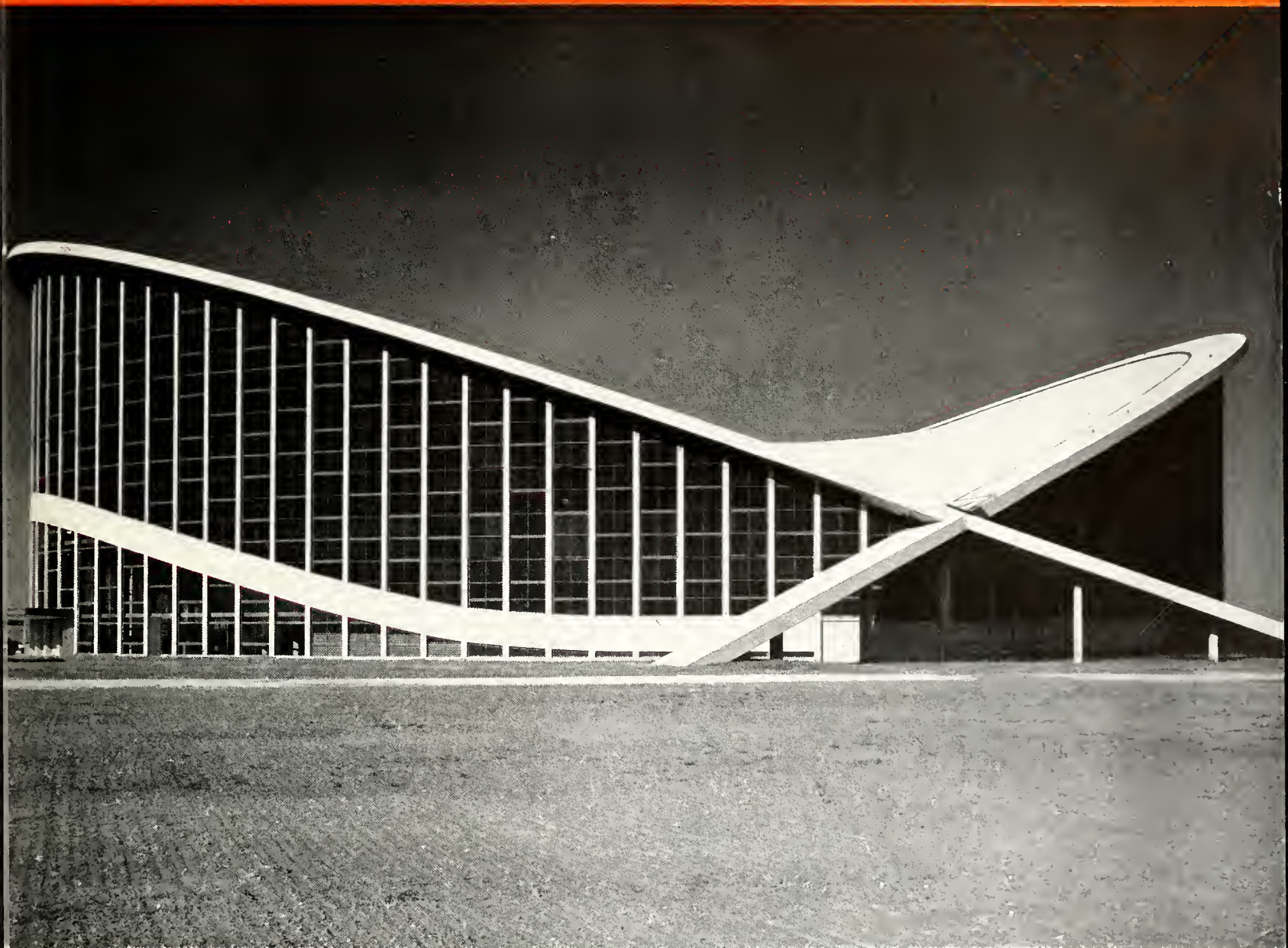


Popular Government

October 1954



STATE FAIR ARENA

PUBLISHED BY THE INSTITUTE OF GOVERNMENT
UNIVERSITY OF NORTH CAROLINA
Chapel Hill



CONTENTS

THE CLEARINGHOUSE	1
Notes from N. C. Counties	1
Meetings of County Officials	2
School Notes	3
Bond Sales	4
Notes from N. C. Cities	5
New Ordinances	5
Dog Warden Experience	10
BASIC SCHOOLS	6
AUTO LICENSE SALES ARE BIG BUSINESS	7
THE ATTORNEY GENERAL RULES	11
BOOKS OF CURRENT INTEREST	13

COVER

The building shown on the cover is once more attracting the attention of thousands of spectators at the North Carolina State Fair this month. Conceived by the late Matthew Nowicki in collaboration with Raleigh Architect Wm. Henley Dietrick and Engineer Fred N. Severud, the arena's unusual design has brought it world-wide fame since its dedication in 1953.

POPULAR GOVERNMENT is published monthly except January, July, and August by the Institute of Government, The University of North Carolina, Chapel Hill. Editor: Albert Coates. Assistant Editors: Vernon Lee Bounds, William M. Cochrane, George H. Esser, Jr., Robert Edward Giles, Philip P. Green, Jr., Donald B. Hayman, Joseph P. Hennessee, Paul A. Johnston, Hurshell H. Keener, Edward Lane-Reticler, Henry W. Lewis, Roddey M. Ligon, Jr., John Alexander McMahon, Richard A. Myren, James C. N. Paul, Basil L. Sherrill. Editorial, business and advertising address: Box 990, Chapel Hill, N. C. Subscription: Per Year \$3.00; single copy, 35 cents. Advertising rates furnished on request. Entered as second class matter at the Post Office in Chapel Hill, N. C. The material printed herein may be quoted providing proper credit is given to POPULAR GOVERNMENT.

THE CLEARINGHOUSE

NOTES

From North Carolina Counties

Tax Rates

The September, 1953, issue of *Popular Government* contained a comparison of 1952 and 1953 tax rates in 50 of North Carolina's counties. According to that study, five counties had decreased the 1953 rate from 1952 as a result of revaluations of property, seven had decreased the tax rate for other reasons, 11 had increased the tax rate, and 27 counties had the same rate in 1953 as they had in 1952.

At the time this issue of *Popular Government* went to press, tax rate information for fiscal year 1954-55 (the 1954 tax rate) was available for 68 counties. Four counties had decreased their tax rate from 1953 as a result of revaluations of property, five had decreased the tax rate for other reasons, 21 counties had increased the tax rate, and 38 counties had the same rate in 1954 as in 1953. Percentagewise, more counties had a tax increase in 1954 over 1953 than had increased the tax rate in 1953 over 1952, and fewer counties had a tax decrease. But again, in 1954 the majority of counties maintained the same rate.

Orange County had the largest decrease due to revaluation, reducing the rate from \$1.00 to \$.62. The tax rate in **Burke County** decreased from \$1.00 to \$.75, and the tax rate in **Davidson** decreased from \$.90 to \$.75. **Lee County** had the smallest decrease, from \$1.45 to \$1.35.

Stanly County had the largest tax decrease for reasons other than revaluations, the county-wide rate having been decreased from \$1.08 to \$.91. This decrease was due to a change in the financing of school capital outlay. Both the county unit and the city school administrative unit have voted bonds for school capital outlay, and the debt service is being paid by taxes levied in the separate units. This resulted in a decrease in the county-wide rate for school capital outlay, due to the substitution of bond proceeds for current taxes. Thus while the county-wide rate has decreased, the levy of debt service taxes on the county unit and on the city unit has resulted in a rate which is not substantially dif-

ferent from the 1953 rate for county operation.

Of the other counties decreasing their tax rate for reasons other than revaluation, three counties, **Alexander**, **Harnett**, and **Perquimans** had a five cent reduction, and **Madison** had a four cent reduction.

GEORGE C. FRANKLIN

Local governmental officials throughout the state were saddened last month to learn of the untimely death of George Cooper Franklin, General Counsel of the North Carolina League of Municipalities. Only 42, Mr. Franklin had served with the League since 1942, during which time he helped to raise the level of government in hundreds of municipalities, as well as serving on numerous official state commissions.

