

Popular Government

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Driver License Examiners' Schools

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COVER

The 159 men and women pictured with their instructors on the front cover are North Carolina's first line of defense against the incompetent driver. They are the driver license examiners and the district sergeants of the State Highway Patrol. They are responsible for the examination of all new drivers and for the periodic re-examination of the state's 1,600,000 citizens who already hold drivers' licenses. The examiners and their district sergeants have just completed a series of two-day refresher schools at the Institute of Government. The schools stressed courtesy and treatment of applicants as well as the several changes in the Driver License Law which were enacted by the 1953 General Assembly.

THE CLEARINGHOUSE

A summary of events of particular interest
to city, county and state officials

Bond Sales

During March, the Local Government Commission sold bonds of the following governments (the government issuing the bonds, the amount of the bonds, the purpose for which the bonds are being issued, and the effective interest rate are indicated):

Edgecombe County, \$45,000 school refunding bonds, 1.92%; **Bladenboro**, \$25,000 water and sewer bonds, 2.71%; **Granite Falls**, \$200,000 water and sewer bonds, 3.28%; **Marshall**, \$29,000 recreation bonds, 2.75%; **Mount Gilead**, \$50,000 water bonds, 3%; **Siler City**, \$186,000 water and sewer bonds and \$90,000 recreation bonds, 3.33%; and **Waynesville**, \$300,000 water bonds, 3.37%.

During April, the Local Government Commission sold bonds for the following governments:

Durham County, \$4,000,000 school bonds, 2.35%; **Hobgood**, \$15,000 street improvement bonds, 3.64%; **Oakboro**, \$15,000 street improvement bonds, 3.48%.

Notes on Public Personnel

POSITION CLASSIFICATION. Forsyth and Wake counties have new job classification plans. The Forsyth county plan was completed and adopted in February after a two month survey conducted by the Public Administration Service of Chicago, Illinois. The Wake county survey was conducted by the Industrial Services Section of the N. C. Employment Security Commission. Both surveys sought to classify all county jobs according to duties and responsibilities. The surveys included (1) a description of the duties performed by each worker, (2) the grouping of all positions involving similar duties and responsibilities together under the same descriptive title, and (3) the arranging of the groups of positions in orderly fashion with respect to each other. These job classification plans then permitted pay plans to be

developed on an objective basis, with salary assigned to the job rather than to the individual.

PERSONNEL RULES. Personnel rules and regulations have been adopted by the **New Hanover** county commissioners. The personnel rules, the first ever adopted by the New Hanover commissioners, give county employees two weeks vacation a year and all holidays with pay, and one day a month sick leave, accumulative to 60 or more days depending on the length of employment. The rules also provide for leaves of absence without pay, absence without leave, emergency leave, transfers, demotions, suspensions, dismissals, layoffs, and a procedure for registering suggestions and complaints.

5-DAY WEEK. All **Surry** county offices in the courthouse in **Dobson** began operating on a 5-day week April 1. Under the new schedule county offices will remain open the same

number of hours per week as they did under the previous 5½-day week.

DAYLIGHT SAVING TIME. **New Hanover** and **Wilmington** employees started coming to work one hour earlier on April 26. The special summer working hours were established on a trial basis for all city hall and county courthouse personnel and will be extended to as many outside personnel as possible.

EMPLOYEE NEWSPAPER. "City Hall" is the name of the four-page leaflet written and printed by **Durham** city employees as an interoffice periodical designed to keep themselves informed of doings in the various departments of city government. In the first edition, City Manager R. W. Flack wrote: "Each City employee, when uninformed, will inevitably reflect confusion; however, 1,000 City employees can do much to cause the government to be understood and appreciated. As I understand it, this effort reflects the ambition of the employees to inform themselves and thereby help to create an atmosphere of understanding."

NOTES

From North Carolina Counties

Fire Protection

Rural volunteer fire departments in **Forsyth County** have been inspected by a representative of Southeast Underwriters, as the first move toward reduced fire insurance rates for the areas in which they function. The next step will be inspections by the North Carolina Fire Insurance Rating Bureau of business and industrial property in those areas. The Farmers Mutual Fire Insurance Association has already recognized the work of the volunteer departments by presenting each with a \$50 check.

Wake County's Commissioners have voted to extend the county's electrical

inspection program for another year. In its initial year's operation, 1,464 inspections were made and fees amounting to \$4,740.75 were collected. In counties where such programs have a longer history, the **Guilford County** electrical inspection department made 3,868 inspections and collected \$13,398.54, while the **Mecklenburg County** department made 3,948 inspections and collected \$13,698.66.

New Construction

Hertford County is renovating and adding to its jail at a cost of around \$48,000. About half of the cost is being defrayed from bonds and half

from current revenue . . . **Surry County** has recently approved plans for a new agriculture building to cost around \$150,000. The 10,000 square feet of area will house the library, the Federal Housing Administration, and the Production and Marketing Administration on the first floor, and offices for the county farm agent and home demonstration agent on the second floor. Part of the second floor will contain an auditorium. The construction will be financed by the issuance of bonds approved by the voters at an election in January, 1952 . . . The press room in the **Mecklenburg County** courthouse has recently been repainted. The project started as a joke, when one county commissioner offered to donate the paint if another county commissioner would do the painting. Because of all the advice received from various county employees, it took the commissioner who had agreed to do the painting over three hours for the job, in spite of the fact that the "press room" is a windowless cubbyhole barely big enough for a typewriter, a small table, and a chair.

Scotland County has recently awarded contracts for a new health center . . . **Harnett County** has asked the Medical Care Commission for funds to help defray the cost of erecting a health center in Lillington, the county seat. A health center had previously been erected in Dunn . . . **Cleveland County** is considering a 5,000 square-foot health center costing around \$72,500, the county's share of which would be around \$23,000 . . . and **Macon County** is considering a 1,750 to 2,000 square-foot center to cost around \$30,000. The county's share would be around \$6,000.

Mecklenburg County has accepted the offer of the Mecklenburg Bar Association to air-condition the vault in the office of the register of deeds. The cost of the system will come to around \$3,000, all of which was raised by the lawyers. The only expense to the county will be the cost of water and electricity to operate the air-conditioning system.

Forsyth County and **Winston-Salem** were recently given a handsome \$625,000 structure to house the city-county library. A group of citizens and organizations in the county contributed the site and the funds to build the library. In presenting the library to the county and city, the chairman of the library committee made it clear that the committee ex-

pected the two governments to do their part in increasing the financial support for operation.

Schools

The **Durham County** board of education has recently asked the board of county commissioners to submit to the voters in the county unit the question of the levy of a special school supplement tax. Under the board of education's plan, the question of the levy of a special tax of 33c would be submitted to the voters with the understanding that a tax of 20c would be levied in the first year. The proceeds of the tax would be used to pay the 12 teachers currently paid from ABC funds and to supplement salaries of all teachers. The voters in the Durham city administrative unit have approved a 40c school supplement tax, 36c currently being levied on the property in the city unit.

Dog Warden

In 1951, the General Assembly enacted a law authorizing counties to appoint dog wardens. Under the act, the salary and travel expenses of the dog warden are to be paid from the proceeds of the dog tax, which is \$2.00 on open females of the age of 6 months or older and \$1.00 on all other dogs. In addition, dog tax proceeds remaining after payment of the salary and expenses of the warden are to be used as a dog damage fund to pay for injuries inflicted by dogs. In case a dog warden program is not established, proceeds of the dog tax continue to go into the school fund.

Since the passage of the act, 23 counties have appointed dog wardens under it. A typical salary per month for a county dog warden is \$200 to \$225, and in some cases more, depending on the size of the county.

Recently, **Johnston County** has employed a dog warden at an annual salary of \$2,700 plus travel expenses of 6c per mile. Travel allowance is expected to run around \$1,300 per year. It is expected that an adequate dog pound will cost an additional \$500.

Orange County has recently decided to employ a dog warden, and **Sampson County**, **Surry County**, and **Nash County** are considering the plan.

