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LIQUOR AND THE LAW IN NORTH CAROLINA 1795-1937

---Attempts to Solve Liquor Problem Swing from Unrestricted Sale to Complete Prohibition to Restricted Sale Under State Supervision

By
ALBERT COATES
Director Institute of Government

FROM colonial beginnings to the present day North Carolinians have tried to solve the liquor problem by legislative fiat. Liquor laws appear in the Colonial Records of 1715; they appear in the Public Laws of 1937; they appear in the enactments of every legislature in the two hundred and twenty-two intervening years; and the end is not yet.

These laws have tried to solve the liquor problem by limiting: the place of selling, the time of selling, the persons selling, the persons buying, the amount sold, the persons making, the persons drinking. They have been tried by towns, by townships, by counties, by states and by the federal government—sometimes acting separately and sometimes acting together. While the laws have come and gone the liquor has remained—an ever-present problem alike to the one who is intoxicated by his own inebriation and to the one who is intoxicated by his own sobriety, and to all who happen to be caught between these two extremes. This article undertakes to outline the transitions of our laws in the past as a background for understanding our laws of the present and for interpreting them as they are applied in the future.

Place of Selling

"Whereas a custom prevails . . . of selling spirituous liquors . . . at places where people are assembled for divine worship," said a statute in the year 1800, this law is passed "to prevent such practices in the future." This was the beginning of a multiplicity of local laws prohibiting the sale of liquor at specific churchyards, schools, polling places, courthouses, prisons, post offices, political speakings, stores, mills, factories, railroad lines on which laborers were engaged in construction work. These "dry" spots were gradually widened to cover surrounding teritory for a half mile, a mile, two miles, four miles, five miles, and then to cover local governmental units as a whole.

Early local option laws permitted the people in specified towns to vote on the prohibition of sale within town limits. Statewide local option laws: in 1873-74 permitted the people of any township to vote on the prohibition of sale within township limits; in 1881 permitted the people of any county to vote on the prohibition of sale within county limits. Local option laws led: in 1908 to statewide prohibition of sale except by medical depositories or druggists on physicians' prescriptions; in 1915 to prohibition of sale by medical depositories or druggists on physicians' prescriptions, and to the prohibition of receipt by any person of more than one quart every fifteen days from any point within or without the state; in 1919 to the Volstead Act prohibiting sale throughout the nation—strengthened in North Carolina by the Turlington Act in 1923; in later years to treaties with other nations extending the territorial limits of the United States from three to twelve miles out to sea for the purposes of the prohibition laws.

In 1933 the tide turned and national prohibition disappeared, and the North Carolina legislature: in 1933 permitted the sale throughout the State, except in certain church and school areas, of light wines and beers with alcoholic content not exceeding 3.2 per cent; in 1935 permitted the sale of beer with an alcoholic content not exceeding 5 per cent, the sale of naturally fermented wines and cider made from native fruits, grapes and berries, and provided for a county-wide referendum in eighteen counties and two townships on their exemption from the Turlington Act and the setting up of county liquor stores. Under this referendum seventeen counties and two townships voted for the sale of liquor in county stores within their county limits. And in 1937 the legislature extended the referendum from eighteen to all one hundred counties in the State.

Thus, in two hundred and thirty-seven years the laws of North Carolina have swung from permission to sell anywhere, to permission to sell

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nowhere, to permission to sell in any county where a majority of the people vote to sell it.

Time of Selling

In the year 1800 local laws began to prohibit the sale of liquor at certain times: during the *hours* of divine worship; during the *days* of divine worship; on election days and for twelve hours before or after; before sunrise or after sunset on any day. This local legislation expanded to a state-wide scope as the legislature: in 1908 prohibited the sale of liquor at any time except for medical purposes; in 1915 prohibited the sale of liquor at any time even for medical purposes; in 1923 prohibited the sale at any time of any beverages with an alcoholic content exceeding one-half of one per cent.

Ten years later the tide turned and the legislature: in 1933 permitted the sale of beer and wine at any time; in 1935 permitted eighteen counties and two townships to vote on the sale of liquor between the hours of nine a. m. and six p. m. on all days except Sundays, election days and legal holidays; in 1937 permitted one hundred counties to vote on the sale of liquor between the hours of nine a. m. and nine p. m. on all days except Sundays, election days, New Year's Day, Fourth of July, Labor Day, Armistice Day, Thanksgiving Day and Christmas Day, with power in the County Boards of Alcoholic Control to limit further the days and the hours of selling.

Thus, the laws of North Carolina have swung from permission to sell at any time, to permission to sell at no time, to permission to sell at any time except at nights and on legal holidays.

Persons Selling

The legislature: in 1791 permitted the county courts to refuse license to sell liquor to persons of "gross immorality"; in 1828 provided that license should be issued "only to such free white persons as shall satisfactorily show to the court their good moral character"; in 1893 required the applicant for license to sell liquor to be a citizen of the United States and a voter in North Carolina and to file affidavits from six freeholders, residing in the voting precinct where the liquor was to be sold, stating that he was a proper person to sell liquor; in 1901 required the applicant to give thirty days notice of his intention to apply for license, by publication in the county newspaper or, if there was no newspaper, by poster at the courthouse; under the local option laws of 1903 permitted the municipal dispensary alone to sell liquor in towns voting for dispensaries.

Even under the foregoing restrictions and even in local prohibition areas druggists were allowed to sell liquor: first on a physician's prescription; then on a physician's prescription for medical purposes by a person under a physician's care; later only on the prescription by a "reputable" physician licensed to practice medicine in this State. A dentist or dental surgeon was not a "physician" on whose prescription whiskey could be lawfully sold on Sunday. If dentists were to be counted as physicians, wrote Justice Clark, " 'toothache' would become more prevalent than 'snake-bite' and that it would with usage become more dangerous is evident from the fact that the very first dental surgeon's prescription for toothache, coming before us, is for 'one pint of whiskey' . . . there are thirty-two teeth in a full set, each of which might ache on Sunday." And to enforce these regulations concerning prescription liquor, druggists were forbidden to "refill" prescriptions. Others who, like druggists, were for a time permitted to sell even in prohibition areas included persons manufacturing wines and cider from fruits, grapes and berries grown on their own lands. In 1919 the Volstead Act and in 1923 the Turlington Act removed these rights and prohibited the sale of liquor by anyone.

Again the tide turned and the legislature: in 1933 permitted licenses, for the sale of wines and beer, to residents of North Carolina, over twenty-one years old, of good moral character, who had not been convicted of a felony involving moral turpitude, or of violating federal or state prohibition laws within two years of filing application, and in ten counties required one year's residence in North Carolina before granting license; in 1935 permitted persons manufacturing wine to procure license from the clerk of court to sell in original packages for consumption off the premises, with hotels and restaurants only allowed to sell by the drink; in the same year laws allowed any of the eighteen counties and two townships voting for liquor to sell it in county stores operated by Alcoholic Beverage Control Boards; in 1937 allowed any of the one hundred counties voting for liquor to sell it in county stores.

Thus, the laws of North Carolina have swung from permission to anyone to sell, to permission to no one to sell, to permission to restricted persons to sell.

Persons Buying

The year 1801 marked the beginning of a series of limitations on the selling of liquor; to persons gambling; to University students without written permission from the president or faculty; to unmarried persons under twenty-one years old; to inmates of any State hospital; to other classes of persons in the discretion of the dispensary commission; and finally to all persons except to ministers buying wine for sacramental purposes.

Again the tide turned and the legislature: in 1933 permitted the sale of wine and beer to all persons over eighteen years old; in 1935 permitted the sale of liquor to all persons over twenty-one years old except those convicted of being liquor addicts, with discretionary power in the manager and other liquor store employees to refuse to sell to individual applicants more than one quart in one day, or any at all; in 1937 permitted the sale of liquor to all persons over twenty-one years old except habitual drunkards, persons convicted of public drunkenness or convicted of driving a motor vehicle while under the influence of intoxicating liquor, or—within one year of conviction—persons convicted of committing any crime as a result of the influence of liquor, with discretionary power in the manager and other liquor store employees to refuse to sell to any individual applicant more than four quarts at any one time in any one day, or to refuse to sell to any individual applicant any liquor at all.

Thus, the laws of North Carolina have swung from permission to sell to anyone, to permission to sell to no one, to permission to sell to all ex-

THE NEW LIQUOR CONTROL BILL AT A GLANCE

County Elections on Liquor Control Stores — May be called in any county, (1) by Board of Elections on petition of Commissioners or (2) upon petition signed by voters equalling 15% of those voting in last election for Governor. Counties that now have stores may continue without an election.

Supervision and Control. By State Board of Alcoholic Control, appointed by the Governor, and County Boards of Alcoholic Control, elected jointly by the County Boards of Commissioners, Health, and Education. State and County Boards to have 3 members each. Original Chairman to be appointed for 3 years, original members for 1 and 2 years. All successors to be appointed for 3 years.

Powers of State Board. (a) To see that all laws relating to sale and control are observed, (b) to audit and examine accounts and records of local stores, (c) to approve retail prices, (d) to remove members of local ABC boards or employees for cause, (e) to test any and all beverages which may be sold, (f) to supervise local purchases, (g) to approve or disapprove regulations made by local boards, (h) to require not less than 5% nor more than 10% of net profits to be used for enforcement purposes, (i) to approve or disapprove the opening of local stores, except that each county shall be entitled to at least one store, (j) to require persons or corporations selling to local stores to obtain a permit, and (k) to permit the establishment of warehouses for storage.