Scotland County led the list of counties increasing their tax rate in 1954 over 1953 with a 26-cent increase, 16 cents of which was due to additional levies for schools. **Richmond**, with a 21-cent increase, and **Haywood** and **Macon** with 20-cent increases were next, the increases being the result mostly of increased school levies. **Bertie** and **Mecklenburg** had 15-cent increases, mainly for schools and debt service on school bonds. **Warren** had a 12-cent increase, and **Anson**, **Ashe**, **Mitchell**, **New Hanover**, **Vance**, and **Watauga** had 10-cent increases. While most of the increases were attributable to increased school levies, **Warren** and **Vance** had increases in part because of declining valuations. Other counties having increased levies include **Cleveland** with nine cents (mostly for debt service), **Buncombe** with eight cents, **Franklin** with six cents (due mostly to declining valuation), **Currituck**, **Duplin**, and **Hoke** with five-cent increases, **Durham** with four cents, and **Wake** with three cents.

The 38 counties with the same rate include **Alamance**, **Avery**, **Bladen**, **Brunswick**, **Cabarrus**, **Caldwell**,

Caswell, **Catawba**, **Chatham**, **Cherokee**, **Chowan**, **Clay**, **Columbus**, **Dare**, **Davie**, **Forsyth**, **Graham**, **Guilford**, **Halifax**, **Henderson**, **Jackson**, **Johnston**, **McDowell**, **Nash**, **Onslow**, **Person**, **Polk**, **Robeson**, **Rockingham**, **Rowan**, **Rutherford**, **Sampson**, **Surry**, **Swain**, **Transylvania**, **Wilkes**, **Yadkin**, and **Yancey**. In many cases, these counties maintaining the same rates were able to do so only because valuations had increased and surplus funds were available in order to finance increased appropriations.

As was true in the past, the main reason for increases was the necessity for raising additional money for schools. Increased health appropriations caused increases in several counties, and lower valuations caused increases in several.

The average tax rate of the 68 counties on which information was available for 1954 was approximately \$1.35.

County Buildings

Hertford County leads the list of counties currently considering new county buildings. The voters of **Hertford County** will be asked to vote on a \$145,000 bond issue to build a new courthouse in the near future, as a result of a bond order and election called by the Board of County Commissioners. Commissioners of **Harnett County** are considering the possibilities of adding on to their courthouse, the voters of the county having previously voted down a bond issue to build a new courthouse. **Dare County** is considering adding to their present courthouse. **Perquimans County** has let contracts for the renovation of vaults in the office of the register of deeds and clerk of court. **Macon County** is having the walls in the hall of the courthouse and some of the woodwork painted. And the **Sampson County** Bar Association has asked the county commissioners to improve the courtroom and air condition it and to install an elevator to provide easier access to the upper floors.

Surry County is about to finish its agricultural and public library building . . . **Caswell County** is planning to purchase an office building to provide additional office space for the various county agencies . . . **Johnston County** has appropriated some money to a fund to finance an agriculture building, in hopes that

the building may be constructed within the next several years.

The building of health centers continues to be the biggest item of county building construction. **Stanly County** has recently opened its health center. **Guilford County** has opened its health center in Greensboro and has let contracts for the building of an additional health center in High Point. **Wilkes County** has completed its health center and **Randolph** has about finished construction of its center. Health center construction is under way in **Macon, Catawba, Harnett, and Johnston**. And plans are under way to construct health centers in **Haywood, Davie, Yadkin, Alexander, Iredell, Pamlico, and Cleveland**.

Late in the spring, **Iredell County** opened its new 100-bed Memorial Hospital. Voters in **Cleveland County** have recently approved the issuance of \$200,000 for hospital construction in Shelby and Kings Mountain. In **Robeson County**, consideration is being given to a \$400,000 addition to Robeson County Memorial Hospital. The 140-bed hospital, which was opened in August, 1953, is already overcrowded, and the proposed addition would add 60 beds.

With the increase in beds at the State Tuberculosis Sanatoria at Wilson, McCam, Chapel Hill, and Black Mountain, many of the counties which previously operated their own sanatoria are faced with a decision on what to do with the facilities when the state system can absorb their patients. **Wilson County** will convert its facilities into offices for the farm and home demonstration agents. **Alamance County** will convert its facilities to offices for the county health department and a tuberculosis out-patient clinic. **Halifax County**, after considering converting its sanatorium to a county convalescent hospital, has decided that such a change would not be feasible from a financial point of view. **Halifax, Johnston, and Wayne** have made plans to close their sanatoria, but have not completed plans on the new use for the facilities. **New Hanover County**, after having given consideration to closing its sanatorium and transferring patients to the state system, has decided to continue operation for the time being in the face of demands that the facilities continue to be operated in order to take care of county patients nearer their homes.

Alexander and Wilson Counties are the most recent to decide to

lease their county homes to private operators and to give the residents public assistance grants with which to pay room and board to the operator. This brings to 15 the number of counties that have inaugurated such a lease operation. Consideration to a lease agreement is also being given in **New Hanover County**. **Mecklenburg County** has recently voted \$500,000 in bonds for the construction of a new county home to replace the old one. The **Stokes County** home burned recently, bringing to less than 40 the number of counties currently operating a county home.

Improvements to county jails have been much in the news in the last few months. **Vance County** will

issue \$50,000 in bonds for extensive additions to the county jail, and **Gaston County** has voted \$80,000 for a new jail. **Alamance County** has appropriated \$13,500 for the purchase and installation of a new 16-prisoner maximum security cell layout at the county jail. **Rowan County** has set aside \$40,000 for the construction of a second floor on the annex of the Rowan County Jail, for women prisoners, juveniles, and mentally ill persons. **Catawba County** has been considering improvements to its jail, including the installation of electrically-operated barrel steel doors at points of access to the county jail on the third floor of the courthouse.

MEETINGS Of County Officials

County Commissioners And Accountants

The State Association of County Commissioners and the State Association of County Accountants held their annual convention at Wrightsville Beach from August 15 to August 18. Over 400 people registered for the convention, the largest number ever to attend.

Among the speakers were Senator Sam J. Ervin, Jr., who addressed the convention on Monday evening; Dr. Charles F. Carroll, Superintendent of Public Instruction; Edwin Gill, State Treasurer; Dr. J. W. R. Norton, State Health Officer; Dr. E. H. Ellingwood, Guilford County Health Officer; and Keith L. Seegmiller, Secretary of the National Association of County Officials.

The Tuesday morning session was devoted to three group meetings, so that commissioners and accountants could attend the meeting of their choice and join in an informal discussion of the problems growing out of the topic of the meeting. J. Harry Weatherly, Guilford County Manager, and Donald Hayman, Assistant Director of the Institute of Government, led the discussion at the group meeting on county manager government and job classification. Henry W. Lewis, Assistant Director of the Institute of Government, led the discussion at the group meeting on the

(Continued on Page 4)

Registers of Deeds

Around 70 people representing almost half of the one hundred counties of the state attended the annual conference of the North Carolina Registers of Deeds Association in Chapel Hill on June 13 to 15, 1954. The Carolina Inn served as convention headquarters, and the business sessions of the conference were held in the courtroom of the Law School.

Among the conference speakers were the following: Mrs. Nina Matthews, Manager of the District Office of the Social Security Administration, who discussed the acceptance of delayed birth certificates as proof of age in connection with the old age and survivors' insurance program; Charles R. Council, State Department of Health, who discussed vital statistics records; W. Frank Burton, State Archivist, who discussed the preservation and restoration of county records; Alex McMahan, Assistant Director of the Institute of Government, who discussed officials' bonds and the relationship of the register of deeds with other county officials; and W. C. Bumgarner, who discussed the constitutional and statutory framework of the office of the register of deeds. Speakers at the dinner meetings were I. G. Greer, Executive Vice-President of the North Carolina Business Foundation, and W. D. Carmichael, Jr., Vice-President and Con-

(Continued on Page 10)

SCHOOL NOTES

Bond Issues

A number of counties have acted or plan to act on bond issues for school plant construction. Voters of **Forsyth County** in April approved the issuance of \$5,000,000 for schools. Voters in **Caswell County** have also recently approved a bond issue. Voters in both the **Stanly County** administrative unit and the **Albemarle** city administrative unit of Stanly County have approved the issuance of bonds for their respective units. The county unit approved the issuance of \$1,000,000, and the city unit approved the issuance of \$1,250,000. Principal and interest on the bonds will be paid by taxes levied on the property of the county unit and city unit respectively. **Cleveland County** voters have approved \$2,500,000 of school bonds. And the **Durham County** board of commissioners has authorized the issuance of \$215,000 to complete two county high schools, but it was not necessary to submit these bonds to the voters. On the other hand, **Yadkin County** voters defeated a \$475,000 school bond issue in May.