Leasing County Homes

Some years ago, there were 94 county homes in North Carolina. Today there are half that number. Most of the counties abandoning their homes have placed the inmates in private boarding homes, but some counties have retained title to the home and leased it to a private individual. Under the lease plan, a private individual assumes responsibility for operating the home, under a license from the State Board of Public Welfare, and the individual himself makes financial arrangements with the persons to be boarded in the home. Under such a plan, the persons boarded are placed on the public assistance rolls of the county and hence are supported in large part by state and federal funds. Inmates in county-operated institutions are not eligible for public assistance support from state and federal funds.

Recently **Nash** and **Person Counties** have been considering leasing their county homes. Information considered by the Person County board of commissioners indicates that around \$16,000 of the present annual county home budget of \$23,000 could be saved if the home were leased and if present inmates were placed on public assistance and supported in part from state and federal funds.

NOTES

From North Carolina Cities

Public Utilities

Final tests are being run on **Shelby's** new \$875,000 water plant . . . **Nashville** believes it has solved its water problem for many years with the drilling of a new well which will increase the town's water supply by

approximately 50 per cent. The 300-foot well has a flow of 150 gallons per minute . . . The **Yanceyville Sanitary District** is planning an "open house" to celebrate completion of its \$120,000 water plant and reservoir. The filter plant has a capacity of 250,000 gallons per day, while the

reservoir will hold an estimated 9,000,000 gallons. Present consumption is approximately 60,000 gallons per day.

Work has begun on projects to enlarge **Jacksonville's** water and sewage-treatment plants at a total cost of approximately \$529,000 . . . Bids have been received for the final phases of **Charlotte's** \$2,758,000 enlargement of its Sugaw Creek sewage disposal plant . . . **Raleigh** has received a 15-year program, prepared by consulting engineers, for expansion of its water distribution system. The cost of carrying out the program, which is based upon a population prediction of 112,000 at the end of the period, would be \$1,500,000. A major project would be installation of a 30-inch main across the city.

The **Smithfield** town board has voted to advertise for bids on an \$80,000 expansion of its water system. The plant has been operating in excess of its rated capacity for some time . . . **Wilmington** has purchased a new pump with a capacity of 12,000,000 gallons per day for installation at the King's Bluff pumping station . . . **Fuquay-Varina** commissioners have voted to install new water lines on four streets.

Policies with reference to water and sewer services outside city limits have been examined by several cities recently. Figures presented to the **Durham** city council indicate that the cost of furnishing water to users outside the city limits is \$4.93 per 500 cubic feet and 60 cents per 100 cubic feet beyond that amount. Current rates are only \$3 for the first 500 cubic feet and 54 cents per 100 cubic feet beyond that amount. In addition, the study indicates that the sewer service charge for outside residents should be increased from \$1.25 per month to \$3.88 . . . **Dunn** and **High Point** have re-emphasized their policies of permitting no water or sewer connections beyond their limits.

West Jefferson has adopted a new schedule of monthly water rates for businesses as follows:

Hotels and boarding houses: \$0.50 per room plus \$5 per kitchen.

Service stations: \$10 if wash cars, otherwise \$5.

Cafes, drug stores, industrial plants: \$5.

Office buildings: \$2.25 per toilet.

Barber shops: \$2.25 per chair and \$2.25 per shower.

Beauty shops: \$2.25 per booth.

Laundries: \$12.

Warehouses: \$2.50 per toilet, plus \$5 for cafe operated in connection with market.

Old rates were a flat \$2.50 per month per business. Residences are charged \$0.25 per month.

Lillington has begun an energetic campaign to collect delinquent water bills. Service is being cut off from those who fail to pay.

As an aftermath of a tragic explosion, **Fayetteville's** City Council has adopted an ordinance requiring treatment of unused gas pipe with carbon dioxide to remove the gas; venting of automatic gas appliances; and safety shut-off valves outside of buildings served with gas and on automatic gas appliances. Persons undertaking street improvements are required at least five days before beginning work to furnish plans to utilities companies and the city's Public Works Commission, who are required to indicate thereon (for the information of such person) the location of gas, electric, water, and sewer lines in the street. When a building is condemned, the Building Inspector must notify all owners of utilities lines connected with the building at least three days prior to demolition of the building.

The **High Point** City Council has approved sale of the Duke Power Company bus system to an independent operator . . . Duke officials have agreed to extend service to four areas in outlying **Charlotte** . . . The **Hertford** town board has lowered its electrical rates to commercial customers so as to conform with rates charged by private companies in the area . . . **Albemarle's** electric power demand has almost doubled within the past six years.

Fire Protection

The **Mayodan** volunteer fire department has begun a campaign to sell inexpensive fire extinguishers in all homes protected by the department . . . The **Newton** fire department has been making fire hazard inspections of all structures in town . . . **Cary** has welcomed its new fire truck with an all-day celebration . . . Directors of the **Zebulon** fire department have set a \$25 minimum fee for answering calls from non-members of its rural fire protection program. The department will serve within a seven-mile radius of the town limits.

Streets and Traffic

The **Kannapolis** Merchant's Association is sponsoring a drive to establish a "street planning board" for the community. Its function would be to eliminate duplication in street names, to erect street markers, to number houses uniformly, and to guide the naming of new streets as they are opened . . . **Hendersonville** is erecting new concrete street markers . . . The **Winston-Salem** board of aldermen has voted to replace all existing street signs with this type of marker, appropriating approximately \$10,000 a year until the job is completed.

Durham's city council has formally accepted a central traffic plan prepared by a consultant and has directed that an ordinance be drawn to carry out its proposals. Major items in the plan are prohibitions of parking on business district streets during rush hours and at critical locations throughout the day . . . The **Mount Airy** board of commissioners has asked for comments on a proposed one-way street system from merchants and civic groups.

In response to requests that the city lay less expensive surfaces on lightly-travelled streets, **Durham** will experiment with a lightly-constructed one-block street this year. There will be no effort to improve the roadbed, and the surfacing will consist of two or three inches of asphalt. Other streets in the city have been constructed with an eight-inch base. The experimental project is part of a \$439,000 street improvement program for 1953.

Almost 19 miles of **Charlotte** streets will be re-surfaced by the State Highway and Public Works Commission as part of the state highway system. Plans have also been completed for the final 2.25 mile stretch of the Independence Boulevard project. The stretch is expected to cost \$2,800,000, with the city spending approximately \$800,000 for rights-of-way . . . **Statesville** will pave almost two miles of streets this year, at a cost of \$81,000 . . . **Greensboro** has modified its assessment program to lessen the cost to owners of corner lots and will apply the new policy to assessments for a newly-completed \$400,000 paving program.

Louisburg has decided to issue \$90,000 of street improvement bonds . . . **Hazelwood** voters were to decide this month upon the issuance of

\$25,000 of street improvement bonds . . . **Forest City** will pave the streets in its Mill Village this summer . . . **Clinton** has undertaken a vigorous curb and sidewalk repair program.

Parking

Roxboro has been granted the use of a vacant lot, to be graded and used for off-street parking for approximately 75 cars . . . **Clinton** is installing 55 additional parking meters, bringing the town's total number of meters to 265 . . . **Greensboro** has begun prosecuting motorists on its off-street lots who habitually have not been putting nickels in the meters. Indictment is under the law of false pretenses and cheats, notably G.S. 14-108 and 14-110.

Planning and Zoning

Durham's new zoning ordinance has received national recognition, in the form of a request by the American Society of Planning Officials for copies to exhibit at its National Planning Conference in Detroit next October. The ordinance is contained in a 170-page pocket-sized booklet prepared by the city duplicating department. Walter Blucher, executive director of the national society, praised its makeup and its provisions relating to tourist facilities, signs, and off-street parking . . . **Wrightsville Beach** has adopted a new zoning ordinance which prohibits service stations, carnivals, and house trailers on the beach . . . **Littleton** has held a public hearing on a proposed zoning ordinance.