Powers of County Board. (a) Control and jurisdiction over sale and distribution of alcoholic beverages within the county, (b) power to buy and sell, (c) power to adopt rules and regulations governing the operation of stores within the county, (d) regulation of the duties and services of all employees, (e) to fix business hours within the limits of 9 A. M. and 9 P. M., (f) to fix days stores shall be closed other than those fixed by bill, which are Sundays, election days, New Year's, Fourth of July, Labor Day, Armistice Day, Thanksgiving and Christmas, (g) to purchase or lease property and furnish buildings required for the sale and storage of beverages, (h) to locate stores, giving due consideration to results of voting in particular communities, (i) appoint employees and store manager, (j) to expend enforcement funds, (k) to borrow money, and (l) to make rules and regulations concerning the sale and persons to whom sales may be made.

Profits. Net profits after deducting enforcement fund will accrue to County General Fund. State to receive 7% of gross receipts (under provisions of the Revenue Act). Division of profits of stores now in operation under 1935 laws to remain unchanged.

Effect on Individual Purchaser. (1) "Wet" counties: Residents may legally purchase and consume alcoholic beverages, subject to regulations of local Board. (2) "Dry" or "wet" counties; Residents may buy alcoholic beverages either in liquor stores of "wet" counties or outside the State, for consumption in such other county or state. Also entitled to buy, possess and transport not more than one gallon into "dry" county for private use. Unlawful to be intoxicated or to display alcoholic beverages at public gatherings and athletic contests.

cept those falling within the prohibited groups listed above.

Amount to Be Sold

Limitations on the amount of liquor to be sold at one time to one person began with licenses and taxes and took on prohibitory features as they went. The legislature: in 1868-9 prohibited the sale in less than five gallon quantities within five miles of a railroad where men were working; in 1903 through local option laws prohibited the sale of liquor except by dispensaries selling in unbroken packages containing not less than one-half pint nor more than one quart. Persons making brandy were in 1903 prohibited from selling except in original packages containing not less than five gallons; and persons making wine from fruits grown on their own land were: in 1903 prohibited from selling except in quantities of one gallon or more not to be drunk on the premises; and in 1908 were prohibited from selling except in unbroken packages containing two and a half gallons or more not to be opened on the premises. In 1919 the Volstead Act and in 1923 the Turlington Act prohibited the sale of liquor in any quantity.

Again the tide turned and the legislature: in 1933 permitted the sale of wine and beer in original packages in any amount to be consumed off the premises and permitted the sale by the drink for consumption on the premises by hotels, restaurants, drug stores, grocery stores, filling stations, cold drink stands, tea rooms and unincorporated clubs; in 1935 permitted liquor to be sold in county stores in sealed containers not less than one pint in size for consumption off the premises with discretionary power to refuse sale of more than a quart, or any at all to individuals; in 1937 permitted liquor to be sold in county stores for consumption off the premises, with discretionary power to refuse sale of more than four quarts, or any at all to individual applicants.

Thus, the laws of North Carolina have swung from permission to sell in any amount, to permission to sell in no amount, to permission to sell in limited amounts.

Persons Manufacturing

The manufacture of liquor like the sale of liquor was first prohibited in local areas, but wines and cider made from fruits grown on the land of the manufacturer were usually excepted until the eighteenth amendment was adopted. The legislature in 1903 prohibited the manufacture of "spirituous, vinous or malt liquors" except in incorporated towns, where the manufacture had not already been prohibited by local laws; in 1905 prohibited the manufacture of liquor even in incorporated towns with a population of less than one thousand and even in towns of a thousand or more unless they had as many as two policemen to visit all places of manufacture every week and submit a written report to the mayor to be turned over to the solicitor; in 1908 prohibited the manufacture of liquor anywhere in the State; in 1915 prohibited the manufacture of malt such as is used in making spirituous liquor anywhere in the State; and the Turlington Act, following the Eighteenth Amendment and the Volstead Act, prohibited the manufacture even of wines and ciders from fruits grown on the manufacturer's own lands.

To spur the law enforcing officers to greater efforts, the legislature made it the special duty of sheriffs and police to search for stills, seize and deliver them to their county commissioners for confiscation, to seize and destroy liquor found at stills, to arrest persons found at stills aiding and abetting the manufacture of liquor, and county commissioners were authorized to pay officers a reward of not less than five nor more than twenty dollars for each still captured.

The tide turned and the legislature: in 1933 permitted the manufacture of 3.2 per cent wines and beer, in 1935 of 5 per cent wine and

(Continued on page sixteen)

"A Stitch In Time--"

Ohio Valley Disaster Shows Need for Planning and Preparations - - - Central Disaster Relief Committee Suggested for Each State

●

By M. R. ALEXANDER
of the Staff of the Institute of Government

OUT of the Ohio and Mississippi river flood disaster comes a new impetus to previous proposals for a central disaster relief committee or agency in each state which may not be without their interest for North Carolina. The idea, briefly, is to have one central agency charged with the responsibility for anticipating and preparing, insofar as possible, for disasters and, when a disaster strikes, for heading up and co-ordinating the work of the numerous public and private agencies which rush to the scene.

Take the case of a typical disaster such as the recent one in the Ohio and Mississippi valleys. The river rises out of its banks, flooding large areas and driving the residents from their homes. Gasoline tanks are uprooted. Someone drops a match in the film that covers the water, and the ravages of fire are added to those of flood. Water and sewer systems are wrecked. Food and medical supplies break down. The people are not only subjected to exposure but herded together in refugee centers that may or may not be sanitary. Disease breaks out, spreads, and becomes an epidemic. Destruction, suffering, and death stalk hand in hand.

Much of this, of course, cannot be avoided due to the suddenness and unexpectedness with which disasters have a habit of striking. But many officials back from the flood areas in the Mid-West are impressed with the view that much of the suffering and damages could be minimized, and sometimes avoided altogether, with the proper foresight, preparation, and co-ordination of relief efforts.

Take the matter of the constant fire hazard from flooded and uprooted gasoline tanks, for instance. If some central agency were charged with the responsibility for keeping a record of all local tanks that might be reached by flood, steps might often be taken, if the water did not rise too suddenly, to drain the tanks and remove the gasoline to a place of safety. Or action might be taken in advance to remove such tanks beyond the reach of floods or prohibit their being improperly located in the first place and avert the danger altogether.

Or take the matter of caring for the victims and protecting the public health after the disaster has struck. Knowledge as to the quickest available source of supply, and the quickest possible means of transportation, of water chlorinating equipment or typhoid vaccine might save hours. And those hours, at a time when minutes count, might be the means of preventing an epidemic and saving many lives.

These are only a few examples, but they serve to illustrate some of the possibilities that would result with adequate disaster relief planning through a central organization.

The recommendation of the association of State and Provincial Health Authorities is for a disaster relief organization in each state, "consisting of the various official and non-official agencies, which generally are called on or assume some role in disaster relief activities, for the purpose of developing an organization and a plan of procedure in time of disaster." The governor as executive chairman, adjutant general, state health officer, and Red Cross Field representative are among the suggested members to head up such a disaster relief committee, to which might be added the State Treasurer, Highway Commissioner, Insurance Commissioner or Fire Marshal, and perhaps others.

By making use of and co-ordinating the facilities of existing departments such an organization would not require an annual appropriation or outlay of funds. The amount of the emergency or disaster fund recommended for the average state health department is from five to ten thousand dollars.

The principal functions of the central disaster relief committee would be to:

1. Ascertain when and where disasters are liable to occur and what form they may take; to point out precautions which may avert disasters or minimize damages; to make arrangements with Weather Bureau, Red Cross, telephone and telegraph systems, and other agencies whereby it may receive prompt information concerning disasters.

2. To compile and keep a central record of sources of equipment and supplies needed in a disaster, such as fire fighting equipment and motor boats, emergency chlorinating equipment, ammoniators, and emergency pumps; immunization equipment, vaccine, sera, and antitoxins; of transportation and communication facilities, such as railroads, trucks, telephone, and telegraph; and of personnel, such as relief workers, doctors and health officers, firemen, police, and National Guardsmen.

3. To provide a plan of action in case of disaster and, when it strikes, to provide an established head in the relief areas, delegate to each agency the functions to be carried out, and co-ordinate the efforts of the various agencies so there would be no duplication of effort.

The suggested set-up also contemplates the encouraging of local health units, Red Cross chapters, and other agencies to take inventories of local disaster dangers, as a river which is quick to flood its banks, a gasoline storage tank exposed to flood or a section which constitutes an unsual fire hazard, and to make plans and preparations to meet the possible emergency.

Some of the work that has already been accomplished by various State and private agencies would furnish a good background for a disaster relief set-up in North Carolina along the lines of those suggested in other states. The fire departments in several sections, working with the State Fire Marshal, have developed their own system by which City C sends trucks and firemen to aid D, B backs up C, A backs up B, etc., so that in an emergency neighboring cities can move in on an orderly schedule and throw their combined forces against

the fire without leaving any one unprotected. The Health Department doubtless has certain records of the names and addresses of key men who could be of assistance in connection with disaster work on water works, milk plants, sewage disposal, and general sanitation. The Red Cross, Coast Guard, Weather Bureau, National Guard, Highway Patrol, and other agencies each has its own contribution to offer. However, there is no single agency to keep a central record of disaster hazards and sources of facilities and supplies needed in case of disaster or to head up and co-ordinate the work of the many agencies, public and private, which engage in disaster relief. The sum total of all these facilities of the State, in short, are unorganized, as they are in other states which are considering central disaster relief organizations.