School bond elections planned include a vote on issuing \$1,000,000 in school bonds in **McDowell County**, to be held in October, and a vote on the issuance of \$950,000 by the voters of **Person County** in November. **Rutherford County** commissioners, after considering an election on \$1,500,000 in school bonds, have decided against holding an election at this time.

Meanwhile, **Guilford County**, which on its pay-as-you-go program has appropriated more than \$10,000,000 in capital outlay expenditures from current taxes since World War II, increased its annual appropriation again this year to an all-time high of \$1,800,000.

County school superintendents in a number of counties are obtaining new offices. The superintendent of the **Sampson County** schools has taken over the old county home for the administrative offices of the county school system. A new building will be built in Raleigh to house the county superintendent of the **Wake County** schools, and in **Forsyth County**, an elementary school will be converted into headquarters for the county school system.

County and district school supplement taxes continue to be acted on. In **Durham County**, voters in the county unit defeated a proposed 33-cent school supplement tax for the county schools. Voters in the **Charlotte** administrative unit have approved the levy of a 2-cent tax for the support of two community colleges. In **Nash County** voters will have an opportunity in the near future to vote on a 15-cent supplement for financing the public school music program in the county. The possibility of increasing the 20-cent school supplement tax in the **New Hanover-Wilmington** schools is being discussed, and the possibility of a 25-cent school supplement tax in the **Buncombe County** unit is being discussed. Voters in the **Graham** school district in **Alamance County** will vote on a school supplement tax of up to 20 cents sometime during the fall.

Consolidation

Attempts to consolidate high schools in 1952 led to legislation by the General Assembly of 1953 which made it easier to keep high schools with small enrollments open. Recent newspaper stories in several parts of the state, however, have indicated that consolidation is a more popular issue than it was two years ago. In **Madison County**, two schools have recently consolidated so that there will now be only eight schools in the county. Two new consolidated high schools in **Catawba County** have recently been finished. Two high schools in **Wilkes County** will be consolidated for the 1954-55 school year, as the result of an almost unanimous vote in favor of the consolidation. Meanwhile, patrons of yet a third school have voted in favor of consolidating with a fourth one to form a second consolidated high school. Plans to merge five high schools into two consolidated high schools have met with general acceptance by school patrons in **Duplin County**. Consolidation of 12 rural schools into four consolidated high schools in **Sampson County** has received approval from patrons of several of the schools concerned. A consolidated southwest high school in **Forsyth County** would take care of pupils in

three high schools as well as bringing about the reassignment of pupils from other schools which would not otherwise be affected by the new consolidated high school. Consolidation of all four high schools in **Davie County** into one high school has met with general acceptance of school patrons throughout the county. And discussions are under way for the consolidation of three high schools in **Bertie County**, including one school that was consolidated in 1952-53 but was reopened after the 1953 General Assembly modified the law concerning high school consolidation. The strong opposition to consolidation that existed in 1952 has apparently dissipated.

On the other side, the **Randolph County** board of education has rejected a consolidation of four of the county's high schools with two others. This action followed opposition from patrons of the schools concerned.

Budget Disputes

The Supreme Court in the recent case of *Board of Education of Onslow County v. Board of County Commissioners of Onslow County*, 240 N.C. 118 (1954), held that in the case of a dispute between a board of education and a board of county commissioners as to the amount of certain school appropriations, arbitration of the dispute might be had before the clerk of superior court and the clerk's decision might then be appealed to the superior court. As a result of this holding, there were several instances of disputes over 1954-55 appropriations between boards of education and boards of county commissioners where the arbitration procedure was threatened and several where it was invoked.

After some discussion of submitting a dispute as to the amount of the current expense budget in **New Hanover County**, the board of education and the board of county commissioners finally compromised the dispute without resort to arbitration. In **Forsyth County**, there was some discussion of arbitration of the appropriation for school capital outlay, but the arbitration procedure was not invoked. The boards of education in **Randolph County** and **Moore County** have submitted disputes with their boards of county commissioners as to school capital outlay to their respective clerks of superior court. In the **Randolph** case, the clerk of court upheld the deci-

sion of the board of county commissioners, but no decision in the **Moore County** case had been made when this issue went to press. Apparently the board of education in **Randolph County** will appeal the decision of the clerk to the superior court.

County Commissioners

(Continued from page 2)

assessment of property. And Alex McMahon, Assistant Director of the Institute of Government, led the discussion at the group meeting on school budgets and school finance.

At the final session on Wednesday morning, August 18, the convention adopted its 1955 legislative program. A copy of this legislative program will be sent out to county commissioners, county accountants, and county attorneys in the near future.

Officers of the State Association of County Commissioners elected for the coming year are A. D. Williams, Wilson County, President; Wally Dunham, Forsyth County, First Vice-President; Dal Alford, Nash County, Second Vice-President; and J. Henry Vaughan, Nash County, Executive Secretary-Treasurer. Members of the new Board of Directors are John E. Boone, Northampton County, First District; Johnnie R. Davenport, Lenoir County, Second District; Ralph Horton, New Hanover County, Third District; R. P. Holding, Johnston County, Fourth District; N. H. Griffin, Franklin County, Fifth District; L. E. Ray, Cumberland County, Sixth District; C. J. Hunt, Guilford County, Seventh District; J. M. Pleasants, Moore County, Eighth District; J. T. Chandler, Rockingham County, Ninth District; M. Kemp Armfield, Union County, Tenth District; Stewart Lingle, Caldwell County, Eleventh District; B. C. Robertson, Iredell County, Twelfth District; T. C. Bumgarner, Burke County, Thirteenth District; and E. E. McBride, Henderson County, Fourteenth District.

Officers of the State Association of County Accountants elected for the coming year are Charles H. Metcalf, Rutherford County, President; Flora E. Wyche, Lee County, First Vice-President; J. S. Smitherman, Montgomery County, Second Vice-President; and Mrs. J. C. Spencer, Caldwell County, Secretary-Treasurer.

The site of next year's convention was left to the decision of the Board of Directors. It will be held in the western part of the state at a place still to be selected.

Bond Sales

In the period from late March until late August, the Local Government Commission sold bonds of the following governments (the government, the amount of bonds, the purpose for which the bonds were issued, and the effective rate are indicated):

Unit	Amount	Purpose	Interest Rate
Forsyth County	\$5,000,000	School building bonds	2.11%
Johnston County	\$ 400,000	School building bonds	2.22%
New Hanover County	\$ 993,000	School building bonds	2.29%
Polk County	\$ 27,000	Refunding bonds	3.19%
Orange County	\$ 65,000	School building bonds	1.99%
Wake County	\$3,370,000	School building bonds	2.19%
Concord	\$ 60,000	Street improvement bonds	1.61%
Conover	\$ 125,000	Water and sewer bonds	3.34%
Drexel	\$ 130,000	Water and street improvement bonds	3.20%
East Spencer	\$ 115,000	Sanitary sewer bonds	3.16%
Elizabethtown	\$ 70,000	Municipal building and fire equipment bonds	2.79%
Elm City	\$ 35,000	Street improvement bonds	2.73%
Fayetteville	\$ 600,000	Street improvement bonds	2.39%
Fountain	\$ 10,000	Municipal building bonds	2.95%
Goldsboro	\$ 425,000	Water and public improvement bonds	2.33%
Greensboro	\$ 300,000	Water bond anticipation notes	.43%
Grifton	\$ 45,500	Water and sewer bonds	3.91%
Jacksonville	\$ 75,000	Water and sewer bonds	2.80%
Kings Mountain	\$ 600,000	Water and recreation facility bonds	2.56%
Lexington	\$1,035,000	Natural gas system revenue bonds	3.46%
Liberty	\$ 200,000	Sanitary sewer bonds	3.57%
Longview	\$ 75,000	Water bonds	3.23%
Mars Hill	\$ 45,000	Water bonds	3.44%
Pilot Mountain	\$ 50,000	Water bonds	2.66%
Reidsville	\$ 48,000	Water, sewer, and street improvement bonds	1.68%
Selma	\$ 100,000	Water bonds	3.24%
Tarboro	\$ 71,000	Water, sewer, street improvement, and public library bonds	1.41%
Valdese	\$ 550,000	Water bonds	3.17%
Wake Forest	\$ 42,000	Water and sewer bonds	2.18%
Williamston	\$ 115,000	Street improvement bonds	2.43%
Albemarle City Administrative Unit	\$ 750,000	School building bonds	2.38%
Asheboro School District	\$ 100,000	School building bonds	2.85%
Clinton School District	\$ 150,000	School building bonds	3.16%
Haw River Sanitary District	\$ 13,000	Water and sewer bonds	3.62%