G.S. 160-181.1, enacted in 1951, makes zoning regulations applicable to buildings erected by the state and its political subdivisions. In order to comply with their zoning ordinances, applications to their local boards of adjustment for use permits have recently been made by the city of **Winston-Salem** (for a library and a water tank) and by the **Durham** school board (for a new elementary school).

The **Wilson** planning board is considering the cost and necessity of a study of the city's future water needs. . . . A new City Appearance Improvement Committee named by the **Charlotte** Chamber of Commerce has been studying the program of **Durham's** Beautification Committee. The committee is placing emphasis on

trees and shrubbery along streets, in traffic circles, and on vacant lots . . . The **Hickory** planning department has presented a report on the best locations for railroad grade separations in the city.

Annexation

Longview has extended its limits on petition of residents of the affected area. . . . **Lumberton** is considering annexation of areas on three sides of the city which would increase the city's land area by 25 per cent and its population by 4,000 . . . The **Forest City** board of aldermen has ordered an election on a proposed annexation of a $\frac{3}{4}$ square mile area west of the city. . . . Legislative extension of the **Clinton** limits has added an estimated 2,500-3,000 people to the town. . . . **High Point** has made a minor city limits extension by ordinance.

Recreation

Shelby voters will decide June 27 whether to issue \$75,000 of bonds to provide a swimming pool in the Holly Oak Negro Park. . . . **Charlotte** will hold an election June 6 on the issuance of \$1,000,000 of bonds to supplement the funds available for its proposed auditorium and coliseum. . . . Revised plans for the **Winston-Salem** coliseum, designed to reduce the cost and the amount of steel necessary, have been approved. . . . **Fayetteville** will vote this month whether to issue

\$1,100,000 of bonds for a new auditorium.

Miscellany

Southern Pines voters have decided to establish a city manager form of government, after functioning under a modified mayor-commissioner form since 1886. Persons interested in the new city manager position should apply to Voit Gilmore, Box 289, Southern Pines. . . . The **Shelby** city council has instructed the local dog warden to enforce the town's dog ordinance rigidly. . . . **High Point** has begun work on its new public library.

Raleigh has adopted an ordinance permitting the City Manager to issue 10-day taxicab driver learner's permits. The holders of such permits will be permitted to occupy the front seat of taxicabs in operation, but they must wear caps and observe the same rules as the regular driver. . . . **Durham** has repealed its recently-adopted ordinance forbidding taxicabs to halt while receiving calls at any location other than officially designated taxicab stands.

Taylorsville has just completed an officially proclaimed clean-up week . . . **Southern Pines** has erected new city limits signs modeled after those of **Chapel Hill**. . . . The **Raleigh** city council has ordered erection of a fire department drill tower. . . . **Rocky Mount** aldermen have directed the city attorney to prepare an ordinance prohibiting the disposal of any petroleum products in open ditches within the city's sewerage system.

Retroactive Coverage Means Larger Social Security Benefits For Public Employees

By
DONALD B. HAYMAN
Assistant Director
Institute of Government

Many public employees retiring in the future will be able to qualify for larger Social Security benefits if their employing governmental units act to give them retroactive coverage to January 1, 1951, as authorized by H. B. 37, passed by the General Assembly on February 11, 1953.

To qualify for these larger benefits, public employees must pay a retroactive contribution amounting to 1½ per cent of their salary be-

tween January 1, 1951, and the date they were brought under Old Age and Survivor's Insurance. The employing governmental unit must pay a matching contribution.

In spite of the efforts of the State Agency and the N. C. League of Municipalities to publicize this recent legislative change, many local officials do not understand it. It is doubtful if many employees realize the affect of retroactive coverage on their future OASI benefit.

When the Federal Social Security Act was amended in 1950 to permit public employees not covered by a

retirement system to be brought under Social Security, Congress set January 1, 1951, as the new date from which coverage might be figured. This new starting date is important because (1) it permits employees close to retirement age to become "fully covered" with a minimum of waiting, and (2) it permits most employees to qualify for larger retirement benefits.

Under this new starting provision, employees over 63½ years old as of January 1, 1951, could become "fully insured" and thereby qualify for retirement if they were covered for six quarters. Any employee may retire under Old Age and Survivor's Insurance at 65 if he has one quarter of coverage for each two quarters elapsing between January 1, 1951, and the date he became 65. However, an employee must have at least a minimum of 6 quarters of coverage to be "fully insured."

The new starting date is important to all employees because the average monthly salary used to determine an employee's "primary benefit" is calculated by dividing the first \$3,600 of the employee's annual salary received while covered under OASI by the total number of months which have elapsed between January 1, 1951, and the date he retires.

In order to receive the full advantage of this new starting date, governmental units must have made OASI

coverage retroactive to January 1, 1951. Of the 236 North Carolina governmental units which had brought their employees under Social Security as of July 1, 1952, only 63 made coverage retroactive to January 1, 1951.

Some of the municipalities were prevented from making coverage retroactive because of an oversight in drafting the 1951 North Carolina Social Security enabling act. Chapter 562, of the Session Laws of 1951 authorized the Secretary of the Board of Trustees of the Teachers' and State Employees' Retirement System to enter into an agreement with the Federal Security Administrator for bringing employees in eligible positions under Social Security. Unfortunately, the 1951 enabling act provided that Social Security coverage could not be effective prior to the first day of the calendar year in which the coverage agreement applicable to the employees of a political unit was signed. This oversight has been corrected by H. B. 37, and governmental units have until January 1, 1954, to make coverage retroactive.

Employees retiring under Old Age and Survivor's Insurance during the next few years will be amazed by the effect retroactive coverage will have on their retirement allowance. For example, an employee retiring July 1, 1953, who is 65 years of age or older

with an average monthly salary of \$200 a month will receive a primary benefit of \$70 a month from OASI if he is employed in one of the governmental units which made coverage retroactive to January 1, 1951. If the retiring employee has a dependent wife eligible for a wife's benefit, he and his wife would receive a combined primary benefit and wife's benefit of \$105 a month.

If the same employee is retiring from one of the 121 governmental units which made coverage retroactive to July 1, 1951, he would receive a primary benefit of \$64 a month or a combined primary benefit and wife's benefit of \$96 a month.

If the same employee is retiring from one of the 29 governmental units which brought their employees under OASI on January 1, 1952, he would receive a primary benefit of \$58 a month and a combined primary benefit and wife's benefit of \$87 a month.

These examples indicate how failure to make coverage retroactive will reduce the benefit payments employees and their survivors will receive from Old Age and Survivor's Insurance. Employees with smaller average monthly salaries will be penalized even more if coverage is not made retroactive to January 1, 1951, as has been authorized by H. B. 37.

Spring and Summer Training Schools Institute of Government

Registers of Deeds—June 14-16

The annual meeting of the Registers of Deeds Association will be held at the Institute of Government in Chapel Hill from Sunday, June 14, through Tuesday, June 16. The Program Committee's plans include a banquet at the Carolina Inn, and subjects scheduled for discussion in the training sessions include: (1) amendments to vital statistics records; (2) issuance of delayed birth certificates; (3) cancellation of security instruments; (4) issuance of marriage licenses; and (5) new legislation concerning the register of deeds.

City Accountant and Public Personnel Schools Meet in June

Schools for city accountants and persons interested in public person-

nel administration will be held concurrently in Chapel Hill on June 19 and 20. The two groups will meet separately to discuss topics of special interest except on Friday evening when they will meet jointly and discuss fringe benefits, social security, and state and local retirement.

Topics of interest to municipal finance officers to be discussed include: sources of municipal revenue; budget preparation; amending the appropriation ordinance; budgetary control; safeguarding funds; methods of obtaining insurance at lowest premiums; boiler, elevator, and other non-automatic liability insurance; bonding municipal employees; and legislation of interest to municipal officials enacted by the 1953 General Assembly.