True, North Carolina has no "father of waters" to run amuck and precipitate a disaster of the scale of that in the Mid-West, and it is not in an area subject to earthquakes. But suppose one of the big dams along the rivers of the Piedmont or on some of the artificial lakes in the mountains suddenly burst? Or suppose a serious fire, a Charleston earthquake, tornado, a tropical hurricane, epidemic or other disaster struck suddenly and unexpectedly, as is their wont? The Asheville flood, the New Bern fire, and the even more recent Greensboro tornado are too fresh in memory to say "It couldn't happen here." And if it does happen here, the question is, will it find the State and locality prepared?

Asheville's City Real Estate Bureau

SUPPOSE your city had almost two thousand parcels of property—one out of every 10 in the city—foreclosed for taxes and dumped in the laps of its officials within the space of a year. How to manage this miscellany of property in a way to protect both city and owner, bring in rent in lieu of taxes, protect private landlords, discourage additional foreclosures, and last but not least, put the maximum properties back on the tax books? This is the problem which the depression left the City of Asheville and which, to a lesser extent and in varying degrees, it left cities and counties throughout the State and Nation.

The result in Asheville was the creation of a special City Real Estate Division—one of the handful in the country. Here is a brief account of the way the new and novel Department operates and of the advantages and results the City officials claim for it to date.

The Division is set up in the Public Works Department. The Supervisor, Henry C. Gudger, a man with long experience in real estate, is the only regular employee. However, the Engineering, Tax, Legal, and other departments are available for co-operation and assistance when needed. The Supervisor has charge of both the maintenance and collection of rent on tax-foreclosed property. Tax properties are rented by the week or month; no leases are made, as the lots are subject to redemption. Vacant lots are often let out for gardens to parties on relief, rent free, subject to redemption by the former owner. This eliminates the expense to the City of cutting weeds and keeping the lots in sanitary condition. Necessary repairs to improved properties are made out of rent so that each parcel is self-supporting. Properties found to be unsafe or not worth repairing are condemned and the brick, lumber, doors, etc., salvaged for use in repairing other property. The rents collected, minus the cost of maintenance, up until April 1st, 1936, were applied on property redeemed by the former owner. Properties are resold to the former owner, mortgagee, or party holding a deed from the former owner. And every encouragement is given to the former owner, including both the necessary information and active assistance, to redeem his property.

The results claimed for the Asheville Real Estate Division speak for themselves. The rents collected thus far have far exceeded the cost of maintenance. The properties have been protected from vandals and kept in repair and the city's taxables conserved. A renewed interest has been created on the part of property owners, and many pieces of property have been put back on the tax books that otherwise would not have been redeemed. The extent to which this is true is shown by the accompanying table.

Inventory of Properties Foreclosed in 1932 for 1928 and Prior Years' City Taxes

Total number parcels taken in for taxes	1,956
Number parcels redeemed (approx.)	700
Number improved properties taken in	262
Number improved properties redeemed (approx.)	190

While it was the increased volume of tax foreclosed properties that led to its creation, the Real Estate Division has since taken over additional functions and proved its usefulness in other ways. The new bureau provides for the first time a central agency for the rental and maintenance of other city-owned properties. These are managed along the same lines as tax-foreclosed properties. However, not being subject to redemption, they may be rented by the month or leased for longer terms and are sold, when advantageous, by Court sale on resolution of the City Council. The services of the Bureau are also available in obtaining rights-of-way in re-locating or widening city streets, in obtaining the consent and co-operation of property owners in rounding off dangerous corners and eliminating traffic hazards, and in numerous additional ways.

The work of the scattered city real estate bureaus, in Asheville and elsewhere, up to now have been concerned primarily with the present, immediate phases of the problem. That is, with the efficient management of tax-foreclosed properties and the returning of the maximum number to the tax rolls. Two problems of equal importance for the future are how to prevent a recurrence of the volume of tax-foreclosed properties and how to put unredeemed property to the most profitable public use.

Keeping Up with Washington

By PAUL V. BETTERS, Editor, Federal City News
United States Conference of Mayors

News on Federal Laws and Activities of Interest to North Carolina Cities and Counties

WPA Funds for Balance of Year

Favorable action was taken on the Deficiency Bill by the Senate February 3rd. This bill contains an appropriation of 790 millions for WPA and "related work relief programs" for the balance of the fiscal year. WPA itself will only get about 655 millions out of the 790 millions. If these are the only funds which are to be available to WPA for the five month period February 1-June 30, it is apparent that a slash of about 600,000 workers in the existing quota will have to be made. If any bona-fide destitute employables are dismissed as a result of the above money situation, it can only be concluded that the Federal policy of responsibility for the destitute employable unemployed has been abandoned. On the other hand, it is entirely possible for this slash, if carried out, to be made in the rural areas where spring and early summer needs are likely to be diminished. Such a policy would enable the WPA to maintain the existing quotas in the highly industrial urban centers.

The bill making this Deficiency Appropriation adds *no new language* to existing legal provisions governing expenditure of WPA funds.

Social Security Act Health Grants

Assistant Surgeon General Vonderlehr of the United States Public Health Service writes: "The Social Security Act, under which considerable sums are now being allotted to State Health Departments, provides for the extension of public health facilities to all residents of the United States. No distinction is made within this law between residents of urban and rural districts. Municipal health officers should receive their share of the allotments for health work." Local health officers, if they have not already done so, *should contact their state health department.*

Great interest is being evidenced by many cities in the problem of control of social diseases. Municipal health departments may write to the United States Public Health Service for the various reports available on this subject. A particularly valuable report has recently been issued entitled "The Control of Syphilis." The Public Health Service is giving a great deal of attention to this subject and stands ready to cooperate at all times with municipal authorities.

The PWA Program

Up until February, the President has not seen fit to release approximately 200 millions of PWA funds still available for projects submitted by cities in accordance with Congressional action of last June authorizing PWA to expend 300 millions. Only about 100 millions have been allotted. At least 500 millions of good and useful projects, upon which municipalities are willing to pay *55 per cent* of the cost, have been approved and are simply awaiting allotment of funds.

Under existing circumstances, it is useless for any city at this time to expend any funds in preparing a new PWA application, or to hold any special bond elections for new projects not yet on file and pending at the PWA in Washington.

A number of cities throughout the country have *formally* petitioned the President to authorize further allotments from the 200 million dollar balance.

Collusion in City Purchasing

As indicated in the previous issue of *Federal-City News*, the Federal Trade Commission nas now issued a "cease and desist" order against the National Electrical Manufacturers Association in connection with complaints filed by many cities charging collusion in bids submitted for *electrical cable* requirements. Full information covering this situation is in the hands of the municipal purchasing agents throughout the country. The manufacturers have until the last of this month to file reports showing the manner and form in which they have complied with the order.

On January 28th the United States Conference of Mayors filed, on behalf of the City of New York, a *formal* complaint with the Federal Trade Commission against certain manufacturers of paper drinking cups. Data showing identical prices on many other materials, supplies and equipment, such as liquid chlorine, are being informally filed *daily* by the Conference with the Commission.

Fire apparatus is another item upon which the Conference is working and upon which it expects to issue a report on this subject very shortly showing what one city has done to meet the situation.

Municipal Debt Readjustment Legislation

Two bills (H.R. 2505 and H.R. 2506) designed to achieve the purposes of the well-known Municipal Debt Readjustment Act held unconstitutional by the United States Supreme Court have been introduced by Congressman Wilcox of Florida —one of the sponsors of the original statute. From the practical standpoint of the larger cities, the need for such legislation at this time is, of course, not comparable with the situation confronting the country in 1933-1934. Most of the major cities which were forced to default have now been able to bring about refunding plans. However, this is not true generally with regard to many small units of government—a great many of which are in Florida.

Aside from the above, however, there is a real basis for considering legislation of the character again introduced by Congressman Wilcox as a *permanent* part of our Federal statutes.

Low Cost Housing

City officials who are interested in one of the PWA low cost housing projects may inspect projects in Columbia, Charleston, Atlanta, Birmingham, Montgomery, Memphis, Nashville, Washington, Louisville, Lexington, Jacksonville, Miami, and 32 other more distant cities of the country. Three projects have now been opened: Techwood Homes in Atlanta, William B. Patterson Courts in Montgomery, and the Riverside Heights project in Montgomery.

Up to Now with the Legislature

- - - A Summary of the Chief Statewide Acts Passed, Passe and Pending up to Present Time

By HENRY BRANDIS, JR.
Of the Staff of the Institute of Government

AS the 1937 General Assembly tucked into its journals the activities of Washington's Birthday, its volume of unfinished business could be gauged by the fact that, of 691 bills introduced, only some 200 have been passed and some 50 consigned to at least a temporary limbo. Three-fourths of the bills passed are local, dealing with sundry minor, major and run-of-the-mine matters affecting specifically some twenty-six cities and some fifty-five counties. More than 100 public bills of appreciable importance were pending.

Heading the list of laws actually ratified were the Tobacco Compact Act, the Liquor Control Act (a summary of which is carried elsewhere in this magazine), and the law appropriating $600,000 (which was deducted from next year's school appropriation) for school bus replacements. Eleven other new laws make minor appropriations which, taken together, will make no appreciable dent in the anticipated surplus for this biennium.

