediately permit the arrested person to communicate with counsel or friends, if the arrested person demands to do so; to take the arrested person before a magistrate for a hearing and the setting of bail, within a reasonable time. The latter requirement does not necessarily mean "immediately" but will depend on the circumstances in each individual case, as in the case of an arrest made late at night where the hearing can be postponed until early the next morning. See *State v. Freeman*, 86 N. C. 683 (1882), and 15 N.C. Law Rev. 127.

Right of appeal by State in bastardy proceedings. Does the State have a right to appeal from a judgment of a recorder's court in a bastardy proceeding?

To: M. E. Johnson

(A.G.) Prior to the enactment of Ch. 228, Public Laws of 1933, the Bastardy Act made provision for either party to appeal from an adverse judgment in a bastardy proceeding. The 1933 act, however, repealed in its entirety the former Bastardy Act, and in rewriting this law the legislature omitted the right of appeal by the complaining party. In my opinion the Bastardy Act as it now appears is criminal in nature and the State has no right of appeal.

Public Contracts

Municipal Contracts Involving Less Than \$15,000. Does G.S. 143-135 relieve a municipality of the necessity of complying with the requirements of G.S. 143-129 (requiring competitive bidding, advertisement, etc.) in the letting of a contract for road and street surfacing under the contract price of \$15,000?

To: C. E. Hyde

(A.G.) G.S. 143-135, 1949 Supplement to the General Statutes, provides that Article 8, relating to public building contracts, shall not apply to the State or to subdivisions of the State in the expenditure of public funds where the total cost of any repairs, completed projects, building or other structures, shall not exceed the sum of \$15,000. You are advised, therefore, that your municipality is not required to comply with the provisions of G.S. 143-129 where the total cost of the project under consideration does not exceed the sum of \$15,000.

Public Building Contracts—Withdrawal of Bid. May a contractor with-

draw a bid that he has submitted for the construction of a school building?

To: Sam Underwood

(A.G.) I know of no direct statutory authority which would permit a Board of Education to allow a contractor to withdraw a bid once he has submitted the same according to law. It may be that the Board could permit the withdrawal of such bid if it found that the contractor in fact submitted a bid in which the amount thereof is in error because of a typographical error or transcribing error. Since the Board has the authority to hold the contractor to his bid, and upon its failure to comply therewith to require a forfeiture of deposit, it may be that your Board would not wish to assume the responsibility of determining whether or not there was in truth an honest error made, and require that legal authority be obtained for the withdrawal of the bid.

County Finances

Property included in valuation for bond purposes. Does the language of G.S. 153-83(a) with respect to the "assessed valuation of property as last fixed for county taxes" contemplate the inclusion of personal property as well as real property?

To: F. O. Clarkson

(A.G.) It is my opinion that this was meant to include both real and personal property. It is my understanding that the Local Government Commission likewise puts this interpretation on this subsection.

Appropriations for "county buildings." May a county appropriate funds for the purpose of providing offices for the county farm agent, home demonstration office, soil conservation agent, Farm Security Administration and other farm activity departments?

To: Nat S. Crews

(A.G.) It is my opinion that, if no special tax has to be levied to provide the funds, a county may erect, and pay for by taxation, a necessary building to house the activities of the county offices and county agencies without submitting the matter to a vote of the people, but that a building could not be erected to house the activities of offices and agencies which are not county offices and agencies. It might be said on the authority of *Nantahala Power Co. v. Clay County*, 213 N.C. 698, that a building to house the activities of the county farm agent, the county home demonstration agent, and the staffs of these offices is a necessary building for county offices. I would then be in some doubt as to whether or not an office building to house the soil conservation agent, the Farm Security Administration, and "other farm activity departments" would fall within the category of necessary county buildings.