NOTES

From North Carolina Cities

City-County Planning Board

Charlotte and Mecklenburg County have formed a joint city-county planning board, by agreement of the two governing bodies under the authority of G.S. 160-22 and G.S. 153-9(40). Under the agreement, five members of the board will be appointed by the city and five by the county. In the current fiscal year the city planning board's previously authorized appropriation of \$20,000 and the county planning board's \$7,500 will be transferred to the new joint board. Hereafter the city will bear 60 per cent of the expenses and the county 40 per cent.

The joint board, which is currently seeking a professional staff, will engage in the making of studies and plans and will specifically consider proposed city limits extensions by the city of Charlotte. All subdivisions within the city's approval jurisdiction will be given a preliminary screening by the board. It will be required to make annual reports to both governing bodies. In the event that the city secures legislative authority to zone its fringe areas, the board will probably be called upon to assist with this project as well.

The new board is thought to be the first of its type in the state. The only other joint city-county planning board, serving **Winston-Salem** and **Forsyth County**, was formed under the authority of a special act (Sess. Laws, 1947, c. 677, as amended by Sess. Laws, 1953, c. 777).

During the summer civic groups in **Guilford** and **Wake Counties** were giving consideration to the formation of county planning boards . . . **Selma** has formed an advisory planning board . . . Land use and population studies for the **Dunn** planning board are being made by members of the Raleigh planning department.

Zoning

Southern Pines and **Aberdeen** have begun discussions aimed at securing legislative authority to zone the three-mile area between the two towns . . . **Charlotte** and **Mecklen-**

burg County have reached tentative agreement on the fringe areas which the city would be entitled to zone under a bill to be presented to the 1955 General Assembly . . . The enlarged **Chapel Hill** planning board established under chapter 527 of the 1953 Session Laws has begun studies of the fringe areas around the town, preparatory to adoption of a zoning ordinance. Rural citizens of the area will be invited to present their ideas of suitable controls at a series of meetings this fall and winter.

Carrboro and **Greensboro** adopted new zoning ordinances during the summer. The Greensboro ordinance was the product of four year's work by the local planning department and will serve as a model for others throughout the state . . . **Charlotte** has amended its ordinance to create a new class of business district in

the vicinity of the new coliseum-auditorium . . . **Raleigh** has set up a new list of business classifications, including a shopping center district and a buffer commercial district.

Miscellany

Raleigh and **Jacksonville** are among the cities which have officially adopted the North Carolina Building Code, as revised in 1953, as municipal ordinances. Such adoption is designed to reduce any questions as to the legality of the code . . . Plans for large new Negro residential subdivisions have been announced in **Charlotte** (1,200 homes and a shopping center), **Greensboro** (100 homes), and **Winston-Salem** (110 homes). Homes in the various tracts will be priced in the range from \$7,000 to \$9,500 . . . The **Durham** zoning board of adjustment has decided to make its decisions publicly in the future. Its practice in the past was to hold public hearings but to make its decisions after the hearings were adjourned.

NEW ORDINANCES

Among the new ordinances of North Carolina cities and towns recently received by the Institute of Government are the following:

High Point: Amending the "blue law" to allow businesses to operate on Sundays except from 10:00 A.M. to 1:00 P.M. The operation of boarding houses, restaurants, and cafes which furnish meals and the publication of newspapers may continue all day on Sunday.

Brevard: A comprehensive sanitary code requiring owners or occupants of buildings to provide and place all garbage and combustible trash and waste matter in separate covered metallic receptacles of specified size. A pick-up fee of fifty cents per month payable in advance is provided, with an extra fifty cents per month charge for daily service, and the street superintendent may make special loads for a charge of \$3.00 per load. Ordinance also requires owners of vacant lots to keep them clean at all times and to notify the town of all dead animals found on the lots. Such dead animals may only be removed by the town or by

a person in accordance with rules and regulations prescribed by the town council. Makes unlawful the use of a privy within 300 feet of a sewer line.

Greensboro: Providing for the suspension or revocation by the city manager, subject to appeal to the city council, of the permits of taxicab drivers who (a) have been convicted or entered a plea of guilty or nolo contendere to a charge of having committed a felony or of having violated liquor, narcotics, prostitution, or lotteries laws, (b) have been guilty of repeated violations of traffic laws or ordinances, or (c) have become habitual users of intoxicating liquors or narcotic drugs. The chief of police must make or have made an investigation of all traffic convictions and pleas of guilty or nolo contendere and report them with recommendations to the city manager. For the first conviction or plea of guilty or nolo contendere within a twelve month period after the issuance of a permit or any twelve month period thereafter, the

(Continued on page 13)

Basic Schools

County Accounting

Certificates were awarded to nine county officers and employees who completed the Basic Course in County Accounting held September 13 to 17 by the Institute of Government. Two other county officials attended part of the sessions, so that the total course enrollment was eleven. Four of the eleven were county accountants, one was an assistant accountant and purchasing agent, five were employees in county accountants' offices, and one was secretary to a county manager. John Alexander McMahon, Assistant Director of the Institute of Government, was staff member in charge.

The curriculum of the school was divided into three parts. The first morning opened with a very brief discussion of the functions of accounting followed by an explanation of the principles and mechanics of double entry bookkeeping and a discussion of the various kinds of journals and ledgers used in keeping books of account.

The next day and a half was devoted to an examination of the principles of county accounting. Among the subjects discussed were fund accounting, budget preparation, accounting for cash receipts and disbursements, accounting for non-cash transactions, financial reports, and budget control. The Institute of Government's *Guidebook for County Accountants* was used as the basis for discussion.

The final two and one half days were devoted to working out a practice problem, applying the principles learned to an actual situation. This problem covered two months' activity in an average size county and transactions were actually entered into journals and posted into the accounts. A monthly financial report was prepared, books were closed at the end of the year, and annual financial reports were made up. The problem ended with preparation of a budget for the following year.

A similar school will be held annually in the future, giving other accountants and employees in accountants' offices, and new accountants and employees, an opportunity to learn the fundamental principles governing accounting in counties.

County Attorneys

The first school for county attorneys in several years was held at the Institute of Government on Friday and Saturday, September 24 and 25. Twenty-eight county attorneys attended the sessions and several brought other officials from their respective counties. Staff members in charge were Henry W. Lewis, John Alexander McMahon, and Roddey M. Ligon, Jr.

The first session was devoted to a discussion of problems in property taxation, including tax rebates, releases and refunds, methods of foreclosure, and revaluation contracts. In addition, attention was given to the legislation being proposed by the associations of tax supervisors and tax collectors.

The Friday evening session was de-

voted to a discussion of recent state Supreme Court decisions. The cases discussed concerned the relationship between boards of education and boards of county commissioners, the right of county commissioners to supplement bond proceeds and special tax funds, and county-city financial relationships.