Acts Many and Varied

Other new laws of importance include: (1) authorization for two new Supreme Court Justices in July; (2) regulation of the sale of used cars by non-residents; (3) four laws dealing with Building and Loan and Federal Savings and Loan Associations; (4) authorization to purchase 125 acres per mile as rights-of-way, recreational, and scenic areas along the scenic parkways; (5) authorization for appointment of county electrical inspectors; (6) provision of new penalties for failure to stop after auto accidents involving property damage; (7) authorization for women to resume their maiden names after divorce; (8) new provisions relating to the powers of the State Bar and the compensation of Law Examiners; (9) inclusion of cleaners and dyers in the growing group of professions by creation of a Dry Cleaning Commission with power to examine and license applicants and otherwise emulate the lawyers, doctors, barbers, and cosmetologists; (10) two laws dealing with General County Courts, their juries, and jurisdiction; (11) prohibition against any State or local official demanding part of the compensation of his subordinates as the price of appointing them to or leaving them in their jobs.

Other new matters placed on the statute books range from the resolution pledging the legislature to work on Saturdays and Mondays to the resolution requesting that one of the new dreadnaughts be named for the State; from authorization of the removal of graves to appointment of a committee to welcome the submarine "Perch"; and from approval of the idea of special Mecklenburg Declaration of Independence Coin to provision for a session of the General Assembly at Edenton.

On Unfavorable Calendar

Among those bills now nestling on the table or the unfavorable calendar are bills to: (1) return to electrocution; (2) reapportion the House of Representatives in such manner as might have been done in 1931; (3) ratify the Child Labor amendment to the U. S. Constitution; (4) establish the whipping post; (5) provide for sale of auto tags by appointees of County Commissioners, with 3% going to counties; (6) exempt basic foods from the sales tax in advance of July 1; (7) abolish motion picture "bank nights," fireworks, and the office of Commissioner of Banks; (8) put prisoners sentenced for less than 30 days under the jurisdiction of the State Highway and Public Works Commission; (9) change the status of emergency judges by eliminating their power to serve in an emergency or otherwise; (10) return to the flat 45-mile speed limit; (11) make various changes in laws governing hours of labor; (12) eliminate the liability of auto drivers to non-paying guests; (13) grant liens on autos to those damaged thereby and liens on pants, coats, and vests to the cleaners and pressers thereof; (14) liberalize the rules of evidence governing admissibility of declarations by decedents; (15) approve the position taken by Senator J. W. Bailey with reference to the proposed changes in the U. S. Supreme Court.

> Bills flow from many pens and typewriters into a legislative hopper. Strange things, therefore, may be expected to arrive side by side. However, one recent sequence of five bills introduced in the House may claim some sort of award for diversity even in company in which diversity is commonplace. They dealt, respectively, with bulls and jacks, boxing and wrestling, fox hunting, public drunkenness and tattooing.

Money and Machinery Acts

Heading the list of pending measures are the biennial Revenue and Appropriations Bills, though, with both already passed by the House, the "money bills" have made more progress than at the corresponding time in 1935. Following these are the Tax Machinery Act and the School Machinery Act, neither of which has yet been reported from Committee.

Other pending bills would authorize bond issues in the following amounts for the following purposes: (1) $25,000,000 for secondary roads; (2) $10,000,000 to pay county road claims; (3) $1,980,000 for permanent improvements at various State institutions; (4) $1,500,000

(Continued on page fifteen)

Notes from the Cities and Counties

WITH all indications pointing to a short session of the General Assembly, last month brought a grand rush among the cities and counties for changes in governmental set-ups and systems requiring special or local Acts. There were many other things to claim local officials' attention and time, such as far-flung building and improvement programs, preparations for tax listing and assessing, and school shutdowns in many rural areas due to muddy roads and unsafe school busses. But problems and tasks which are more or less continuous had to take a back seat for the matter of new laws, which can be had only once every two years, and it was the legislative grist mill in Raleigh which held the center of the stage.

* * *

A new charter for Oxford, with an election on the City Manager plan; an extension of the city limits for Washington, and a civil service system for High Point are among the proposals, passed, passé, or pending. Several local acts would make important changes in tax setups, including the division of the office of treasurer and tax collector in Mecklenburg; the creation of the office of tax supervisor in Wake and a separate tax office in Union; the consolidation of the collection of school and town taxes in Morganton, and the creation of a tax commission to take over the tax duties of the County Board in Catawba. Martin County would go back to the plan of electing commissioners by a county-wide vote, while Catawba is considering an act to change from the convention to the primary system for nominating county officers. Space does not permit a longer enumeration, but these will give an idea of the number and nature, and a complete summary of all local bills may be found in the Institute's Daily Legislative Bulletins.

* * *

Two important changes which have already been made without special legislation are the adoption of the county manager plan in Catawba and the reorganization of the Charlotte water department under three separate divisions, plant, distribution and financial. The Catawba Board named Accountant Nolan J. Sigmon County Manager, while Charlotte retained W. E. Vest as Water Superintendent.

THIRTY-EIGHT YEARS OF SERVICE

Winston-Salem comes forward with an outstanding candidate for service honors among city employees not subject to the whims of the electorate. Assistant Fire Chief John H. Holmes (above) this month completed 38 years as an employed City fireman, and he was a volunteer for six years before that.

Other cities and counties are invited to join with POPULAR GOVERNMENT *in paying recognition and honor to officials and employees with outstanding records and terms of service. Just send in their pictures and the necessary information, and they will be carried in this space from month to month.*

The burning of $456,000 worth of cancelled city bonds in Greensboro and $20,000 in depression "script" in Sanford set the tone for the month's tax and fiscal news. Hendersonville, Concord, and other units reported heavy debt curtailments, while others completed refinancing operations, including Clinton and Caldwell, at substantial interest savings. New bond issues continued to command low rates, headed by a Mecklenburg sale at 2.79% and a Rocky Mount sale at 2¾ and 3%. Beaufort County made a profit of $50,928 on its sinking fund for the past three and a half years, while Mecklenburg was $36,667 under its budget for the first half of the fiscal year. Tax collections continued to improve with Winston-Salem reporting January collections 33 1-3% up from last year and Charlotte and Guilford reporting 75% and 70% collections on their 1936 levies, respectively, as against 68% and 66% last year. Meanwhile, drives to clear up back taxes went on on a wide front, employing foreclosure suits, personal property levies, garnishment, and other weapons.

* * *

Law enforcement and traffic notes: Charlotte radio patrol arrests car thief within three minutes after report. Boost in power approved for Durham station. Raleigh Department installs switchboard, with red and green lights, to indicate when cars are answering calls or out of service. War on slot machines and pin tables continues on wide front. Washington turns down Sunday movies. Lenoir installs 10 traffic signals with two-hour parking limitation, while Charlotte modernizes traffic control system, continues anti-noise efforts, and launches safety campaign. New Roanoke Rapids ordinance provides $50 fine for drivers failing to give data on accidents. Greensboro seeks to encourage use of vacant downtown lots for parking. Police chiefs meet in Durham to study and discuss state-wide civil service and pension plan.

* * *

Utility briefs: Smithfield cuts light rate from 12c to 10c per kilowatt hour and refrigerator and power rates from 4c to 2c. Laurinburg and other municipalities buying power at contract rates and reselling to residents struggling with problem of what to do about rates in view of the power companies' recent slashes in retail rates. Murphy increases water rates 25% to provide for increasing water supply. Kinston approves $125,000 bond issue for light and water plant improvements. Charlotte to vote March 6 on $1,365,000 water improvements and Reidsville March 9 on $120,000 water, sewer, and street extensions and improvements. High Point's six million dollar power project held up by litigation along with Johnston and Caldwell County rural electrification co-operatives. Swan Quarter becomes 100th county seat to get electricity as program moves on in other sections.

The Fire Department

Its Relation and Value to Its City

By
SHERWOOD
BROCKWELL
State Fire Marshal

IN years past the general custom was to devote one Fire Department meeting each year to what was known as the "Annual Banquet." At this time invited guests ranging from the Governor down, if the political prestige of the community justified, took occasion to eulogize the firemen and tell of their deeds of heroism. The eulogies generally ended with a burst of oratory as to how the firemen "heard the fire alarm as did soldiers the bugle call, how the hoofbeats of the horses and later the hum or the motor served as drum beats, and the reflection of the lurid flames against the midnight sky, like a torn battle flag, urged them on into the thickest of the fray, heedless of danger, giving their all and asking nothing in return save that the life and property of their loved ones, friends, and neighbors be saved from the ravages of man's worst enemy—Fire!"

If the orator felt that he had plenty of steam, he would often dwell on "the price of safety is eternal vigilance" or words to that effect.

Those orators of another generation were not altogether wrong. There is a lot to what they said, for it is a fact that the large majority of firemen in the State of North Carolina are volunteers. The ratio at the close of 1936 was approximately 3,212 volunteers (some of this number, estimated at 22 per cent, receive a set amount for each fire in which water is used, or the equivalent) to 750 paid firemen, this number including the men in the volunteer fire departments who are paid to look after the apparatus, keep it in repair and operate it during a fire.

Cold Facts and Figures

In recent years, with submission of charts and data pertaining to costs of operations, profits, etc., by the various municipal utilities, with the organization of the personnel of the several branches of city government into state associations with national relations, with the universal adoption of the budget plan throwing the various departments into competition for the amounts suggested by their relative show of income and their ability as finance-producing agencies, the whole trend has been to act accordingly. However, the firemen, still relying on the poetry of the orators and failing to realize the importance of their departments as financial assets in their respective cities and towns, have, in some cases, been forced to sit at the "second table" and wait until after the "finance producing brothers" had been served.