The public personnel school will be of interest to members of city and county civil service commissions, and to city, county, and state employees interested in public personnel work. Topics to be discussed include: the development of civil service and public personnel administration in North Carolina; what are the proper functions of a civil service commission?; what are the proper functions of a personnel department?; should positions in public employment be classified?; how to conduct a position classification survey; problems which arise in administering a position classification plan; tests for policemen and firemen; and sources of tests for public employees.

Copies of the program for each school and the exact details concern-

ing each school will be mailed to city and town accountants and treasurers, city and county managers, members of city and county civil service commissions, and municipal and state personnel officers in the near future.

Sheriff's School

A school for sheriffs and their deputies will be held at the Institute of Government building in Chapel Hill on May 27, 28, and 29. Registration for the school will begin at 12 noon on Wednesday, May 27. The program will be under the direction of Basil Sherrill, Assistant Director of the Institute of Government, and will include criminal law and procedure and civil law, with emphasis on the civil side being placed on executions and claim and deliveries. Special emphasis will also be given to the laws affecting the sheriff's office which were enacted by the 1953 General Assembly.

County Commissioner District Meetings

During the last part of March and the first few days in April, a series of ten district meetings was held by the Institute of Government for county commissioners. All sessions were conducted by Alex McMahan, Assistant Director of the Institute. Meetings were held in Winton, New Bern, White Lake, Smithfield, Hillsboro, Sanford, Monroe, Winston-Salem, Rutherfordton, and Waynesville. The agenda consisted of discussions of: the financing of public schools, with a new guidebook entitled **Financing Public Schools** (written by Mr. McMahan) being used as the basis of discussion; the advantages and disadvantages of leasing county homes; rural fire protection programs; and legislation pending in the 1953 General Assembly of interest to county officials.

Almost 300 officials from 74 counties attended the ten meetings, an increase both in attendance and in number of counties represented over the 1952 meetings. Two hundred county commissioners were present along with 40 county accountants, 13 county attorneys, and a number of other county officials.

Purchasing Agents

The Carolinas Chapter of the National Institute of Governmental Purchasing was organized and held its first meeting on April 24 in Fayette-

ville. Membership in the new organization is open to persons employed by counties, cities, towns, and other governmental agencies whose duties in whole or in part are concerned with purchasing. Twenty persons from North Carolina and South Carolina were present, representing 3 counties and 11 cities. After adopting by-laws, the new chapter elected Aaron C. Shepherd, purchasing agent of Winston-Salem, president; S. F. Taylor, purchasing agent of Raleigh, vice-president; and Wade Hannah, assistant purchasing agent of Columbia, S. C., secretary-treasurer.

After the business session was concluded, a purchasing round-table was conducted. Among the topics discussed were the use of automatic transmissions on police cars and trucks; the cost of leasing (as compared to buying) motor vehicles; the length of time automobiles should be kept; the prices obtained by selling motor vehicles at auction as compared with trading them in on new vehicles; the purchase of fire hose; and the use of out-of-town vendors as sources of supply.

Library Meetings

During March, four district meetings were held for librarians and trustees of public libraries in the state. The meetings, held in Williamsston, Clinton, Salisbury, and Asheville, were a joint project of the Institute of Government, the North Carolina Library Commission, and the Trustee Section of the North Carolina Library Association.

The program consisted of discussions of (1) the reasons why libraries should have budgets, (2) the various items that go to make up a library budget and the percentages of the total budget that should be spent for salaries, for books and for operation, and (3) the various methods of presenting budget requests to the appropriating agencies. At the conclusion of the program, members of the staff of the North Carolina Library Commission and the Institute of Government answered questions on library finance and administration.

Over 150 people from 57 of the state's counties registered at the four meetings, including 73 librarians and 70 trustees. The size of the registration and the comments made by those attending the meetings clearly indicate the advisability of having similar meetings in the future.

Driver License Examiners

All 129 of North Carolina's driver license examiners attended a series of two-day refresher schools held at the Institute of Government during the last week of April and the first week of May. The schools were also attended by all State Highway Patrol district sergeants. Since last fall the sergeants have been responsible for the field supervision of the driver license examiners.

Courtesy and treatment of applicants were subjects stressed at the schools, and all examiners were brought up to date on the several changes in the Driver's License Act which were enacted by this year's General Assembly. Road testing and use of the Ortho-Rater vision instrument were also reviewed in the schools, which were conducted under the direction of Edward Lane-Retticker, Assistant Director of the Institute of Government, in cooperation with Elton Peele, Driver License Administrator, and John Ewell, Chief License Examiner, both of the Department of Motor Vehicles.

New County Tax Supervisors and Other Tax Office Personnel

The first Monday in December, 1952, saw a number of new county tax supervisors take office. Many of them were entering tax work for the first time. In other counties tax office assistants had not had an opportunity for detailed training in listing and assessing work. To meet the needs of the new supervisors and other tax office employees, and at the suggestion of a number of county commissioners and tax officials, the Institute of Government conducted a course of instruction from April 27 through May 1 designed to acquaint those who attended with the fundamentals of tax listing and assessing.

Starting with the tax provisions of the North Carolina Constitution and making a detailed study of the Machinery Act, for six hours of class work each day, those who attended this school worked diligently to learn the powers and responsibilities of their offices. Each night they prepared specific assignments in anticipation of the problems to be discussed on the following day. Class periods opened with brief explanatory lectures and then grew into open forum discussions of how best to administer

(Continued on page 11)

«Of the Region and the Nation»

“HOWARD WASHINGTON ODUM, Kenan Professor at Chapel Hill for over 32 years, unique contributor to the development of American sociology, inspiring teacher of generations of undergraduate and graduate students, devoted and efficient servant of the state and nation in numerous official and unofficial assignments, founder and builder of outstanding research and graduate programs, objective and realistic worker for better race relations, and recognized breeder of an improved strain of Jersey cattle.

“As scholar and author, Dr. Odum has been amazingly and significantly productive. Much of his writing ranks with the best of contemporary creative literature. And through his work in regionalism he has helped mightily to awaken and rebuild his beloved South and thus to strengthen the Nation.

“For these cumulative and wholly appropriate reasons, he has been adjudged by the unanimous vote of the Board of Trustees, to be ‘that member of the faculty of the Consolidated University who in the current scholastic year has made the greatest contribution to the welfare of the human race.’ ”

Born at Bethlehem, Georgia, in 1884, holder of the Ph.D. degree from Clark and Columbia Universities and honorary degrees from Harvard and other universities, Howard W. Odum has contributed to human welfare in a wide variety of ways. He has now taught for 44 years—the last 32 as a Kenan Professor at the University of North Carolina.

Maintaining his vigor, keen insight, and high level of devotion to all humanity, Dr. Odum is at the peak of his outstanding career. He is widely known as a man of broad vision, pioneering spirit, incalculable optimism in the face of any difficulty, retiring personality, and kaleidoscopic knowledge.

With equal facility he has served as adviser to presidents and shared problems with the tenant on his farm. With an intellect to challenge the best thought of social scientists and philosophers, he has never lost touch with the people.

Never one to evade issues or dodge



HOWARD WASHINGTON ODUM

The Oliver Max Gardner Award is presented each spring “To that member of the faculty of the Consolidated University of North Carolina, who, during the current scholastic year, has made the greatest contribution to the welfare of the human race.” The award, made under the will of the late Governor by the Trustees of the University, went in 1949 to Louise Brevard Alexander of the Woman’s College; in 1950 to Robert Ervin Coker of the University in Chapel Hill; in 1951 to Donald Benton Anderson of State College; and in 1952 to Albert Coates of the University in Chapel Hill, Director of the Institute of Government.

In 1953 the award was presented to Dr. Howard Washington Odum of the University in Chapel Hill. POPULAR GOVERNMENT reprints here the citation and biographical note read by George Stephens, Jr. (Chairman of the Trustees’ Committee which recommended Dr. Odum for the Award), at Greensboro on March 22, 1953.

the meaning of facts, he has maintained a balanced perspective on controversial issues, often to the dismay of militant radicals.