The Saturday morning session concerned the responsibility of county attorneys under the old age assistance lien law. The provisions of the law were discussed, along with some of the problems of interpretation and the procedures for enforcement of the law. A mimeographed study of the law was presented to those present, and copies of this study are being mailed to all county attorneys throughout the State. The attorneys decided to appoint a committee to

(Continued on page 12)



BASIC COURSE IN COUNTY ACCOUNTING

Front row, left to right: Mrs. Pearl M. Childress, Bookkeeper, Hoke County; Mrs. Lillie Ra eRodwell, County Accountant's office, Lenoir County; Mrs. Gladys B. Midyette, County Accountant and Tax Supervisor, Hyde County; Miss Annie F. Parham, Secretary to County Manager, Guilford County; Mrs. Alma Mozings, County Accountant's office, Johnston County. Back row: W. H. Britt, County Accountant and Tax Supervisor, Johnston County; C. S. Oldham, Assistant Accountant and Purchasing Agent, Durham County; M. L. Laughlin, County Accountant, Edgecombe County; Eugene T. Morris, County Manager, Davidson County; Garland H. Jones, County Accountant's office, Wake County; Allen L. Harrell, Assistant Auditor, Edgecombe County.

Auto License Sales Are Big Business

By EDWARD LANE-RETICKER, Assistant Director, Institute of Government

Within the next few weeks the Registration Division of the Department of Motor Vehicles will begin depositing in the Raleigh post office well over a million pieces of mail. This mail, containing application forms for 1955 motor vehicle registration plates, will go to every North Carolinian who owns a motor vehicle. It will also go to residents of other states who own motor vehicles operated on the streets and highways of North Carolina and who are not exempt from registration under the reciprocity provisions of North Carolina's motor vehicle laws.

During the months of December and January the Registration Division will be on the receiving end of a return flood of mail, as motor vehicle owners and branch offices send in completed applications along with payments of registration fees. Under the law annual registration expires at midnight on December 31; but the law allows new plates to be displayed as early as December 1 and old plates as late as January 31.

While the sale of registration plates continues all year long, the bulk of the work is, of course, concentrated in the months of December and January. During these months it is necessary to add about 50 clerks to the Registration Division's regular staff of 200. About 85 per cent of all registration plate sales are handled under contract through 76 branch offices of the Carolina Motor Club and the office of the Winston-Salem Automobile Club. All registrations, whether sold through motor club offices or directly by mail from the Registration Division, are processed in Raleigh.

Registration plates are manufactured at State Prison and bought by the Department of Motor Vehicles at cost. Colors are usually black and yellow, the colors of the background and the numerals being reversed in successive years. The license plates for 1955 will have yellow numerals on a black background. The license plates, issued for publicly-owned motor vehicles, remain black and silver.

Letters and words on license plates usually indicate the class of vehicle. For example, the words "Truck" and "Farmer" appear on some license plates. The letter "T" stands for taxi; "B," for bus; "D," for dealer; and "Z," for small trailer. Letters such as "X" and "R" have no special mean-

ing. They are used instead of numerals to prevent the total number of characters on plates for private automobiles from exceeding six.

During the metal shortage caused by the Korean War, only one plate was issued for each vehicle. This year two plates will be issued. It is expected that the additional plate on the front of the car will make the problem of identification somewhat easier for law enforcement officers.

The license plates shipped to motor club offices run in consecutive numbers. Since 85 per cent of registration sales are made at these offices, the registration number is a fairly good indication of the part of North Carolina in which the owner lives. A person who buys a plate at a particular motor club office can be reasonably sure that a number close to his own was purchased at the same place.

PURPOSE OF REGISTRATION

Registration of motor vehicles has two main purposes: (1) the raising of revenue and (2) the identification of motor vehicles.

In the early days of the state-wide registration law, identification would seem to have been the principal purpose. The Secretary of State assigned a number upon the payment of a fee of fifty cents, and the motorist fash-

ioned his own license plate and fixed it to his car. Today, with the income from the sale of license plates amounting to more than twenty million dollars a year, revenue has become an equally important purpose.

The registration fee like the gasoline tax is a highway-user tax. As such, it represents a departure from the pre-automobile theory of financing streets and highways. In the early days of North Carolina, every able-bodied male was required to work for a specified period each year on the construction and upkeep of the streets and highways in his community. Later on, a man was allowed to make a payment in money in lieu of his labor. In either event, the construction of streets and highways was regarded as a burden on the entire community. This theory of street and highway taxation is preserved today in the construction and maintenance of city streets. The costs are ordinarily apportioned between abutting property owners and the general fund of the city.

HIGHWAY-USER TAXATION

The coming of the motor vehicle, however, produced a demand for greatly increased and improved road facilities. The answer to the problem was found in highway-user taxation



Busy Season at the Raleigh Office

—the theory that those who use the roads should pay for their construction and maintenance, or at least pay the major portion of such expenses. The purpose has been accomplished mainly through taxes on the sale of gasoline and the registration fee, which is a tax on the ownership of a motor vehicle. The registration fees, like the gasoline tax revenues, are paid, not into the General Fund of the State, but into the Highway Fund. The Highway Fund is used to build, keep up, and protect the more than sixty thousand miles of state highways and, to a lesser extent, the more than seven thousand miles of city streets.

IDENTIFICATION

Identification, however, has not decreased in importance. In fact, as the number of motor vehicles registered in North Carolina has climbed toward the million and a half mark, motor vehicle identification in law enforcement work has become both more important and more complex. Even apart from the hundreds of thousands of traffic and parking violations each year, in which enforcement often depends on proper identification of the vehicle, there are scores of other crimes, ranging from liquor-law violations to auto-theft to bank robbery, in which proper vehicle identification may be the all important clue in the apprehension of the criminal.

The files of the Registration Division provide the key to accurate and prompt identification. There are five major files, each set up according to a different identification criterion. The registration number file is set up numerically according to registration numbers. Since the file covers a three-year period, it is possible to identify a vehicle and its owner by the registration number assigned to the vehicle either during the current year or the two preceding years.

The owner file, also covering a three-year period, is set up according to counties and alphabetically according to the names of owners. This file is used to determine what vehicles are owned by a particular person. From this file about 75 percent of the counties obtain lists which are used in assessing and checking *ad valorem* taxes.

The motor number or identification number file is important when it is necessary to identify a stolen or abandoned vehicle. The registration plates on such a vehicle will often have been changed or removed. To identify the vehicle and its owner in this file, only the make of the vehicle and the number are required.



Miss Foy Ingram

Director of the Registration Division

For vehicles manufactured prior to 1954, motor numbers are used for identification. For vehicles manufactured this year and hereafter, identification numbers, found on the body or frame, are being used. The reason for this change is that the motor is no longer considered the most permanent part of a car. With today's trade in new and rebuilt motors for old cars, a car may outlast several motors before it is finally junked.

The current motor number and identification number file is kept on cards. When a number is no longer current, it is transferred to a micro-film file which goes back to 1923 and includes all vehicles registered in the state since then.

The title-application file is very important in civil litigation. The Registration Division is often called on to provide information from this file in cases arising out of accidents and in cases involving disputed ownership of motor vehicles. Through this file, it is possible to trace the ownership of every motor vehicle registered in North Carolina since 1923. To save space, the part of the title-application file which is more than three years old is kept on micro-film.

The last of the five major files is the Addressograph stencil-plate file. This file is set up according to title-numbers and is limited to vehicles

currently registered. Use of this file speeds up the process of renewing registrations at the beginning of each year.

CERTIFICATE OF TITLE

In addition to registration cards, the Registration Division issues certificates of title. These certificates have an important purpose in protecting buyers of motor vehicles. While the failure of a seller to assign and hand over the certificate of title does not necessarily invalidate the sale, a wise buyer will insist on the certificate. There are two main reasons why a seller may not have a certificate of title in his possession. It may have been lost, stolen, or destroyed. In this case, it is a relatively simple matter for the seller to obtain a duplicate title from the Registration Division. For his own protection, the buyer should insist on it. The other main reason is that the motor vehicle to be sold may be subject to a lien. When a car has been sold on installments, or when money has been borrowed on it, the lien is noted on the certificate of title and the certificate is given to the lien holder. When the lien is discharged, the lien holder marks "Paid" opposite the lien notation and turns the certificate over to the vehicle owner. Therefore, a buyer has additional reason for insisting on a cer-

tificate of title, and he should be certain that any liens noted on it have been discharged. As a matter of fact, in the present state of North Carolina law, reliance on a certificate of title may not be sufficient to protect the buyer. The oft-repeated maxim, "There's no notice like record notice," applies to motor vehicles as well as real property. To protect himself fully, a buyer should visit the office of the County Register of Deeds to make sure that no liens are outstanding.