That is why the radio address of Mr. E. K. Ingram, Chief of Fire Department, High Point, N. C., circularized during Fire Prevention Week, 1936, was of such value to many fire departments throughout the State and brought forth such fine praise from the Chairman of the Fire Prevention and Clean-up Committee of the National Fire Protection Association and the Director of Conservation of the National Board of Fire Underwriters.

As One Chief Put It

Mr. Ingram, though giving the firemen full credit for their heroic and volunteer service, also laid proper stress on cold figures. Here is the "dollar and cents manner" in which Chief Ingram drove home the value of one fire department to its city and citizens from a strictly financial standpoint:

"For the wages of this personnel and for fire equipment and maintenance the city has, this year, appropriated $66,500.00. In a lump sum this may seem to be a great amount, but let's break it up and see exactly what it costs each family in the city. Taking an average of five persons to the family, we find that our department costs each family $8.30 per year; $1.65 per capita. Could we get such protection for our families, homes and businesses, churches, schools, and institutions for anywhere near this cost from any other source? Is there any other agency offering you the protection the Fire Department does for such a small cost?

"Did you ever stop to realize that the Fire Department, not the firemen's, but yours, pays you dividends probably in excess of any other investment you may make? It is true, nevertheless. Every person in the city who owns an automobile, house furnishings, clothing or a house, re-

NEW SECTION FOR FIREMEN

The accompanying article inaugurates a new Section of news and materials of interest to North Carolina firemen which will be a regular feature in the future It is thought fitting that the initial section should be devoted to a consideration of the fire department's place in the governmental picture and its relation and value to the city it serves. And there is perhaps no one in the State who is better qualified to discuss this important subject than its able, tireless, and beloved Fire Marshal.

News Briefs from Tar Heel Fire Departments

The fire loss in Raleigh for January was held to $105, Chief W. E. Holland reports.

A wage increase for Charlotte firemen has been recommended to the City Council by Chief Hendrix Palmer. Other recommendations: fire drill tower, additional fire hydrants, and windshields for all trucks.

City Manager Henry Yancey has endorsed a two-platoon system for the Durham Department "provided the necessary funds can be found." The proposed system would permit firemen to work on a shift basis of either 12-12 or 14-10 hours a day; under the present system they are on duty three full days and off on the fourth day.

ceives a yearly dividend through the efforts of the fire-fighters. How is this possible?

"It is simply through the excellent record that the High Point Fire Department has made that the city enjoys low insurance rates. Were it not for the well organized Fire Department your insurance rates would be exorbitant. Each year you would have to take money out of your pocket and pay higher premiums. With these reduced rates each resident of the city is able to cut down the 'overhead' and save money which goes into pleasure, new furnishings or the savings account.

"In the last few months the High Point firemen have saved workers in the city much more money than the $66,500 appropriated for operating the Fire Department. In December, the firemen were called to the High Point Furniture Company plant to extinguish the largest blaze the city has experienced in years. Displaying tireless efforts, the men were able to confine the roaring fire to the warehouse, thus saving the jobs of 300 employees who were back on the job next day. In February, at the Marsh Furniture factory, the Department extinguished a threatening blaze and saved the jobs of 110 workers.

"Had it not been for your firefighters, a total of 410 persons would have lost their jobs. Destruction of the two plants would have meant the loss of approximately six months of work and wages. If these workers had been held idle for six months, the time it would have required to rebuild and reequip the factories, they would, using the average wage as the basis, have lost $246,200 in wages. They could never get it back, nor could the grocer, baker, clothier, and others depending on these workers to purchase goods. Subtracting the $66,500 appropriation to operate the Fire Department from the $246,000 the workers will receive since they are still on the job, we find a difference of $179,500.00 saved for this one group, even if they alone were required to pay for the fire department maintenance."

While Mr. Ingram's remarks necessarily applied to the High Point Fire Department, the facts he brought out will apply to most any other Fire Department in North Carolina. No community gets more in return for dollars expended than that appropriated for maintaining a well equipped, progressive Fire Department.

The State-wide Picture

So much for the High Point Fire Department and for any other one particular fire department in the State. Let's see how the figures run for the State as a whole, including urban and rural communities, covering a period of several years. No better picture can be drawn than from the figures furnished by Dan C. Boney, State Insurance Commissioner (see accompanying table).

Do not jump at conclusions after reading these figures. Let's be conservative. The Fire Departments must not claim all the credit for the remarkable record over the 35-year period or for all of the advantages shown by the steady and marked decline in losses paid from 1931 through 1935.

Improved business conditions, the wiping out of many extraordinary moral risks in business, industrial, institutional, and residential property (and who took more physical punishment facing these than the fireman?), the re-organization of financial institutions, the improved business outlook, the ratio of values insured, and many other factors enter. However, giving due weight to all of these factors and assuming that the changes and ratios also applied to the other states listed, the Fire Departments of the protected cities and towns in North Carolina are placed in an exceedingly favorable financial position by comparison. They have consistently made the insurance business profitable, including that of our own home companies, thus doing their part to provide fire protection, both engineering and financial, at a favorable rate, not only to the citizens of protected cities and towns, but to all in the confines of our state.

The average insurance rate paid in the nine Southeastern states listed in the table for 1935 was $0.985. North Carolina's rate was $0.85. This leaves a difference of $0.135, or an advantage of 15.8% to the people of North Carolina, after all

(Continued on page fifteen)

STOCK FIRE INSURANCE UNDERWRITING EXPERIENCE
5 AND 35 YEAR PERIOD

Compiled by the North Carolina Insurance Department
Dan C. Boney, Insurance Commissioner

Year	Net Risks Written	Net Premiums Received	Net Losses Paid	Per Cent Loss Pd. to Prems.
1931	916,928,038	8,119,995	6,687,277	82.4
1932	854,886,056	7,487,058	6,125,155	81.8
1933	860,198,516	7,019,768	3,891,062	55.4
1934	989,277,114	7,760,994	3,341,398	43.1
1935	933,498,199	7,921,120	2,576,948	32.5
31-35	4,554,717,923	38,308,935	22,621,840	59.1
1900-35	20,524,273,554	210,344,338	111,463,109	53.0

1935 Number of Companies	199
1935 Average Rate of Premiums	0.85
1900-35 Average Rate of Premiums	0.84

Average Rate by States for 1935 for Southeastern States

North Carolina	.85
South Carolina	1.05
Tennessee	.92
Virginia	.88
Florida	.99
Georgia	.98
Alabama	.96
Mississippi	1.35
Louisiana	.89

MUTUAL FIRE INSURANCE UNDERWRITING EXPERIENCE
5 YEAR PERIOD

(Does not include Reciprocals and County Mutuals)

Year	Net Risks Written	Net Premiums Received	Net Losses Incurred	Per Cent Loss Pd. to Prems.
1931	130,003,855	692,834	307,191	44.3
1932	129,569,646	688,906	451,694	65.6
1933	197,540,399	792,366	355,818	44.9
1934	174,514,238	997,139	286,824	28.7
1935	187,972,842	1,231,340	319,799	26.0
1931-35	819,600,980	4,402,585	1,721,326	39.09

1935 Number of Companies	52

State and Federal Services to Local Units

II. Federal Bureau of Investigation

By M. R. ALEXANDER
of the Staff of The Institute of Government

THE Federal Bureau of Investigation renders a number of import services to local law enforcement agencies, including direct assistance in the investigation of federal offenses or of crimes with elements which give the Federal Agents jurisdiction. Of the others the chief services have to do with the training of local police instructors, the identification of suspects, the laboratory investigation of crimes and the provision of a clearing house of information on crime and criminals.

Investigations Handled by Bureau.—The "FBI" investigates all violations of federal laws and matters in which the United States is a party in interest except for those especially assigned by Congress to other federal agencies. Among the matters most frequently investigated by the "FBI" are violations of the National Bank Act, White Slave Traffic Act, National Motor Vehicle Theft Act, and Anti-trust laws; extortion cases; kidnaping cases in which the kidnaped person has been transported inter-state; robberies of national banks, member banks of the Federal Reserve System, and banks insured by the Federal Deposit Insurance Corporation; fraudulent bankruptcies, and violations of the Federal Fugitive Act.

When any of the above crimes are committed in its jurisdiction, a local police agency may call on the Bureau or its nearest field office (Charlotte for North Carolina) to assist in or take over the investigation altogether. Or if the offense is a violation of a State and not a Federal law, but the criminal flees the State, the local agency may enlist the aid of the "FBI" in tracking him down and bringing him back to stand trial. The Federal Fugitive Act now makes it a Federal offense to flee across state borders to avoid state prosecution or to avoid testifying in certain criminal cases.

Police Training — A 12-weeks' Police Training School is conducted in Washington each year in which city, county and state officers are given the same training as the "G-men" and are equipped to serve their departments in turn as instructors.

Instruction is by the regular "FBI" training staff, supplemented by visiting experts, and embraces demonstrations, laboratory work, and actual practice as well as study and lectures. The curriculum, which is similar to that for the "FBI's" own agents, falls into six major divisions — Scientific and Technical; Statistics, Records, and Report Writing; Firearms Training and First Aid; Investigations, Enforcement, and Regulatory Procedure; Tests and Practical Experience; and Administration and Organization. These are supplemented by courses of specific application to state and local law enforcement work, such as police communication, reports, organization and administration, traffic and patrol work, enforcement of local and state statutes, personnel problems, police problems in catastrophes, explosions and fires, and research and study of state laws.