Dr. Odum’s contributions to humanity have been of many kinds—in public welfare, in community and regional development, in race relations, in research and publication, in sociological theory, in teaching, and in animal husbandry.

He has consistently applied social science knowledge, to which he has made major contributions, to problems of the workaday world. He was a national pioneer in the fields of rural social work and public welfare, establishing at Chapel Hill the first school of public welfare in the United States and serving as its director for twelve years. He was among the first to recognize that the new public welfare had an increasingly important part to play alongside the older philanthropies in meeting problems in American society. In 1920 he set up the first of the annual Public Welfare Institutes, which still continue, for in-service training of public welfare staff.

For his adopted state of North Carolina, he has served as president of the Conference for Social Service, chairman of the Commission on Interracial Cooperation, chairman of the Emergency Relief Administration, chairman of the Civil Works Administration, chairman of a Crime Commission, consultant to the State Board of Public Welfare, secretary of the State Planning Board, and a member of the Prison Advisory Board.

Dr. Odum has always placed emphasis upon opportunities rather than problems, upon “the South at its best,” as he is wont to say. He was one of the early students of the place of the Negro in the life of the South and the place of the South in the life of the Negro. Approaching the problem in his quiet, objective manner, he is perhaps more intimately acquainted with the many facets of race relations in the South and in the nation than any other individual. He has served as chairman of the Commission on Interracial Cooperation and as president of the Southern Regional Council. Possibly more important than his work in organiza-

tions has been his research and writing on this subject, dating back to 1910 and including at least six major volumes. His contributions to better race relations were recognized by the Award of the Catholic Conference of the South in 1943 and the Bernays Award in 1945.

Basic to all of Dr. Odum's efforts in public service has been his emphasis upon the necessity of finding the facts and getting them to the people. As one means of achieving this desirable goal, he founded the Institute for Research in Social Science in 1924 and served as its director for 20 years. This research agency has become known throughout the nation and in many parts of the world as a model for interdisciplinary research in the social sciences. It has brought to the University from non-State sources more than a million dollars in research funds.

He founded and edited *Social Forces* as a medium of publication of the results of research. This scholarly journal of high international distinction is now in its thirty-first volume.

In his chosen discipline, sociology, his stature is indicated by the fact that, 23 years ago, he became the first person in a southern university to be elected president of the American Sociological Society. To sociologists, he is perhaps best known for his theory of regionalism and for his development of folk sociology. In the former, all the elements and component parts of the South are seen to play their respective roles and have their fair share of opportunities. His ideas have been put into practice in such developments as the Tennessee Valley Authority. His most recent book, telling the story of sociology in the United States, is a major contribution to social science literature which could have been made by him alone.

For the World's Fair at Chicago in 1933 he served as chief of the social science division. Between 1929 and 1933 he served as assistant director for the President's Research Committee on Social Trends which produced the well-known series of 14 volumes, *Recent Social Trends in the United States*.

His bibliography reveals some 55 books and monographs and 160 articles, indicating his amazingly productive scholarship. In addition, as "chips from his workshop" have come innumerable editorials, reviews, brochures, speeches, and distinguished public addresses. Much of his

writing, such as *Rainbow Round My Shoulder*, transcends the boundaries of discipline to rank with the best of contemporary creative literature.

With all of Dr. Odum's achievements, public service, and scientific distinction, his first and last love is teaching and the world of students. In 1920 he founded the University Department of Sociology, later expanded to include Anthropology, which now has a nationwide reputation for excellence. He is notable for the individual attention he gives to his students. Some 76 Doctors of Philosophy from this department are now teaching and doing research throughout the United States and in several foreign countries. His ability as a teacher has been recognized by visiting professorships at universities such as Columbia, Illinois, Southern California, Yale, Utah, and Washington. But invitations to leave permanently his beloved Southland have always been graciously but firmly refused. With all his achievements, it is as a teacher of young men and women that Dr. Odum would best like to be remembered.

It is merely a coincidence—but a significant one—that just as he was being nominated for this Gardner Award, he was also being asked to serve as general chairman of the All-University Committee planning the President's first conference on the State of the University.

Dr. Odum's contributions to human welfare have not stopped with public service and the field of education. His plans for the South have included the development of the dairying industry. As a serious avocation Dr. Odum has worked for some 30 years in developing a special strain of Jersey cattle. Specialists in animal husbandry throughout the country

have recognized his work. In 1948, for his genetic linebreeding, he received the Master Breeders Award from the American Jersey Cattle Club, an honor which goes to few people. It is significant, too, that the first such award went to William McPherson, whose Jersey work was begun under Dr. Odum's auspices.

The donor of this Award sought to recognize contributions to the welfare of the human race. Our Committee believes that such welfare is well served by great teaching; by brilliantly imaginative scholarship productively applied to practical problems; by the sound building of great educational institutions in which research and teaching are united for mutual strength; by earnest and able efforts to understand, and to interpret to the widest possible audience, the march of social forces in a troubled and changing world; and also by scientifically stimulating, for the benefit of her owner-debtors, the milk-giving proclivities of the no longer so humble Jersey cow.

In each of these ways Dr. Odum has made a contribution of lasting value. As ripples widen on the surface of a pond, so his contribution will radiate through eager minds long after his personal work is done.

It is fitting that this 1953 Oliver Max Gardner Award should go to a modest and humane man who, through a long, distinguished and phenomenally productive career, has had as his touchstone the improvement of the lot of his fellow men.

GEORGE STEPHENS
J. SPENCER LOVE
EDWIN PATE
SUE RAMSEY FERGUSON
REID MAYNARD
Committee for the Board of Trustees.

Books Received

Planned Industrial Districts: Their Organization and Development. By Milburn L. Forth and J. Ross McKeever. Urban Land Institute, Technical Bulletin No. 19. Washington, D. C.: Urban Land Institute, 1737 K Street, N. W. \$5.00. Pages 56. In an era of increasing attention to

industrial development, this study will prove of great interest to city officials and industrial realtors. The study covers in detail 10 industrial districts and indexes nearly 60 districts in 23 states. It outlines the major services and facilities which are required for

(Continued on page 12)

The Attorney General Rules . . .

MUNICIPALITIES

Use of Funds to Pay Dues. May a city use public funds to pay dues of its officials for membership in a chamber of commerce?

To: W. D. Madry
(A.G.) No, I know of no authority for such a use of public funds.

Increasing Contribution to Retirement System. Can a city, now giving a matching contribution of five per cent in the Local Governmental Employees' Retirement System, increase this to seven per cent?

To: John D. Shaw
(A.G.) G.S. 128-30 gives the formula for determining the amount that shall be paid by each employer participating in the Retirement System. I do not believe the Retirement System would be authorized to receive more than is determined by the actuary using the formula set out in G.S. 128-30.

Tort Liability. Is a town liable for damages for personal injuries sustained by a person struck by a fire truck operated by a member of the volunteer fire department in a negligent manner while going to or from a fire? Would the town be liable if the injuries occurred when a member of the department requested another person to take him to get gasoline for the fire truck?

To: Henry L. Kiser
(A.G.) A municipal corporation is not liable to third persons for the negligence of its agents or employees when such agents or employees are engaged in the performance of a governmental function as opposed to a proprietary function. The maintenance of a fire department is a governmental function. *KLASSETTE v. DRUG COMPANY*, 227 N.C. 353; *MABE v. WINSTON-SALEM*, 190 N.C. 486; *HOWLAND v. ASHEVILLE*, 174 N.C. 749; *PETERSON v. WILMINGTON*, 130 N.C. 76. G.S. 160-191.1 provides that the governing body of a city, by securing liability insurance, may waive its governmental immunity from liability for damage due to negligent operation of any motor vehicle by an officer, agent or employee of the city when acting within the scope of his authority or within the course of his employment. The immunity is waived only to the extent of the amount of insurance carried. Therefore, unless the town is carrying liability insurance to cover such a contingency, the injured party could not successfully maintain an action for damages in either situation.

Withdrawal of Private Alley from Public Use. Can an alley, privately owned, and used by the public for over 20 years, be closed by the property owner?