COMMERCIAL VEHICLES

The registration of passenger cars, while complicated by the need for accuracy in the various files, is relatively simple compared to the registration of trucks, busses, and other vehicles used for hire. The registration fee for busses is based upon weight and gross earnings. The registration fee for trucks is based upon their gross weight and the type of use. Private trucks pay a fee beginning at \$.30 per hundred pounds for the first 4,500 pounds and running up to \$.80 per hundred pounds for weight above 16,500 pounds. The fees for farm trucks are assessed at one-half the private rate, but the use of such trucks is restricted to the hauling of the farmer's own products and farm supplies.

Commercial trucks are of two types:

contract carriers, which operate on the basis of individual contracts; and common carriers, which are owned by companies having franchises for certain definite routes. The contract carrier tax is based on gross weight and runs from \$.75 per hundred pounds for the first 4,500 pounds to \$1.40 per hundred pounds for all weight over 16,500 pounds.

The operators of common carrier trucks may elect to pay either the registration fee which would be due from a contract carrier truck of the same weight, or a gross receipts tax of 6 per cent on the revenue earned by the truck.

RECIPROCITY

The Registration Division operates under reciprocal agreements with each of the other forty-seven states. The basic theory of these agreements is that North Carolina affords to vehicles from other states the same privileges and exemptions from registration as the other states afford to vehicles from North Carolina. There is a separate agreement with each state.

Generally speaking, under these agreements, a resident of another state may operate his private passenger car in North Carolina to any

extent he chooses without being required to pay a North Carolina registration fee, unless he changes his residence to North Carolina or accepts gainful employment here.

Reciprocity for private passenger vehicles is almost universally regarded as highly desirable. Without it, almost every state line would become a barrier to interstate trade. While the same argument can be made, perhaps even more forcefully in the case of commercial vehicles, in recent years reciprocity for commercial vehicles has fallen under increasingly heavy attack, on the ground that it deprives states of revenue necessary to maintain their roads. Some states are now levying, in addition to the registration fees and gasoline taxes, ton-mile and weight-distance taxes from which they do not grant exemption on the basis of reciprocity. Almost all states do grant reciprocity exemptions from registration fees, but there are several which take the position that each truck owner should pay a tax (in addition to the gasoline tax) to each state in which he uses the highways.

Since all of North Carolina's taxes are included in the registration tax, reciprocity continues to be extended to those states which offer reciprocity exemptions from registration fees. The negotiation of reciprocal agree-

Unit Supervisors



Miss Carawan



Mrs. Wolz



Mrs. Bass



Miss Workman



Miss Crews



Mrs. McAden



Miss Cates



Miss Lee



Mrs. Thomas

ments is a job that falls mainly upon the Commissioner and Assistant Commissioner at periodic interstate conferences. The Registration Division is responsible for publishing and keeping the data up-to-date and in conformity with the current agreements.

PERSONNEL

Despite the size of its task—its collection of more than twenty million dollars annually and its registration of close to a million and a half motor vehicles a year—the Registration Division operates with surprisingly little manpower. It is, in fact, a feminine domain. From Miss Foy Ingram, Director of the Division, down through the supervisory and clerical levels, the employees, with few exceptions, are women.

Miss Ingram is a native of Randolph County, and she has served continuously in the Registration Division since completing a business course at the Woman's College of the University of North Carolina. Miss Ingram was promoted from Chief Title Clerk to Director in 1946, succeeding Joe W. Garrett who is now Assistant Commissioner of Motor Vehicles. Responsible directly to Commissioner of Motor Vehicles Edward Scheidt and Assistant Commissioner Garrett, Miss

Ingram supervises the work done by the 200 employees in the Raleigh office as well as the registration work done by the employees of the Carolina Motor Club and the Winston-Salem Automobile Club. Throughout the Department of Motor Vehicles, Miss Ingram is highly regarded for her competence in administering some of the most complex of the motor vehicle laws, and her efficiency in handling the multitudinous problems which arise in the registration and taxation of a million and a half motor vehicles.

Miss Ingram feels that she is fortunate in having a number of able and experienced assistants and unit supervisors. Miss Lizzie Lee, Chief Title Clerk, passes on the sufficiency and validity of questioned titles. She also serves as Acting Director in Miss Ingram's absence.

Mrs. Josephine Thomas is in charge of the Branch Agency Audits and Report Unit, which checks the records of the motor club branches. Supervisor of the Branch Agency Inspection Unit is Miss Leonora Carawan. Her unit rechecks branch office work. Miss Carawan makes an annual field inspection of each of the branch offices. The Mail Order Inspection Unit is headed by Mrs. Mary L. McAden. This unit rechecks the registrations and titles handled by mail directly from Raleigh. It performs a similar function with regard to the fee collections

made by the inspectors of the License and Theft Division of the Department of Motor Vehicles.

The Setting-Up and Proofreading Unit is supervised by Miss Alma Cates. It checks records for accuracy and arranges them in proper order for filing by the Filing Unit, supervised by Miss Willie May Workman.

The For Hire Unit is responsible for the registration of vehicles operated for hire, such as busses, taxis, and commercial trucks. Mrs. Alston Woltz is supervisor. Miss Annie V. Crews heads the Correspondence and Suspense Unit which answers general inquiries. The Raleigh Cashier is Mrs. Jessie Bass who collects fees and issues registration plates at the Raleigh window.

Mr. Walter Lee Horton, the one male supervisor in the Registration Division, is in charge of the Addressograph Unit which prepares the stencil plates from which the registration cards and certificates of title are made. His unit also assigns license numbers for mail order applications and enters lien notations on certificates of title.

Ed. Note: From time to time Popular Government will publish articles describing the work of departments and divisions of the state government.

Register of Deeds

(Continued from page 2)

troller of the University of North Carolina.

The concluding session on June 15 was presided over by Graham Carlton, Rowan County register of deeds, who led the discussion on proposed legislation. Among the topics discussed were: (1) the possibility of requiring an oath on an application for a delayed birth certificate or an application for an amendment to a birth certificate and making a false statement or the submission of false information a criminal offense; (2) allowing the State Board of Health to adopt rules and regulations governing the individuals who may see the copies of birth certificates on file in the register of deeds' office; (3) re-

lieving the register of deeds of liability for loss to property when the register is without fault; and (4) relieving the register of deeds of responsibility for issuing threshers' licenses and enforcing the threshers' license law (G.S. 106-490 to 106-495).

Officers elected for the coming year are Lemuel R. Johnson, Chatham County, President; Mrs. Margaret B. Moore, Caldwell County, First Vice-President; Tazewell D. Eure, Gates County, Second Vice-President; and W. G. Massey, Johnston County, Treasurer.

Dog Warden Experience

A recent newspaper story from Roxboro gave the results of the dog warden program in Person County in its first year of operation. The dog population in the county has been decreased by over two thousand dogs, that being the number

of stray, ownerless animals destroyed by the dog warden. Over three thousand dogs have been vaccinated against rabies, and almost one thousand dogs have been added to the tax books. In addition, not one case of rabies has been reported in the county during the past year, whereas previously from two to six cases were reported each year. A dog pound was built by the county at an approximate cost of \$2,000, with captured dogs confined there for several days during which time their owners were permitted to reclaim them by listing them for taxes and having them vaccinated in addition to paying for board costs.

Following successful dog warden programs in other counties, **Iredell**, **New Hanover**, and **Rutherford** counties have recently appointed dog wardens under the 1951 dog warden law (G.S. 67-30 to 67-36). In addition, **Guilford County**, **Greensboro**, and **High Point** are discussing the possibility of constructing a joint dog pound to take care of the dogs of all three governmental units.

The Attorney General Rules...