There is no charge to local officers or their departments for either the instruction or equipment; the only expense necessary is that for transportation and living expenses in Washington. Two North Carolina departments were represented at the "FBI" school in 1936; any departments wishing invitations to send representatives to future sessions should file written requests with the Director of the Bureau.

Identification of Criminals—A local police department may send a criminal's or suspect's fingerprints to the Bureau in Washington, have them checked against the six million fingerprint records on file, and secure a report within 48 hours on his previous criminal record if any.

This service is furnished without cost to all regularly constituted law enforcement agencies desiring it. The Bureau furnishes fingerprint cards, franked envelopes, and disposition sheets for the purpose of recording action taken subsequent to arrest. Local agencies may also secure, upon request, copies of the Bureau's pamphlets dealing with the subjects of fingerprinting, latent fingerprints, court decisions as to the admissibility of fingerprint evidence, and the modification and extension of the Henry System of Identification as applied to its files.

If a local department desires the apprehension of a fugitive, it can get the "FBI" to place a "wanted notice" on the fingerprint record of this individual in its files. Then when the fugitive is arrested elsewhere and his fingerprints forwarded to the Bureau, the agency placing the notice is immediately notified. More than 500 fugitives are located each month in this way.

The Civil Fingerprint Files of the "FBI" are also of frequent use in identifying unknown dead. All police departments and individual citizens are invited to submit prints to the Bureau for this purpose.

States and local units employing persons for Civil Service positions may utilize the Bureau's reservoir of criminal information in yet another way. Fingerprints of applicants may be submitted to the Bureau and checked to see if they have previous criminal records which would show them unfit for positions.

Laboratory Investigation of Crimes.—A department needing laboratory assistance in the investigation of a crime, as in identifying a bullet or a piece of handwriting or in analyzing a hair or a blood stain, may turn to the Bureau's Technical Laboratory. Its facilities are open to local agencies, evidence is examined and analyzed, and detailed re-

(Continued on page twenty-four)

THE NEW APPOINTIVE

February 2

NOTE: It is suggested that those having need of a Directory of the appointive county officials or, preferably, the whole copy of this number of State and County officials in its November issue following the all elec

County	*Accountant*	*Attorney*	*Tax Supervisor*	*Supt. Schools*	*Supt. Health*	*Supt. Welfare*	*Farm Agent*
Alamance	J. S. Vincent	H. J. Rhodes	W. H. Huffman	M. E. Yount			N. C. Shiver
Alexander	G. C. Watts	Burke & Burke		S. W. Payne	S. W. Payne	Luther Dyson	J. F. Brown
Alleghany	Clay Thompson	R. F. Crouse	T. J. Carson	Clay Thompson	Virginia Ashley	Clay Thompson	R. E. Black
Anson	F. E. Liles	Taylor & Thomas	F. E. Liles	J. O. Bowman	Dr. J. H. Bennett	Mary Robinson	J. W. Cameron
Ashe	Q. R. Neal	I. R. Johnston W. B. Austin	H. H. Burgess	J. I. Miller		J. I. Miller	C. J. Rich
Avery	J. D. Braswell	B. E. Williams	H. E. Daniels	G. M. Bowman	M. Johnston	Alma Freerks	C. B. Boyd
Beaufort	J. S. Benner	J. D. Grimes		F. A. Edmonson	D. E. Ford	Mrs. J. F. Randolph	W. L. McGahey
Bertie		M. B. Gillam		H. W. Early	F. H. Garris	H. W. Early	B. E. Grant
Bladen	W. A. Ferguson	H. H. Clark		A. E. Lee	R. S. Cromartie	Isabella Cox	J. R. Powell
Brunswick	R. C. St. George	S. B. Frink	R. C. St. George	A. M. Woodside	J. A. Dosher	F. M. Sasser	J. E. Dodson
Buncombe	J. C. Garrison	Brandon Hodges	W. Z. Penland	T. C. Roberson	Dr. H. Sumner	E. E. Connor	A. C. Nesbitt
Burke	R. M Davis	Ervin & Butler		R. L. Patton	Dr. Jno. Ervin	Miss Sneed	R. L. Sloan
Cabarrus	C. N. Field	Hartsell & Hartsell		S. G. Hawfield	D. G. Caldwell	E. F. White	R. D. Goodman
Caldwell	R. C. Powell	B. F. Williams L. M. Abernethy	R. C. Powell	C. M. Abernethy	C. R. Hedrick	Geo. Wilcox	O. R. Corrithers
Camden	T. B. Godfrey	W. I. Halstead		E. V. Leary	W. L. Stevens	Mary Teeter	T. McL. Carr
Carteret	J. D. Potter	Luther Hamilton	A. L. Hamilton	J. G. Allen	Dr. W. S. Chadwick	Mrs. G. Henderson	Hugh Overstreet
Caswell	W. H. Williamson	R. T. Wilson	W. H. Williamson	H. McSwain	Addie Slade	Mrs. M. Wilson	H. L. Seagrove
Catawba	N. J. Sigmon	T. P. Pruitt	J. L. Abernethy	J. A. Capps	Dr. L. Caldwell	Frances Lentz	Earle Brintnall
Chatham	T. V. Riggsbee	W. P. Horton		W. R. Thompson	D. J. Edwards	Miss Strowd	H. M. Singletary
Cherokee	P. C. Hyatt	D. H. Tillitt		A. L. Martin	J. N. Hill	M. L. Mauney	A. Q. Ketner
Chowan	R. D. Dixon	W. D. Pruden	F. W. Hobbs	W. J. Taylor	Dr. M. P. Whichard	W. J. Taylor	N. K. Rowell
Clay	R. E. Crawford			A. J. Bell	J. M. May	A. J. Bell	D. G. Allison
Cleveland	T. V. McKinney	Peyton McSwain	T. V. McKinney	J. H. Grigg	Dr. H. C. Thompson	Mrs. L. H. Ledford	J. S. Wilkins
Columbus	A. W. Baldwin	Jackson Greer, Sr.	Mamie Brown	H. D. Browning	Dr. F. Johnson	Mrs. Johnsie Nunn	J. P. Quinerly
Craven	B. O. Jones	J. A. Guion		R. S. Proctor	Dr. Anderson	Mrs. J. D. Whitford	H. A. Patten
Cumberland	R. E. Nimocks	Duncan Shaw	B. C. Bramble	A. B. Wilkins	Dr. M. T. Foster	Mrs. J. F. Armfield	J. T. Monroe
Currituck	W. S. Gregory	Chester Morris	W. S. Gregory	T. B. Elliott	E. M. Mann	Norman Hughes	L. A. Powell
Dare	C. S. Meekins	Martin Kellogg, Jr	E. S. Wise	R. H. Atkinson	Dr. W. W. Johnston	I. P. Davis	C. W. Overman
Davidson	I. S. Brinkley, Mgr.	P. V. Critcher	I. S. Brinkley	P. F. Evans	Dr. G. C. Gambrell	C. F. Lopp	P. M. Hendricks
Davie	D. R. Stroud	Grant & Grant	D. R. Stroud	W. F. Robinson	Dr. L. P. Martin	W. F. Robinson	R. R. Smithwick
Duplin	F. W. McGowen	H. L. Stevens, Jr.	F. W. McGowen	O. P. Johnson	Dr. R. L. Carr	Mrs. Inez Boney	W. D. Reynolds
Durham	D.W.Newsom,Mgr.	R. P. Reade	D. W. Newsom	L. H. Barbour	J. H. Epperson	W. E. Stanley	W. B. Pace
Edgecombe	M. L. Laughlin	C. H. Leggett		W. E. Gresham	Dr. L. L. Parks	Mary E. Forbes	J. C. Powell
Forsyth	W. N. Schultz	F. S. Hutchins	V. W. Flynt	T. H. Cash	Dr. J. R. Hege	A. W. Cline	R. W. Pou
Franklin	W. N. Fuller	C. P. Green	W. N. Fuller	W. R. Mills	R. F. Yarborough	Mrs. J. F. Mitchiner	E. J. Morgan
Gaston	C. E. Dent	E. B. Denny	T. L. Ware	F. P. Hall	Dr. R. E. Rhyne	Agnes Thomas	Maury Gaston
Gates	W. T. Cross			W. H. Overman			
Graham	A. F. Ghormley	Morphew & Morphew		J. H. Moody	M. T. Maxwell	J. H. Moody	W. B. Wiggins
Granville	W. J. Webb	A. A. Hicks	W. J. Webb	B. D. Bunn	Dr. J. A. Morris	Mrs. L. C. Taylor	Dan Paul
Greene	G. W. Edwards	W. G. Sheppard		A. B. Alderman	Dr. W. B. Murphy	Rachel P. Sugg	E. V. Vestal
Guilford	Willis Booth	B. L. Fentress	A. C. Hudson	T. R. Foust	Dr. R. M. Buie	Blanche C. Stern	J. I. Wagonner
Halifax	C. S. Vinson	G. C. Green	C. S. Vinson	A. E. Akers	R. S. McGeachy	J. B. Hall	W. O. Davis
Harnett	J. S. McLean	H. C. Strickland	J. S. McLean	B. P. Gentry	Dr. W. B. Hunter	Lillie Davis	J. O. Anthony
Haywood	T. J. Cathey	W. T. Hannah	W. H. McCracken	Jack Messer	Dr. C. H. Sisk	Mrs. J. O. Stentz	W. D. Smith
Henderson				R. G. Anders	Dr. T. W. Sumner	R. G. Anders	G. D. White
Hertford	J. A. Northcott	W. D. Boone	H. McD. Spiers	J. R. Brown	T. G. Faison	Mrs. I. F. Snipes	J. G. Blake
Hoke		A. D. Gore		K. A. McDonald	Dr. R. L. Murray	Mrs. E. M. Giles	H. L. Meacham
Hyde	W. J. Lupton	G. T. Davis		G. P. Gallop		Elizabeth C. Grant	C. Y. Tilson
Iredell	L. N. Mills	J. L. McLaughlin	L. N. Mills	J. A. Steele	R. S. McElwee	Mrs. R. H. Rickert	Ray Morrow
Jackson	T. W. Ashe	Dan K. Moore		M. B. Madison	C. N. Sisk	M. B. Madison	G. R. Lackey
Johnston	J. L. George	W. J. Hooks		H. B. Marrow	Dr. A. H. Rose	Mrs. D. J. Thurston	S. C. Oliver

E COUNTY OFFICIALS

20, 1937

the 1937 County Officials file the accompanying list of the chief
mber. POPULAR GOVERNMENT carried a similar list of elective
ll elections. Together the two lists provide a complete Directory.