City Finances

Borrowing funds from citizens to finance public works projects. A municipality proposes to construct a water system which is estimated to cost \$85,000. The funds to defray such cost are to be raised by proceeds of sale of \$55,000 water bonds authorized pursuant to the Municipal Finance Act and to be approved by the voters. The remainder of the cost, \$30,000, is to be furnished by certain citizens and taxpayers and the amount so furnished by each such citizen or taxpayer is to be repaid to him by credit of the fee charged him for water consumed after the system begins operation. Is such an arrangement permissible under the law?

To: W. E. Easterling

(A.G.) I find no statutory authority upon which a municipality may proceed as outlined. This seems to be nothing more than temporary borrowing of money which the municipality would later have to pay back in the way of water and sewer rentals and appears to be in violation of G.S. 160-399, which limits the authority of municipalities to borrow money.

Prisons

Liability for upkeep of "city" prisoners. Under the law, is there any liability on the part of a city for the upkeep of prisoners who are placed in the county jail as a result of arrests made by municipal officers for petty offenses within the jurisdiction of the mayor?

To: Herbert Eastwood

(A.G.) G.S. 14-4 makes a violation of an ordinance a misdemeanor, and our Court has held that whether the criminal offense created by a town ordinance is before a mayor or before a justice of the peace, it is a State prosecution in the name of the State, or for a violation of the criminal law of the State, and at the expense of the State, and that a city cannot be charged with the costs thereof. Therefore, this office has formerly held that a city cannot be charged with the costs of keeping its convicted prisoners in the county jail.

License Taxes

Sale of cosmetics. May a town levy and collect a privilege license tax on the business of selling cosmetics in addition to the tax on the operation of a beauty parlor?

To: Mrs. Albert Clay

(A.G.) Municipalities have a general power to levy privilege license taxes upon any trade, business or profession carried on or enjoyed within the corporate limits by virtue of G.S. 160-56. A municipality may, therefore, levy a reasonable tax upon any business, trade or profession carried on or en-

joyed within the town unless there is some other legislative enactment restricting or prohibiting such taxation. I know of no statute which restricts or prohibits a municipality from levying and collecting a tax upon the business of dealing in or selling cosmetics. The fact that the operator of a beauty parlor pays a privilege license tax for the operation of the beauty shop does not prevent a municipality from also levying a tax upon another business, to wit, the selling of cosmetics. If, therefore, a person is actually engaging in the selling of cosmetics, in addition to applying cosmetics to patrons in the process of operating a beauty shop, I am of the opinion that the person is liable for the additional tax.

Double Office Holding

County commissioner practicing law. Does the law prohibit a person from serving as a member of a board of county commissioners and at the same time engaging in the practice of law?

To: Bennett M. Edwards

(A.G.) G.S. 84-2 provides that no county commissioner shall practice law.

Elections

Names of nominees for county board of education on ballot. Is there any law requiring the names of candidates nominated by both parties for membership on the county board of education to be put on the county ballot for the fall election?

To: O. J. Sikes

(A.G.) The answer to this question is found in G.S. 115-38, which provides for the manner of nomination by the several political parties of their candidates for membership on the county board of education. Once the nomination has been made, the names are certified by the Superintendent of Public Instruction to the chairman of the Committee on Education in the following session of the General Assembly, and the General Assembly elects or appoints the members of all the county boards. There is no statutory requirement that the nominees of the political parties for membership on the county boards of education shall be placed on the general election ballot.

Special elections on day of general election. May the special election provided for in G.S. 160-163, which authorizes the holding of special elections on the question of levying a tax for the purpose of acquiring and improving parks, playgrounds and recreational facilities, be held on the same day as the general election?

To: Itimous T. Valentine

(A.G.) This section specifically pro-

vides that there shall be a new registration and if this is done, I see no legal prohibition to holding the special election on general election day. But I call your attention to the fact that there would have to be two sets of registration books, general registration books and special registration books, and it is highly probable that some confusion or complications might arise by having two sets of registration books handled by the same election officials.

ABC Boards

Tax on gasoline used in county ABC vehicles. Is a county ABC board exempt from the gas tax on gas used in trucks and patrol vehicles used exclusively in ABC work?