Municipalities

Non-tax revenues — privilege license taxes. Are privilege license taxes non-tax revenues which can be used for the support of a library as provided by G.S. 160-65?

To: I. R. Williams

(A.G.) In my opinion, privilege license taxes are not non-tax revenues but are tax revenues, to the same extent and in the same manner that ad valorem taxes would be such revenues. (Consequently, privilege license taxes could not be used to support a non-necessary expense without a vote of the people, Article VII, section 7, of the Constitution prohibiting the expenditure of taxes for a non-necessary expense without such a vote.)

Liability of municipalities to maintain prisoners. Is there any legal obligation on the part of a municipality to maintain and operate a city jail?

To: C. V. Jones

(A.G.) Authority is given to municipalities to operate city jails by G.S. 160-2(10), and the Supreme Court has held that the operation of a jail is a necessary expense. While I do not know what your city charter provides in this connection, the Supreme Court in the case of *Board of Education v. Henderson*, 126 N.C. 689, held that there is no liability on the part of a municipality to provide room and board and other costs in connection with the upkeep of prisoners. The court held that this is a liability of the county. See particularly the portion of the opinion at the bottom of page 692.

Expenditure of non-tax funds to supplement tax funds. The voters of a municipality have approved a special tax, not to exceed eight cents on the \$100, for recreational purposes. May the city council supplement from non-tax sources the funds raised by this special tax?

To: John D. Shaw

(A.G.) While the maximum tax approved by the voters for recreation cannot be exceeded, I do not see in this any prohibition against the municipality's providing, from sources other than taxation, additional appropriations for its recreation program.

Dog warden as an office.

To: Messrs. Jones and Jones

(A.G.) It is my opinion that the office of a dog warden is a public office within the meaning of Article XIV, section 7, of the N.C. Constitution, so that a person may not serve as a dog warden while holding another public office.

Counties

Health work at private and parochial schools. May a county health department conduct clinics in private and parochial schools for children attending those schools?

To: Dr. L. E. Kling

(A.G.) I believe that a county is just as much interested in the health of children attending private schools as in the health of children attending public schools. I know of no reason why your county health department would not be justified in conducting clinics for the children in private and parochial schools if the appropriations made by the board of county commissioners are sufficient for this purpose.

Property Tax

Property tax lien—tenancy by the entireties. A husband and wife bought a piece of land as tenants by the entireties, giving a note secured by a deed of trust on the land in payment for a part of the purchase price. The husband and a third party, as partner, then operated a business on the piece of land in question. The land together with a considerable amount of personal property was listed for ad valorem taxes in the name of this partnership. The husband and wife failed to make any payments on the purchase money note, and the deed of trust was foreclosed. The partnership's taxes are unpaid. Must any of the proceeds of the sale of the land be used to pay any part of the property taxes assessed against the partnership's personal property?

To: W. R. Battley

(A.G.) The only taxes which the trustees must pay after the foreclosure sale are those which constitute a lien on the land sold. Even if there had been no partnership, a husband's individual personal property taxes do not become a lien on real property owned by the husband and wife by the entireties. Under the facts presented here, the taxes on the personal property owned by the partnership would not constitute a lien on the property held by the entireties, and the fact that the lot was listed for taxation in the partnership name ought not to affect this.

Motor Vehicles

Authority of city to reduce speed limit. May a city reduce speed limits from 35 miles per hour to 25 miles per hour on streets which are a part of the state highway system?

To: Honorable Fred Wheeler

(A.G.) G.S. 20-141(f) limits the authority of cities to reduce speeds below the limit provided by state law to city streets which are not part of the state highway system and which are not maintained by the State Highway and Public Works Commission. However, G.S. 20-141(f) does allow cities, on the basis of an engineering and traffic investigation, to set reasonable and safe speed limits at intersections. Thus, except for regulating the speed at intersections, local authorities do not have the power to lower the speed limit on a municipal

street which is part of the state highway system.

Duties of Justice of the Peace to notify Department of Motor Vehicles of convictions. Is a Justice of the Peace required to notify the Department of Motor Vehicles of convictions before him of violations of the motor vehicle laws?

To: R. C. Fitzgerald

(A.G.) G.S. 20-24 requires all courts, including Justices of the Peace, to notify the department of convictions of motor vehicle offenses. Such a conviction can best be reported on Form DL 47 [formerly Form 247].

Notice to Department of Motor Vehicles of tax sale. When a tax collector levies upon an automobile for the purpose of selling it for the collection of delinquent taxes, is he required to notify the Department of Motor Vehicles of his levy?

To: Kirby Harris

(A.G.) A tax collector is not required to notify the department of his levy. However, the purchaser at the tax sale is required by G.S. 20-77(a) to secure a transfer of the registration to himself, to make application to the department for a new certificate of title, and to pay the fees provided by law.

Permitting unlicensed person to drive. In a prosecution under the provisions of G.S. 20-32 for permitting an unlicensed minor between the ages of 16 and 18 to drive, does the state have the burden of proving that the owner of the motor vehicle knew that the minor driving was not licensed?

To: Honorable Leon H. Corbett

(A.G.) Although the matter is not totally free from doubt, it is my opinion that the intent of G.S. 20-32 is to place on an owner the burden of determining whether a minor has an operator's license before he permits him to drive. Therefore, the state would not have to prove that the owner being prosecuted knew that the minor did not have an operator's license.

Authority of city or town to erect stoplights. May a town erect a stoplight for the safety of school children crossing the public highway within the limits of the town? Or do the town officials have joint responsibility with state highway officials for the erection of such stoplights?

To: D. H. Conley

(A.G.) Under the provision of G.S. 20-169, the decision as to whether to install such a light within the limits of the town is one for the town board alone unless the highway was built with federal funds, in which case the light must be approved by the State Highway and Public Works Commission. (G.S. 136-18[t].) If the town board decides to install such a light, it should adopt an ordinance dealing with the installation and imposing the penalties for violation.

Necessity of North Carolina driver's license for mail carriers operating privately owned vehicle. Does a mail carrier who uses his own vehicle to deliver the United States mail have to have a North Carolina operator's license?

To: Honorable Edward Scheidt (A.G.) The state cannot require such a carrier to have a license for the purpose of using his private vehicle to deliver the mail. Nor can the state prohibit such operation for a carrier whose license has been suspended or revoked. I also think the carrier would be entitled to use his automobile for the purpose of picking up the mail for delivery and for the purpose of returning home upon completion of his route of delivery. Of course, if he uses his automobile for personal purposes, he would be required to have a license.

Basic Schools

(Continued from Page 6)

study the provisions of the law, looking toward amendments to be presented to the 1955 General Assembly which might make the law more workable.

It was the consensus of the group that meetings of attorneys be held regularly in the future both in Chapel Hill and on a district basis in convenient locations throughout the State.

City Planning

The Institute of Government's first annual course on Basic City Planning Techniques was held during the week of July 12-16 this summer. A varied student body consisting of a city manager, a city engineer, a superintendent of public works, two traffic engineers, a building inspector, and a consulting engineer attended the course. Philip P. Green, Jr., was the staff member in charge.

The course was divided into three basic parts: (a) an introduction to the field of city planning, (b) a description of the basic studies and plans which might be made for a city, and (c) a description of the legal and administrative tools available for carrying out plans. In the first phase the objectives of planning, the ways in which planning activity may be organized, and the maps necessary as a basis for a city planning program were discussed. The second phase covered such subjects as the land use survey; principles and standards of land use planning; local industrial development programs; population studies; street, traffic, and parking problems; and the scope of a comprehensive planning program. In the third phase subdivision regulation, zoning, housing codes, and building codes were described.

In view of the wide scope of the subject matter covered, an effort was made to acquaint the students with sources of assistance to which they could turn and printed materials which would give more detailed information on specific subjects. In line with this philosophy, the instructional staff was drawn from professional city planners throughout the state and others who might be of assistance with particular problems.