County	*Accountant*	*Attorney*	*Tax Supervisor*	*Supt. Schools*	*Supt. Health*	*Supt. Welfare*	*Farm Agent*
Jones	Swindell Pollock	J. K. Warren	H. A. Parker	A. C. Holland	D. H. Herritage	A. C. Holland	F. F. Hendrix
Lee	Flora Wyche	K. R. Hoyle	E. A. Griffin	G. R. Wheeler	Dr. Lynn McIver	J. D. Pegram	E. O. McMahon
Lenoir	Katie Cobb	Guy Elliott		E. E. Sams	Dr. Z. V. Moseley	G. B. Hanraham	C. M. Brickhouse
Lincoln	W. H. Boring	M. T. Leatherman		J. R. Nixon		J. R. Nixon	R. G. Morrison
McDowell	Mrs. M. G. Burgin	J. W. Winborne	Mrs. M. G. Burgin	Barron Caldwell	Dr. G. S. Kirby	Mrs. G. W. Kirkpatrick	S. L. Homewood
Macon	C. T. Bryson	G. B. Patton	C. T. Bryson	M. D. Billings	Dr. H. T. Horsley	Mrs. E. G. Franks	Sam Mendenhall
Madison	L. C. Reed	J. H. McElroy		J. O. Wells	Dr. W. A. Sams	Dr. W. A. Sams	George Miller
Martin	J. S. Getsinger	E. S. Peel		J. C. Manning	Dr. J. H. Saunders	Mary Taylor	T. B. Brandon
Mecklenburg	G. D. Bradshaw	Fisher & Stancil	J. A. Henderson	E. L. Best	Dr. E. H. Hand	Mrs. Louise Neikirk	Oscar Phillips
Mitchell	J. D. Pannell	W. C. Berry	J. D. Pannell	N. H. Yelton	Dr. A. E. Gouge	Otto Woody	J. C. Lynn
Montgomery	C. K. Reynolds	W. L. Currie		J. S. Edwards	Dr. Chas. Daligny	C. J. McLeod	H. B. James
Moore	Maida Jenkins	S. R. Hoyle	Maida Jenkins	H. L. Thomas	Dr. J. Symington	Mrs. W. G. Brown	E. H. Garrison
Nash	J. L. Cornwell	J. P. Bunn		L. S. Inscoe	T. O. Coppedge	J. A. Glover	J. S. Suggs
New Hanover	J. A. Orrell	Marsden Bellamy	Addison Hewlett	H. M. Roland	Dr. A. H. Elliott	J. R. Hollis	S. R. Poole
Northampton	H. D. Hart	Eric Norfleet		P. J. Long	Dr. M. H. Seawell	Iris Flythe	E. P. Gulledge
Onslow	J. J. Cole			A. H. Hatsell	Mrs. S. Rogers	Laura Mathews	N. M. Smith
Orange	G. W. Ray	A. H. Graham		R. H. Claytor	W. P. Richardson	G. H. Lawrence	D. S. Matheson
Pamlico	Roy Major	Julius Dees		T. G. Leary	Sina Campen	Don Carawan	R. W. Galphin
Pasquotank	C. C. Pritchard	J. B. McMullan	L. S. Sawyer	M. P. Jennings	Dr. C. B. Williams	A. H. Outlaw	G. W. Falls
Pender	G. F. Lucas	C. L. Moore		T. T. Murphy	Mrs. P. E. Lucas	Viola Scott	C. V. Morgan
Perquimans	W. F. C. Edwards	Charles Whedbee		F. T. Johnson	T. P. Brinn	Ruth M. Davenport	L. W. Anderson
Person	J. S. Walker	R. P. Burns	J. S. Walker	R. B. Griffin	Dr. S .V. Lewis	Mrs. T. C. Wagstaff	H. K. Sanders
Pitt	J. H. Coward	F. C. Harding	J. H. Coward	D. H. Conley	N. T. Ennett	K. T. Futrell	J. B. Bennett
Polk		J. T. Arledge	W. C. Hague	P. S. White	Earle Grady	P. S. White	J. A. Wilson
Randolph		T. A. Burns	A. T. Allen & Co.	T. F. Bulla	G. H. Sumner	R. T. Lloyd	E. S. Millsaps
Richmond	T. L. Covington	F. W. Bynum	T. L. Covington	L. J. Bell	R. M. Bardin	O. G. Reynolds	O. O. Dukes
Robeson	E. K. Butler, Mgr.	D. H. Fuller		J. F. Pugh	E. R. Hardin	Katie S. McLeod	A. D. Robertson
Rockingham	Eugene Irvin	J. C. Brown		J. E. McLean	Dr. C. R. Wharton	Mrs. J. L. Wilson	F. S. Walker
Rowan	J. E. Haynes	Kerr Craige		Gordon Hasty	C. W. Armstrong	Mrs. M. O. Linton	D. H. Sutton
Rutherford	C. R. Yopp	O. J. Mooneyham		J. J. Tarlton	R. M. Bardin	Etna G. Harrill	F. E. Patton
Sampson	A. A. James	H. H. Hubbard		D. V. Carter	Dr. W. P. Starling	A. W. Daughtry	J. M. Henley
Scotland	T. J. Gill, Jr.	E. H. Gibson		L. M. Peele	Dr. E. A. Erwin	E. F. Murray	L. G. Mathis
Stanly	D. L. Crowell	H. C. Turner	H. Armfield	J. P. Sihhord	Dr. W. I. Hill	O. B. Mabry	J. W. Artz
Stokes	B. P. Bailey	S. G. Sparger & R. J. Scott	B. P. Bailey	J. C. Carson	Dr. J. L. Hanes	Mrs. Evelyn McNairy	T. H. Sears
Surry	B. F. Folger	R. A. Freeman	B. F. Folger	J. W. Comer	Dr. R. Sykes	Bausie Marion	J. W. Crawford
Swain	Reeves Colville	B. C. Jones		C. F. Carroll	C. N. Sisk	W. T. Jenkins	Bryan Nesbit
Transylvania	R. W. Lyday	Pat Kimzey	R. W. Lyday	J. B. Jones	Dr. G. B. Lynch	J. B. Jones	J. A. Glazener
Tyrrell	M. A. Davenport		Magnolia Owens	R. H. Bachman	Dr. S. C. Chaplin	R. H. Bachman	H. H. Harris
Union	R. J. Moore	Vann & Milliken	R. J. Moore	E. D. Johnson	Mrs. Carrie Godfrey	Mrs. G. S. Lee, Jr.	T. J. W. Broom
Vance	Dorothea Woodleaf	B. H. Perry	G. W. Adams	E. M. Rollins	Dr. A. D. Gregg	Mrs. E. R. Austin	J. W. Sanders
Wake	H. G. Holding	L. S. Brassfield	N. F. Turner	J. C. Lockhart	Dr. A. C. Bulla	Mrs. T. W. Bickett	J. C. Anderson
Warren	T. B. Gardner	J. E. Banzet	W. J. Pinnell	J. E. Allen	Mrs. Joe Jones	Lucy Leach	R. H. Bright
Washington	E. J. Spruill	Z. V. Norman		H. H. McLean	Dr. T. L. Bray	Ursula Bateman	W. V. Hayes
Watauga	Gordon Taylor	C. T. Zimmerman	E. G. Greer	W. H. Walker	H. B. Perry	Marguerite Miller	W. B. Collins
Wayne	W. B. Cobb	F. P. Parker	W. B. Cobb	J. W. Wilson	S. B. McPheeters	J. A. Best	C. S. Mintz
Wilkes	C. H. Ferguson	W. H. McElwee J. M. Cooper		C. B. Eller	Dr. A. J. Eller	C. C. McNeil	A. G. Hendren
Wilson	C. C. Lamm	Luke Lamb G. Tomlinson T. Barnes		K. R. Curtis	Dr. W. H. Anderson	Monroe Fulgham	W. L. Adams
Yadkin	W. L. Mackie	D. L. Kelly		J. T. Reece		J. T. Reece	L. F. Brumfield
Yancey	W. O. Griffith			James Hutchins	Dr. J. B. Gibbs	James Hutchins	G. W. Smith

Trial Justice Systems Appear

ALTHOUGH much has been said and written recently about the justice of the peace system in North Carolina there has been little reference to the systems in use elsewhere. North Carolina contains 52,426 square miles, and its population in 1930 was 3,170,276. Justices of the peace have been a part of its judicial system during the three centuries of its history. In 1930, Virginia inaugurated a system of trial justices, and in 1934, Ontario revised its magistracy system; magistrates were formerly parts of the traditional court systems of both Virginia and Ontario. Virginia has an area of 42,627 square miles, and its population in 1930 was 2,421,851. The Province of Ontario has an area of 412,582 square miles, and in 1931, its population was 3,431,683.