To: R. L. Corbett

(A.G.) Since gas thus used is covered by the taxing provisions of the gas tax statute, we must find an exemption if the county is to avoid tax liability. The only exemption from taxation found in the statute appears in G.S. 105-449 and it applies to gasoline sold to county boards of education for use in public school transportation in school buses, service trucks and gasoline delivery wagons used only for school purposes. It is my opinion, therefore, that the gasoline tax is due by the ABC board on gasoline purchased by it and used in ABC trucks and patrol cars.

Appeal from order of State Board revoking beer permit. What is the proper procedure to follow in having the action of the State ABC Board in revoking a beer permit reviewed by the courts?

To: Latham A. Wilson

(A.G.) There is no appeal from the action of the Board in revoking beer permits but the constitutional rights of the licensee are preserved by a writ of certiorari. The proper procedure is to apply to a regular judge of the Superior Court for such a writ. Of course, the court may do no more than examine the records and determine whether or not the Board acted arbitrarily and capriciously in revoking the beer permit.

Powers of ABC officers to serve process in non-liquor cases. What is the authority of county ABC officers to execute warrants and serve criminal process for the violation of laws other than the prohibition laws?

To: John R. Jenkins, Jr.

(A.G.) G.S. 18-46(o) authorizes the expenditure by ABC boards of certain sums of money for law enforcement and requires the employment of one or more persons who shall be directly responsible to their respective county boards, and provides further that such officers shall take the oath prescribed by law for peace officers and shall have the same powers and authorities within their respective counties as other peace officers. It will be noted that this section does not specifically say whether

or not such peace officers shall have general powers of peace officers or only those incident to the enforcement of prohibition laws and regulations prescribed by the boards. Since this section is a part of the article authorizing establishment of ABC stores and creating ABC boards, I am inclined to the opinion that the authority of such officers is confined to that of enforcing prohibition laws. I feel that I must resolve any doubt against the general authority of such officers for in doing otherwise they might be encouraged to exercise powers which might be challenged resulting in rather serious consequences. For instance, if such peace officer were to attempt to serve a summons in a civil action growing out of wrongful death, the proper serving of the summons might be challenged after the one year had expired and if the challenge should be sustained, the plaintiff's rights of maintaining an action would have expired.

Beer and Wine Licenses

Necessity for county license. May a board of county commissioners require the payment of the beer and wine license tax when the sale of these beverages has been outlawed in the county as a whole but has later been legalized in a town in the county?

To: Edward K. Proctor

(A.G.) This office has heretofore expressed the opinion that a retail dealer must secure a county license even though the sale of beer and wine is limited to the particular municipality by law.

Public Welfare

Authority to determine grants under Old Age Assistance and Aid to Dependent Children law. Who has authority to determine the amount of grants for Old Age Assistance and Aid to Dependent Children?

To: Tom Davis

(A.G.) The Old Age Assistance Act provides in part that upon the completion of the investigation made by the county board of welfare in accordance with rules and regulations adopted by the State Board, the county board shall, upon due consideration, determine whether the applicant is eligible for assistance under the provisions of that law, the amount of such assistance, and the date on which it shall begin. A similar provision is made as to the Aid to Dependent Children. Under the authority granted by law, the State Board has adopted rules and regulations for the guidance of the county boards of

welfare and case workers in making investigations and recommendations. Recommendations made by case workers can either be accepted or rejected in whole or in part, since the responsibility for the determination in every case is made by law upon the county board and not the case workers or the county welfare officer.

Witness Fees

Escheat of unclaimed witness fees. What disposition should be made of witness fees that have accumulated in the hands of the proper court official over a long period of time?

To: Preston Bray

(A.G.) G.S. 116-23 provides for the escheat to the University of North Carolina of personal property of every kind, including dividends of corporations or joint stock companies or associations, choses in action and sums of money in the hands of any person which shall not be recovered or claimed by the parties entitled thereto for five years after same shall become due and payable. If witness fees have been unclaimed for a period of five years, the official holding them would be authorized to pay them over to the escheat officer of the University, who provides a valid receipt for the funds.