To: J. B. Spivey
(A.G.) If there is a dedication by

the owner, completed by acceptance on the part of the public, or by persons in a position to act for the public, a right at once arises, and the time of user is no longer material. The question of dedication largely resolves itself into a matter of intention which may be expressed in the conduct of the owner.

Whether taxes were collected on the property, whether it was treated as private property and assessed in the name of the owner, whether the owner or the town kept the alley in repair, while not conclusive are all factors that may be considered, and may, in connection with other circumstances, estop the city from asserting the dedication.

If others are asserting an easement right in the alley, the city is not the proper party to enforce these rights. Those asserting the right to an easement must bring action to enforce it.

Authority to Require Ambulances to Obey Traffic Signals. Does a city have authority to require ambulances answering emergency calls to stop for stop lights and other automatic signaling devices?

To: Richard T. Sanders
(A.G.) G.S. 20-169 grants local authorities the power to regulate traffic by signaling devices. I have found nothing in the statutes which exempts ambulances from this power. Therefore, I am of the opinion that municipalities may require ambulances to obey these signaling devices.

Extension of Corporate Limits. Under G.S. 160-445 authorizing the extension of corporate limits by annexing contiguous tracts of land, can an area within the extension be excepted and excluded from the limits of the extension?

To: C. V. Jones
(A.G.) Unless a portion of the territory to be excluded would keep the balance of it from being regarded as contiguous, it is my opinion that, under the statute, the boundaries could be so defined as to omit any portion of the area which is intended to be left out of the extension.

COUNTIES

Construction of Health Center. Can a county use the surplus in its general fund to pay its part of the cost of construction of a county health center?

To: W. A. Johnson
(A.G.) While the cost of constructing a county health center is not a necessary expense [within the meaning of that term as used in Section 7, Art. VII, of the Constitution], it is a public purpose and any surplus funds which the county has in the general fund could, in my opinion, be expended for this purpose.

PROPERTY TAXATION

Assessment of Inventories. In determining for property tax purposes the true or market value of inventories it is customary for the assessor to use the cost of the inventory to the owner as a base or starting point. Problems occasionally arise as to what elements should properly be included in fixing this cost figure. Beer in the hands of a distributor presents an interesting problem of this kind. Before being sold to a distributor the beer is subjected to an excise tax which is paid before the beer reaches the distributor and, presumably, the amount of the prepaid excise tax is covered in the price the distributor pays for the beer. In appraising an inventory of beer in the hands of a distributor (using cost as the basis of the appraisal), is it proper for the assessor to deduct the amount of the excise tax in determining cost to the distributor?

To: Thomas C. Hoyle
(A.G.) I have been unable to find any statute specifically covering the question presented. In this situation, the excise tax liability has attached and that tax has been paid prior to sale and delivery of the beer to the distributor. In my opinion, under such circumstances, the excise tax paid with respect to such beer by the manufacturer or bottler would not properly be deductible when appraising the beer inventory for ad valorem tax purposes when the inventory is in the hands of a distributor who has purchased the beer tax-paid.

CLERKS OF COURT

Acknowledgments Taken by Army Officers. A civilian in a foreign country executed an instrument and a U. S. Army officer acknowledged it. Does G.S. 47-2, authorizing officers of the armed forces to take acknowledgments, apply to members of the armed forces only or would a civilian be authorized to appear before an officer and have an instrument acknowledged?

To: D. J. Walker, Jr.
(A.G.) The form set out in the statute refers to persons "serving in or with the armed forces of the United States." This means civilians as well as military personnel serving with the armed forces. Therefore, an acknowledgment taken of a civilian serving with the armed forces comes within the meaning of the statute.

Authority to Handle Funds of Incompetent When under \$500. May a clerk use money belonging to an incompetent and received from an insurance company to pay the bills of the incompetent at the State Hospital, where the money does not exceed \$500?

To: J. Watt Tuttle
(A.G.) Yes. G.S. 2-52 provides that

where an incompetent or insane person is beneficiary of an insurance policy and the insured dies during the incompetency of the beneficiary and the total proceeds of the policy do not exceed \$500, the proceeds may be paid to the clerk to be administered by him for the benefit of the beneficiary and in the manner provided by G.S. 2-53. G.S. 2-53 provides that funds not exceeding \$500 and belonging to an incompetent or insane person shall be paid to the clerk and he is authorized to disburse the sum thus paid without the appointment of a guardian.

REGISTER OF DEEDS

Cancellation of Deed of Trust Record by Beneficiary Thereunder. May the third party, or beneficiary, under a recorded deed of trust come into the office of the register of deeds and cancel the record of the instrument in person, without producing the original papers marked "paid and satisfied"?

To: Christine W. Williams

(A.G.) It is the opinion of this office that only the trustee or his legal representative or the duly authorized agent or attorney of such trustee can make the personal cancellation authorized by the first paragraph of G.S. 45-37.

DOUBLE OFFICE HOLDING

Commissioner of a Hospital Authority and a Housing Authority. May one person hold the office of commissioner of a hospital authority and that of commissioner of a housing authority?

To: James O. Moore

(A.G.) Both are public offices within the meaning of Article XIV, Section 7 of the Constitution, which prohibits double office holding, and one person may not hold both at the same time.

SCHOOLS

Corporal Punishment. May a teacher or bus driver whip a child as a last resort to obedience?

To: Mrs. Lillie M. Hollyfield

(A.G.) A teacher is criminally responsible for an assault upon a pupil "(1) if he inflicts such punishment as produces or threatens lasting mischief, that is, permanent injury to the child; (2) if he inflicts punishment not in the honest performance of duty, but, under the pretext of duty, to gratify personal malice." STATE v. LONG, 117 N.C. 791.

G.S. 115-378.1 provides that the superintendent or principal of every public school to which students are brought by school bus may appoint a monitor for each bus and it is the duty of the monitor to keep order and to do other things necessary for

the safe transportation of children under rules and regulations established by the county boards of education or the principal of the school where the bus is operated.

It would seem that a teacher or a monitor, acting in good faith, has the right to administer such reasonable corporal punishment as the circumstances require if he inflicts no permanent injury upon the child and acts in the honest performance of duty and not to gratify his personal malice. In the case of monitors the regulations of the county board of education or the principal should be consulted.

Handling of School Funds. A teacher has two bank accounts in the name of a school. He makes no monthly report of these accounts and there is no audit of them. He alone signs the checks. Can school funds be legally handled in this manner?

To: T. R. Ainsley

(A.G.) No. G.S. 115-165(3) provides for the appointment by the county board of education of a treasurer for special school funds and further that he shall keep complete records and make reports of the funds in his hands. After requiring the board of education to designate the bank in which all special funds shall be deposited, G.S. 115-368(3) provides that "such funds shall be paid out only on checks signed by the principal of the school and the treasurer who has been selected by the respective boards." G.S. 115-366 requires that persons handling school funds shall be bonded. Therefore, I am of the opinion that all funds belonging to the school are required to be handled by the school treasurer, duly designated by the county board of education, and are to be paid out by checks signed by the school treasurer and the principal.

MOTOR VEHICLE LAW

Operating a Road Grader while License Revoked. A man whose operator's license has been revoked upon conviction of drunken driving is operating a road grader. Is he guilty of driving while license revoked?

To: Junius D. Grimes, Jr.

(A.G.) Since G.S. 20-8 (b) exempts the operation of road machines from the Driver's License Act, a person may operate a road grader while his operator's license is revoked without violating the law.

Limited License. What provision of the motor vehicle law is violated if a person holding a license restricting him to driving when wearing glasses drives without wearing glasses or otherwise complying with the restriction specified on his operator's or chauffeur's license?