Instructors included Herbert W. Stevens, Raleigh planning director; Ronald Scott, Greensboro planning director; Henry C. Moore, city-county planning director for Winston-Salem; Paul Brooks, High Point planning director; Frank Ventura, Fayetteville planning director; James E. Ritch, Charlotte planning engineer; Allen Jay of the Winston-Salem planning department; Frank Skrivaneck of the Greensboro planning department; Paul Kelly of the Division of Commerce and Industry of the Department of Conservation and Development; Kern Church of the state Department of Insurance; Professors John A. Parker and James Webb of the Department of City and Regional Planning at the University; Profes-

ser Willard Babcock of the Department of Civil Engineering of N. C. State College; and Albert Coates, George H. Esser, Jr., and Philip Green, of the staff of the Institute of Government.

Books Received

THE ART OF ADVOCACY. By Lloyd Paul Stryker. New York: Simon & Schuster. 1954. \$3.34. Pages 296.

THE CONSERVATIVE MIND. By Russell Kirk. Chicago: Henry Regnery Company. 1953. \$6.50. Pages 458.

HAMILTON, MADISON AND JAY ON THE CONSTITUTION. Selections from the Federalist papers. Edited, with, an introduction, by Ralph H. Gabriel. New York: The Liberal Arts Press, Inc., 153 West 72nd Street. 1954. \$2.25 (cloth) or \$.90 (paper). Pages xviii, 231.

AMERICAN DEMOCRACY IN THEORY AND PRACTICE: STATE AND LOCAL GOVERNMENT. By Joseph E. McLean. New York: Rinehart & Company, Inc. 1953. Price ? Pages xii, 192.



BASIC CITY PLANNING TECHNIQUES COURSE

Front row, left to right: Bernard A. Corbett, Jr., Traffic and Planning Engineer, Burlington; T. C. Dove, City Engineer, Monroe; Robert E. Williford, Traffic Engineer and Planner, Rocky Mount; T. Haughton Pardee, Assistant Engineer, Charlotte; E. C. Nicholson, Superintendent of Public Works, Kings Mountain. Back row: James A. Cox, Miami, Fla.; Tom Cunningham, City Manager, Southern Pines; Philip P. Green, Jr., Assistant Director, Institute of Government; R. A. Wallace, Building Inspector, Gastonia.

Books of Current Interest

New Ordinances

(Continued from page 5)

Municipal Finance

AN ADMINISTRATIVE CASE STUDY OF PERFORMANCE BUDGETING IN THE CITY OF LOS ANGELES, CALIFORNIA. *By George A. Terhune. Chicago 37, Illinois: Municipal Finance Officers Association, 1313 East 60th Street. 1954. \$1.25. Pages 31.*

This very excellent publication is an account of the introduction of performance budgeting in the city of Los Angeles based on the author's intimate association with all phases of the project. To those who have been somewhat confused by the discussion of performance budgeting in general terms, the publication brings an examination of the bases and the problems in specific and concrete terms. And even though the study involves a very large city, officials of smaller cities can well see its application to their situation as well as some of the additional problems that they would have to deal with.

The publication contains a description of the first steps in the installation process, including the determination of the various programs carried on by the city which were capable of work measurement, the determination of the work unit to be used to measure performance, and the computations of the cost of performing each work unit (using a gross man-hour rather than a cost accounting approach which is far more feasible for cities smaller than Los Angeles). Next the budget preparation process is described, with illustrative forms to show the various steps employed. Finally, attention is given to the methods of budget control, including the determination of quarterly work programs and performance reporting, again illustrated by the actual forms employed in the process. (JAM)

PERFORMANCE BUDGETING AND UNIT COST ACCOUNTING FOR GOVERNMENTAL UNITS. A compilation of three papers presented at the 47th MFOA convention in Miami. *Chicago 37, Illinois: Municipal Finance Officers Association, 1313 East 60th Street. 1954. \$1.00. Pages 19.*

The first paper contains a discussion of the initiation of a performance

budgeting program in general terms and thus intentionally does not give the attention to specifics that the Los Angeles study does (see above). The second paper contains a description of operation analysis, together with an example of an operation analysis project and its application to performance budgeting. The final paper contains an examination of some of the accounting problems to be met in a performance budget system. (JAM)

City Planning

THE COMMUNITY BUILDERS HANDBOOK (4th Edition). *Prepared by the Community Builders' Council of the Urban Land Institute. Washington, D. C.: Urban Land Institute, 1737 K Street, N. W. 1954. \$12.00. Pages 305.* A standard reference for land developers since it first appeared in 1947, this work should be studied by city planners, Planning Board members, and all other officials interested in the orderly development of their cities. It deals both with residential development and with shopping centers, bringing together the experience of outstanding developers throughout the country. Liberally illustrated, the handbook gives relatively complete coverage of all steps in the land development process, from preliminary studies and planning to the sale of homes and the actual operation of shopping centers. The current edition has been considerably revised and expanded to take account of new developments since the last edition was published in 1950. (PG)

URBAN TRAFFIC: A FUNCTION OF LAND USE. *By Robert B. Mitchell and Chester Rapkin. New York: Columbia University Press. 1954. \$5.00. Pages xviii, 219.* For the official interested in probing beneath the surface of the traffic muddle which infests most of our cities, thoughtful reading of this work is a "must." The authors do not pretend to furnish all the answers, but they open up a relatively untapped field by exploring the relationship between the various uses of land and the types and amounts of traffic generated by each. The practical application of such research in planning the land use and circulation patterns of a city is apparent. (PG)

city manager may suspend the driver for not more than twenty days. Upon a second offense within such period, the manager may suspend the permit for up to ninety days, and upon the third offense the manager may suspend for any length of time or revoke the permit. When any person's permit is revoked or suspended, the manager must notify the person immediately. The permit must be surrendered to the chief of police, who returns it at the end of the suspension period.

Rocky Mount: Enacting a comprehensive ordinance governing the sale of electrical current by the city and regulating electrical inspections in the city.

New Bern: Providing for the installation of parking meters in congested areas as a police regulation.

Statesville: Providing for the installation of parking meters in congested areas as a police regulation. Three off-street metered parking lots are also provided for. In one of these the rate is five cents for each one and one-half hour's parking, or twenty-five cents a day; in another it is five cents an hour with a two-hour limit. The penalty fixed for violation of the ordinance is one dollar.

Spindale: Prohibiting advertising by outdoor signs or posters except by persons advertising on their own property merchandise which they have for sale.

Raleigh: Prohibiting, except upon the authorization of the City Council, the issuance of any building permit for construction of any building unless sewer and water lines have been laid and constructed or specifically authorized by the City Council to be laid and constructed on the street adjacent to the proposed building.

. . . Prohibiting the construction of television antenna or any other unenclosed steel frame superstructure on a roof not strong enough to support it.

. . . Prohibiting blasting without a permit from the chief engineer of the city. A charge of five dollars is fixed for each permit and a permit may only be granted for blasting to be done by competent engineers. The blaster must post insurance of \$100,000 for public liability and \$50,000 for property damage. No explosives may be sold to a person not authorized to do blasting.

Law and Administration

A Series Published by

INSTITUTE OF GOVERNMENT

The University of North Carolina
Chapel Hill

Volumes in the Series:

- | | |
|--|--------|
| I. THE LAW OF ARREST
By Ernest W. Machen, Jr. | \$1.50 |
| II. THE LAW OF SEARCH AND SEIZURE
By Ernest W. Machen, Jr. | \$1.50 |
| III. PROPERTY TAX COLLECTION IN NORTH CAROLINA
By Henry W. Lewis | \$2.50 |
| IV. MOTOR VEHICLE LAW IN NORTH CAROLINA
By John Fries Blair, William E. Poe, J. Shepard
Bryan, Jr., Ernest W. Machen, Jr., Charles E. Knox | \$1.50 |
| V. ZONING IN NORTH CAROLINA
By Philip P. Green, Jr. | \$3.50 |
| VI. LEGISLATIVE COMMITTEES IN NORTH CAROLINA
By Henry W. Lewis | \$1.50 |
| VII. THE GENERAL ASSEMBLY OF NORTH CAROLINA—
ORGANIZATION AND PROCEDURE
By Henry W. Lewis | \$1.50 |
| VIII. SOCIAL SECURITY AND STATE AND LOCAL
RETIREMENT IN NORTH CAROLINA
By Donald B. Hayman | \$2.00 |