Police Power

Authority of municipal governing body to enact ordinances effective outside corporate limits. If the police officers of a town have been given authority by special act of the General Assembly to make arrests for violations of the criminal law occurring in the territory situated within one mile of the corporate limits of the town, does the governing body of the town have authority thereby to enact ordinances effective within that area?

To: H. H. Walston

(A.G.) Such an act does not give a governing body authority to adopt ordinances effective outside the corporate limits of the town.

Public Schools

School attendance by married persons. Is it permissible for a married person to attend public schools in North Carolina?

To: Ertie Fenner

(A.G.) A married person under 21 years of age is entitled to attend the public schools of this State provided such person meets the requirements of the school in other respects. The fact that a person is married does not disqualify the person from attending school if otherwise eligible.

Tax Collectors

(Continued from page 12)

- b. Supplement, August, 1939, to the guidebook listed above, by Henry Brandis, Jr.
This publication annotates and comments on the 1938 guidebook in the light of the Machinery Act of 1939. It is not available for distribution but can be obtained from the Institute of Government on a loan basis.
- c. Guidebook for Tax Collectors in Cities, Towns and Counties of North Carolina, July, 1944, by Peyton B. Abbott.
This 90-page guidebook simplifies and brings up to date the Institute's earlier collection guidebook of 1938. It contains numerous helpful forms.
- d. Property Tax Collection, a guidebook in process of publication, 1950, by Henry W. Lewis.
This manual will combine the material found in the Brandis and Abbott guidebooks, including many

helpful forms, and include all changes in the law, Supreme Court decisions, and rulings of the Attorney General handed down since 1944. It will be available within a few months.

4. Tax Foreclosure

- a. The Collection and Foreclosure of County and City Property Taxes in North Carolina (Revised Edition, June, 1938), by Henry Brandis, Jr.
See note under 3a, above.
- b. Supplement, August, 1939, to the guidebook listed above, by Henry Brandis, Jr.
See note under 3b, above.
- c. The Foreclosure of City and County Property Taxes and Special Assessments in North Carolina, May, 1944, by Peyton B. Abbott.
This 86-page guidebook explains the methods of real property foreclosure available to tax collectors and to private holders of tax sale certificates, and discusses the constitutionality of the "alternative method" of foreclosure provided by the Machinery Act of 1939. It contains helpful forms.

Clearinghouse

(Continued from page 5)

fect until the issues could be heard on September 2 and a decision reached on whether the injunction should be permanent.

more complicated than simple restoration of the boundaries of the districts prior to establishment of the additional district in 1940. While not as dramatic as the loss of a congressman, it is also important to realize that the population situation will also mean the loss of a presidential elector.

public school teachers, all state employees, and many county and municipal employees.

Of the 10,000 county and municipal employees who are not now members of a retirement system, 6,000 are municipal employees and slightly less than 4,000 are county employees. Before these employees can become members of the social security system, the General Assembly must authorize the State to enter into compacts with the federal security administrator to bring these county and/or municipal employees under the Social Security Act and then the compacts must be negotiated.

Other provisions of the amendments increased benefit payments an average of 77½ per cent and made it easier for persons to become insured for benefits during the next decade. Self-employed non-farm workers, regular farm workers, household workers in private homes, and several types of salesmen were included under the new amendments. Voluntary coverage was also extended to employees of nonprofit organizations.

The two amendments which provided for permanent and total disability insurance and for increments for years of contributions were not passed but will be studied next year by the Senate Finance Committee.