To: W. I. Rowland

(A.G.) G.S. 20-7 (e) authorizes the Department of Motor Vehicles to grant either an unlimited license or a limited license as it may deem advisable. No person can operate a motor vehicle unless he has first been

licensed. G.S. 20-7(a). G.S. 20-7(k) makes it a misdemeanor for any person to operate a vehicle in violation of the section and subsection (o) provides for punishment for a violation. It is a general principle of statutory construction that a statute should not be given an interpretation which will make it meaningless if this interpretation can be avoided. If a person holding a limited license cannot be convicted of violating G.S. 20-7(a) when he disregards the limitation, the limitation on his license is utterly meaningless, since there is no other provision of the law which relates to such conduct. Construing G.S. 20-7(a) and (e) together, it seems clear that the Legislature meant (1) that no person shall operate a motor vehicle if he has no license, and (2) no person shall operate a motor vehicle if he has a license to drive under a certain condition and the condition is not met. Without meeting the condition in his limited license, he has in effect no license and is therefore violating G.S. 20-7(a) by driving and should be convicted of such violation.

Unsatisfied Judgment. If a driver's license has been suspended for failure to satisfy a judgment, when will it be restored and is it necessary to file proof of financial responsibility?

To: L. R. Fisher

(A.G.) The suspension of a license for failure to satisfy a judgment is for an indefinite period and the license will be reinstated when the judgment is paid, subject to the provisions for payment in installments, and when the judgment is paid in full the person is immediately eligible for restoration of his driver's license unless there is some other reason for refusing to reissue it.

There is no provision in the motor vehicle law requiring one whose license has been suspended for failure to satisfy a judgment to file proof of financial responsibility before the license is reissued. Proof of financial responsibility is required by G.S. 20-230 when a license has been suspended or revoked under the Driver's License Act before restoration. Suspension for failure to satisfy a judgment, however, does not come within the Driver's License Act. There are also provisions in G.S. 20-238 to G.S. 20-241 for restoration of a license before a judgment is paid in full provided proof of financial responsibility is made and other conditions met, but these sections do not apply to the general case of one whose license has been suspended for failure to satisfy a judgment. Therefore, a license suspended for failure to satisfy a judgment is restored when the judgment is satisfied and proof of financial responsibility is not necessary.

Unsatisfied Judgment against a Minor. May the Department of Motor Vehicles suspend the operator's license of a minor who has failed for more than 60 days to satisfy a judgment arising out of an automobile accident? In the action in which the

judgment was obtained no guardian was appointed to defend for the minor.

To: L. R. Fisher

(A.G.) Failure to have a guardian appointed as required by G.S. 1-65 constitutes such a breach of the substantive rights accorded by the statute that the judgment is probably void. Therefore, the Department should not revoke the minor's license.

Denial of Application for License Plates Used as Defense to Driving Without Plates. A North Carolina dealer received a new trailer from Georgia. His application for license plates was refused until papers of the sale were notarized in Georgia. While the papers were in the mail the trailer was sold. A truck was being used to haul the trailer to the owner when the driver of the truck was arrested for failure to have license plates on the trailer. Is the driver relieved of criminal liability since he had applied for a license?

To: Coyt W. Hewitt

(A.G.) I am unable to find in the motor vehicle code anything relieving the driver from the criminal penalty simply because he had made application for the plates and the application had been rejected.

Dealer's Plates. May dealer's plates be used on salesmen's cars, on vehicles used in service work, and on pickup trucks used in hauling parts?

To: W. T. Shuford

(A.G.) G.S. 20-79(b) permits the dealer's plate to be used by the dealer or any employee upon any motor vehicle, trailer or semi-trailer, which is the property of the dealer and which is used for the purposes set out in the statute. If the "salesman's cars" belong to the dealer and are used in the business, dealer's plates may be used. If the cars belong to the salesman, dealer's plates may not be used. As to the vehicles used in service work and the pickup trucks used in hauling parts, dealer's plates may be used if the vehicles belong to the dealer and are used in the business.

Revocation for Two Offenses of Reckless Driving within a Year. A man was charged with two offenses of reckless driving occurring about three months apart. The two cases were consolidated for trial and a fine of one hundred dollars was imposed as punishment for the two offenses. May the Department of Motor Vehicles revoke the man's license under G.S. 20-17?

To: L. R. Fisher

(A.G.) G.S. 20-17 provides for mandatory revocation upon conviction of two charges of reckless driving committed within a period of twelve months. The fact that the two charges were consolidated for trial does not affect their status as separate charges. Therefore, the Department should revoke the license.

Time When Forfeiture of Bond Occurs. When does a forfeiture of bond

occur for the purpose of treating such forfeiture as a final conviction within the meaning of the Driver's License Act?

To: J. L. Hall

(A.G.) The forfeiture required is an actual judgment declaring the bond forfeited; a mere "called and failed" is not quite sufficient. The practice is for the solicitor to prepare a judgment of forfeiture to be signed by the judge, normally at the end of the term. The forfeiture of bond described in the statute refers to the judgment rendered by the court declaring the bond actually forfeited.

Docketing Unsatisfied Foreign Judgment. A judgment arising out of a motor vehicle accident and exceeding \$50.00 was obtained in Virginia against a North Carolina man. After receiving notice from Virginia that the judgment had not been satisfied within sixty days, the Department of Motor Vehicles suspended the man's license. Must the Virginia judgment be docketed in North Carolina?

To: L. R. Fisher

(A.G.) There is no necessity for docketing the judgment in North Carolina. The Financial Responsibility Act provides for the suspension of the license and registration plates of a North Carolina operator who has failed to satisfy a judgment for more than \$50.00 for a period of sixty days when the judgment arose out of the operation of a motor vehicle. The word "judgment" includes a judgment rendered in any other state.

Lowering Speed Limit in School Zone. What is the procedure to be followed in lowering the speed limit from 35 m.p.h. to 20 m.p.h. in a school zone outside the city limits and on a highway?

To: D. H. Cochrane

(A.G.) G.S. 20-141.1 provides in part that the State Highway and Public Works Commission may lower the speed limits in a school zone where the school is located on a highway outside the corporate limits of any incorporated city or town. The Highway Commission should be contacted with reference to lowering the speed limit.

**Institute of Government
Schools**
(Continued from page 6)

the laws involved in tax listing and assessment work.

When the idea of this school was first suggested, the Institute of Government thought about half a

dozen individuals would enroll, but when registration was complete the rolls had swelled to twenty-four persons—some new tax supervisors, some tax office employees, some tax supervisors who had been in office for many years, and some county commissioners. While not all who enrolled were able to attend the whole course, the majority of them were present throughout the week. The list of those who registered will be of interest for its wide geographic coverage: Buncombe County: Grover C. Hunter, James T. DeWeese; Burke County: Charles Elkin; Catawba County: C. E. Gwin; Chowan County: W. P. Jones; Currituck County: William W. Barefoote; Greene County: C. E. Vause; Haywood County: Mrs. Mildred H. Bryson; Iredell County: Mrs. Bernice McJunkin; Mecklenburg County: Rufus A. Grier, Robert P. Alexander, Harold P. Garrison; New Hanover County: Ralph Horton, Hal Love, Claude O'Shields, Charles Smith; Onslow County: Graham K. Eubank, Herbert Riggs; Pitt County: Reginald Gray, Harold Allred; Randolph County: A. E. Garner; Sampson County: Leon Daughtry; Scotland County: W. M. Monroe; Vance County: H. R. Mangum.

City and County Tax Collectors

During their annual session at the Institute of Government on April 15 and 16, the members of the Tax Collectors Association of North Carolina devoted eight hours to concentrated study and discussion of property tax collection problems common to counties, cities, and towns. In response to the request of the collectors themselves, the conference was planned around defining, tracing, and enforcing the taxing unit's legal claim against the property of taxpayers who fail to pay their taxes promptly. This led to examination of the tax lien against real property and the use of levy and garnishment against personal property. It also led to a discussion of how to collect taxes outside the taxing unit, how to compute the penalty for late listing, and how to figure interest on delinquent tax bills.

A picture showing the seventy-five or more collectors who attended this meeting appeared on the cover of last month's *Popular Government*.