Congressional Districts

While official census figures are not yet available the latest reports show North Carolina has a population of 4,034,858, an increase of 12 per cent over its 1940 population. The national increase was 14.3 percent. In some states the increase was far in excess of the national rate. At the present time analysis of these census figures seems to make it clear that North Carolina stands to lose one of its 12 representatives in the United States Congress. This means that the next session of the General Assembly will be faced with the difficult problem of realigning the congressional districts to establish 11 districts with approximately equal populations. Shifts in population within the state itself will make the task somewhat

Social Security Act Amended

Approximately 10,000 North Carolina county and municipal employees came a step nearer to being included under the Federal Social Security Act when President Truman signed the Social Security Act Amendments of 1950 on August 28. The amendments as finally passed contained several provisions not reported in the May, 1950 issue of POPULAR GOVERNMENT. For example, the new act provides that no state or local governmental employees covered by a retirement system on the effective date of the federal-state agreement is eligible for social security membership. This provision, which had been strongly urged by the executive secretaries of many state and local retirement systems, shuts the door on all North Carolina

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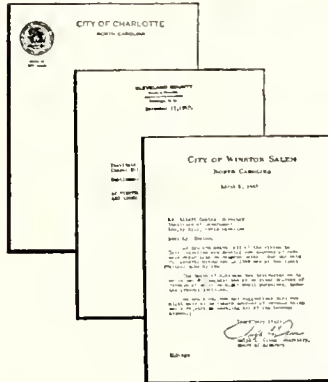
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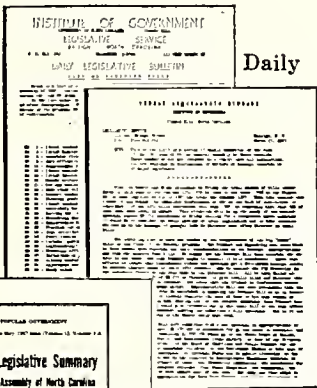


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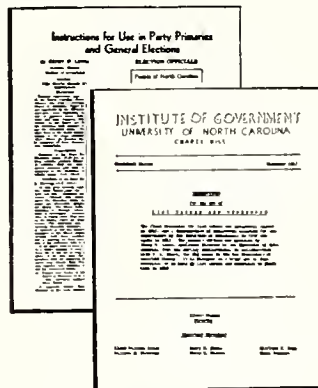
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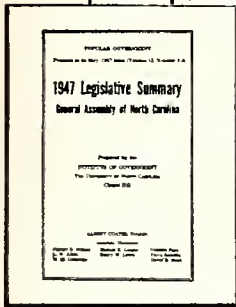
Weekly

Calendar of Duties

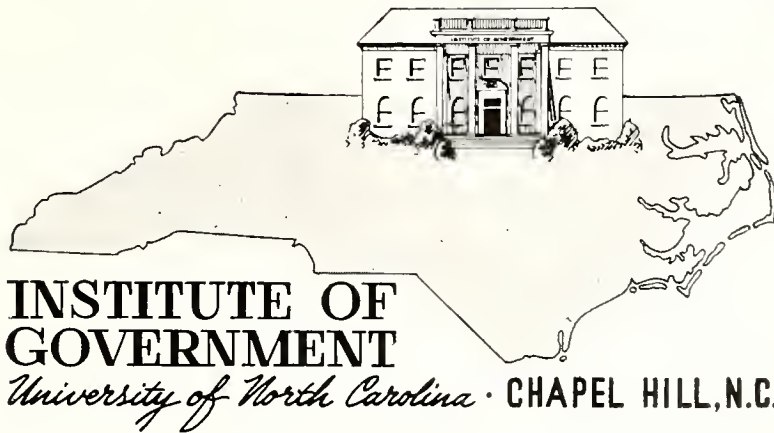


Schedule "B" License

Tax Chart



Summary



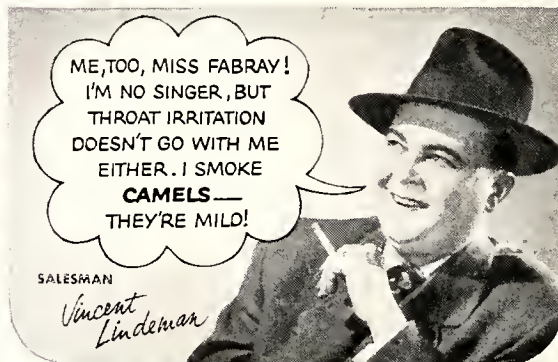


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