During the sessions, in respect to the memory of the Association's presi-

dent, Mr. James W. Armstrong, who died during the year, the following resolution was adopted by a standing vote:

WHEREAS the Tax Collectors Association of North Carolina at its annual meeting at the Institute of Government in Chapel Hill, April 15 and 16, 1953, has been informed of the death of its president, Mr. James W. Armstrong, able and popular Collector of Revenue of the City of Charlotte for several terms; and WHEREAS Mr. Armstrong has served this Association faithfully as its presiding officer and as a member of several advisory committees; and WHEREAS Mr. Armstrong was widely known for his excellent record as a municipal tax official in this State with broad interests and influence and with a strong sense of his responsibility to perform his duties impartially but without undue harshness toward anyone, NOW THEREFORE, Be It Resolved by the Tax Collectors Association of North Carolina that our sincere sympathy be expressed to Mr. Armstrong's family in their loss and in the loss sustained by the City of Charlotte as well as this Association. Mr. Armstrong will be missed for his faithful and loyal service in this organization. BE IT FURTHER RESOLVED that a copy of this resolution be sent to Mr. Armstrong's family and that it be published in Popular Government.

At the close of the annual session the Association chose the following officers for the coming year:

President, C. C. Rich, Wake County Tax Collector; First Vice President, C. N. Alston, Concord City Tax Collector; Second Vice President, W. T. Mason, Greensboro City Tax Collector; Third Vice President, Mrs. Ruth S. Gregory, Halifax County Tax Collector.

In compliance with a resolution passed by the Association directing the new president to appoint a committee to work with a similar committee of county tax supervisors and the Institute of Government, President Rich appointed the following persons to serve as a Committee to Study Revision of The Machinery Act and asked that it report to the next annual meeting: Plato Davenport, Mecklenburg County Tax Collector, Chair-

man; W. G. Royster, Henderson City Tax Collector; J. Curtis Ellis, Nash County Tax Collector; W. A. Mickle, Forsyth County and Winston-Salem Tax Collector.

Books Received

(Continued from page 8)

a unified industrial district, sets forth standards to be followed in layout, and discusses desirable controls over development in the area. The study points out that in most instances restrictive covenants placed on planned districts to preserve their character are more stringent than zoning and building ordinances of the city.—P. P. G.

Narcotics, U. S. A. edited by Paul B. Weston. Greenberg, 319 pp. \$4.00.

While the increased use of and addiction to narcotic drugs in this country since World War II appears to be particularly aggravated in metropolitan areas, it has by no means been limited to our larger cities. Clandestine in origin, the spread of illicit drug use is made peculiarly insidious by the difficulty of its detection and the contagious characteristics of addiction. A local epidemic may grow into serious proportions before being detected by police officers who are unable to recognize the symptoms, and cases of complete addiction in teen-agers have been known to turn up under the noses of respectable parents and unsuspecting teachers.

In this book, nine contributors have pooled their specialized knowledge and experience in an effort to give comprehensive treatment to the medical, legal, social and educational aspects of a neglected but increasingly important subject.—W. C. B.

Crime Investigation: Physical Evidence and the Police Laboratory. By Paul L. Kirk. New York: Interscience Publishers, Inc., 250 Fifth Avenue. 1953. \$10.00. Pages 784.

Fundamentals of Political Economy. By Dean A. Worcester, Jr. New York: The Ronald Press Company, 15 East 26th Street. 1953. \$4.50. Pages 594.

Beckoning Frontiers: Public and Personal Recollections. By Marriner S. Eccles. New York: Alfred A. Knopf. 1951. \$5.00. Pages 499.

World Population and Future Resources. By Paul K. Hatt. New York: American Book Company. 1952. \$3.50. Pages 262.

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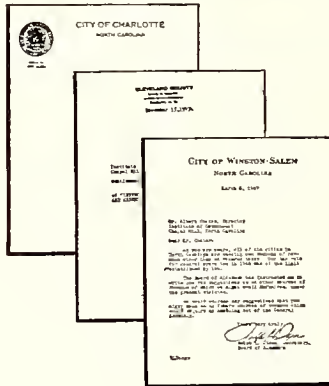
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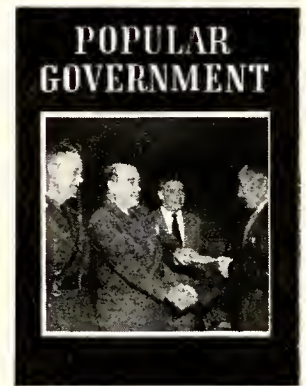
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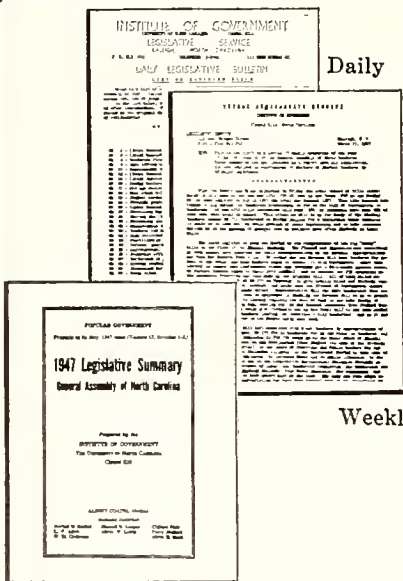


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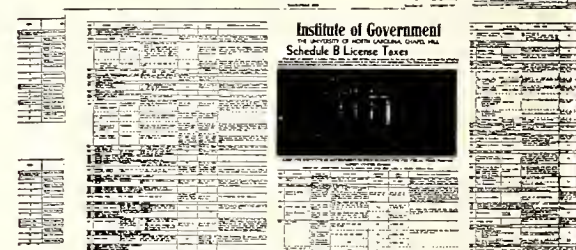
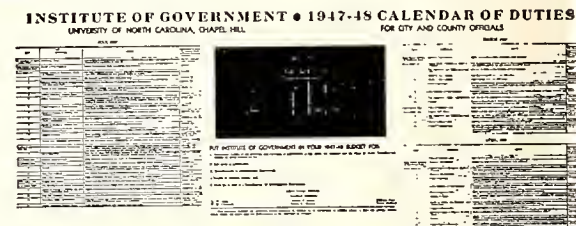
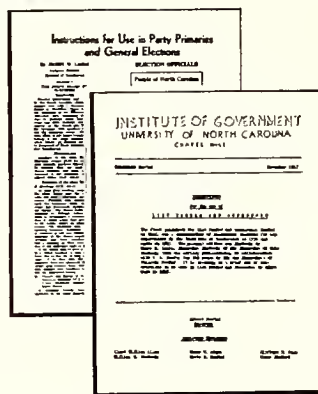
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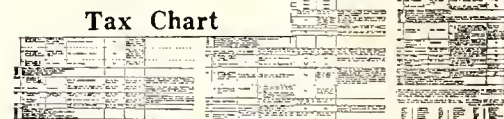
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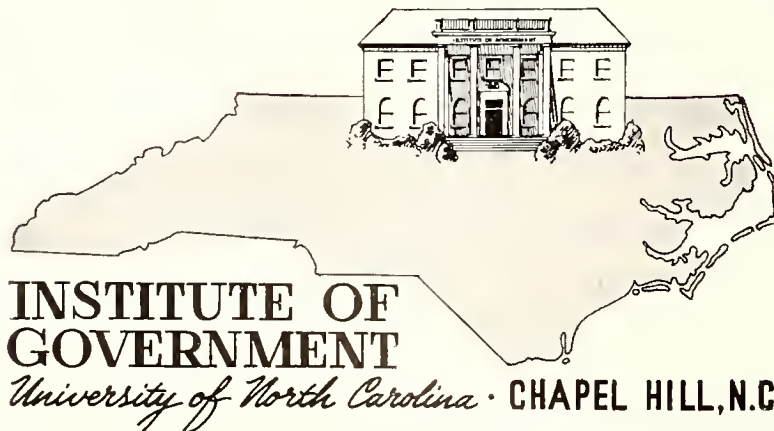
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