OFFICIAL STATE BAR NEWS AND VIEWS

Edited by Dillard S. Gardner of the Staff of the Institute of Government. *Editorial Committee:* Julius C. Smith, President; Henry M. London, Secretary, and Charles A. Hines, of the State Bar.

The Virginia System

The Virginia trial justice plan becomes effective in a county by action of the county board, but counties with fewer than 6,000 inhabitants or with cities over 100,000 population are exempted. The last reports available show that ten counties have trial justices. These justices are usually appointed by the circuit judge for four-year terms. The justices are paid salaries. Jury trials are largely eliminated. The justices have jurisdiction over misdemeanors and certain specified crimes and also have a limited civil jurisdiction.

The Ontario System

In Ontario the system for the province is unified under the attorney general, who selects the magistrates from a list prepared by three high officials of the judicial department, selected by civil service. The attorney general may assign the magistrates anywhere in the province, but usually they remain in a particular district. There are fifty magistrates in the eighteen districts and twelve others in the six chief cities. Uusually there is a chief magistrate and two others in a district, the chief magistrate preparing the itineraries and dockets. The magistrates are all lawyers, and normally the tenure of office is for life. The justices are paid salaries. There are no jury trials. The magistrates have only criminal jurisdiction, but where indictment and jury trial are waived, the magistrate can dispose of practically all indictable offenses.

Comparison with North Carolina

In Virginia there is only one trial justice to a county, and in Ontario the number of magistrates is fixed in accordance with the needs of the province on a district basis. In North Carolina magistrates may be either appointed or elected, and there is no genuine limitation upon the number who may serve. On an average there are from twenty-five to thirty-five magistrates per county. The Virginia justice serves for four years and the Ontario magistrate for life, but in North Carolina the elected magistrate serves for two years, and the magistrate appointed by the Governor for four years, and the magistrate named by the General Assembly for a specified term of from two to six years.

The Virginia justice is usually a lawyer and the Ontario magistrate always a lawyer, but in North Carolina a lawyer-magistrate is a rare exception. In North Carolina, as in Virginia, jury trials are not often conducted by the justices; the Ontario magistrate never conducts a jury trial. In North Carolina a magistrate has a very limited criminal jurisdiction; in Virginia the trial justice may try all misdemeanors, a jurisdiction equivalent to that of many North Carolina municipal and county courts; in Ontario a magistrate has a much more extensive jurisdiction than he has in this State.

STATE BAR CRUISE

Following the highly successful experiment last year, the State Bar has decided upon another cruise for its annual convention this summer. The 1937 floating convention will come from June 19-24 and will go to Bermuda aboard the same ship, "Reliance," which carried the North Carolina lawyers to Nova Scotia last year.

The boat will sail from Norfolk, Saturday, June 19, and return Thursday morning, June 25, allowing two days and one night in Bermuda.

State Bar Council

At its regular meeting for the first quarter the Council of the State Bar provided for a Special Committee on Administrative Law, settled on the provisions of the proposed Amendment to the State Bar Act, discussed in the January issue, and disposed of several important cases in connection with disbarment proceedings and applications for reinstatement.

One disbarment proceeding was ordered dropped, another continued, and a third ordered to be investigated, while the one petition for reinstatement was denied. Several investigations were also reported as pending. A resolution was unanimously adopted providing that the Council, in future cases of disbarment, or in cases of application for reinstatement that has been declined, will not, as a matter of policy hear the same with the view of further consideration within two years except upon recommendation of the Executive Committee.

The difficulties encountered by the Committee on Unauthorized Practice of Law were explained at length by Chairman Perry. Mr. Perry pointed out the particular encroachments made by various classes of persons and businesses, and the chief offenders. However, he said it was the opinion of his Committee that the Council had no power to deal with the situation other than to provide information for the solicitors in districts where violations occurred.

President Julius C. Smith, who presided over the meeting, also gave a report of the mid-winter meeting of the House of Delegates, the governing body of the American Bar Association, at Columbus, Ohio, in January.

THE FIRE DEPARTMENT

(Continued from page ten)

other deductions are made. The amount of premiums paid in North Carolina in 1935 was $7,921,120.00 and 15.8% of this is $1,251,536.00.

Costs and Dividends

The total number of people contributing to the upkeep of the 180 fire departments in North Carolina is 924,000, less than one third of the total population. By no stretch of the imagination could the costs of maintaining the fire departments exceed $1.00 per capita for these 924,000 people (it is really less than 90 cents per capita) or a total of $924,000.00. Deducting this $924,000.00 from the $1,251,536.00 we have a difference of $327,536.00 or 26%.

In other words, giving the fire departments no credit of any kind for the improved conditions in our own borders, but only the difference which is bound to be allowed for superior performance, their efforts pay a dividend of 26c on every one dollar invested. United States and North Carolina bonds pay less than 4%, and the highest paying savings banks pay 2%.

A further study of these figures shows that the biggest risk of all—extra-ordinary moral risks, and remember there were as many of these outside of protected cities and towns comparatively as inside—had apparently returned to normalcy in 1933. But the profit credited to the fire departments is only the difference between 1934 and 1935. The figures also take care of probably the second greatest contributing factor—ratio of property insured. The difference in this, 1934 and 1935, is only two per cent, while the favorable difference in losses paid in 1934 and in 1935 exceeds 22½ per cent.

The foregoing comparative and per cent calculations have been figured from tables made from insurance loss data. This means they cover 65 per cent of the total, at least 35 per cent not being covered by insurance. By using the same ratios on the 35 per cent not insured as used on the 65 per cent insured, this, by conservative estimate, should allow the fire departments an additional profit of at least 2% or a total of 28 per cent.

Two great factors, and either, in my opinion, compares favorably with the moral risk and ratio of insured property already taken up, have so far been left unmentioned.

The first is the actual fire loss ratio in protected cities and towns compared with the actual fire loss ratio involving property outside of cities and towns. In the period between 1925 and 1935 in no one year has the loss ratio in the protected cities and towns exceeded 20% of the value of the property involved. In many instances an individual city or town has suffered fire loss in excess of 20% of the property involved during a single year, and in a few instances during this period, 1925-1935, one month's loss ratio of the protected cities and towns as a whole has exceeded 30% of the value of the property involved, but in no one year has the ratio exceeded 20 per cent. The average is less than 15 per cent. On the other hand, with unprotected property the rule is total destruction, less salvage of burned masonry, a conservative figure placing this at eighty-five cents loss for every one dollar involved.

The second is the fact that many serious fires in closely congested, high valued districts, both business and industrial, in our protected cities and towns have, through the expert work of trained fire departments, been held to a minimum which otherwise would have reached conflagration proportions, thereby knocking our fine record as a state as a whole into a cocked hat.

Allowing something for the negative part of fire protection described in the previous paragraph, and giving credit to the fire departments for the difference between the 20% loss ratio in protected cities and towns and the 85% loss ratio for unprotected property, we can safely say that every dollar invested in fire department maintenance in North Carolina not only pays for itself but pays an actual, tangible dividend of 33-1-3%.

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LEGISLATIVE SUMMARY

(Continued from page seven)

for free textbooks; (5) $1,000,000 for a State Orphanage; and $750,000 for a State office building. Appropriations from current revenues would be made, by still other bills, as follows: (1) $250,000 to advertise the State and its resources; (2) $150,000 annually to aid public libraries; (3) $100,000 (in discretion of the Governor and Council of State) for a State-owned gasoline terminal; (4) $50,000 for adult education; (5) $25,000 for a State peanut experiment farm; (6) $10,000, conditioned on a similar grant by Tennessee, for a memorial to the mother of John D. Rockefeller, Jr.

Proposed measures would reorganize the Highway and Public Works Commission, the Board of Agriculture, the State School Commission and the Highway Patrol (which would be placed under the Governor's Office). Proposed new State agencies would include a State Bureau of Identification and Investigation, also under the Governor's office.

Social Security

Pending Social Security measures include assistance for the needy aged, for dependent children and for the blind, all on a basis of State and County dividing that part of the cost which Federal funds will not cover. Being denied employees' old age pensions under the Federal Social Security Act, teachers and municipal employees would set up retirement funds under pending bills. Deductions from salaries, augmented by State funds, would care for the teachers, while cities would be authorized to appropriate from city funds to pension funds for their employees. Pending election bills include the proposed reforms of the State Board of Elections and numerous ideas of individual legislators, with absentee ballots, markers, and Saturday primaries all under fire. Proposed amendments to the State Constitution would prohibit diversion of highway funds, authorize the death penalty for kidnapping, and provide a four-year term for Sheriffs.

Industry and Labor

Bills designed to regulate some phase of business or industry would: (1) fix maximum hours and regulate child labor; (2) allow price-fixing contracts as to trade-marked products; (3) require permits for gas stations under specified circumstances; (4) regulate smoking on common carriers; (5) prescribe the personnel of train crews, sanitary facilities for railroad workers, and the type of lanterns necessary for railroad workers working around inflammables; (6) provide Boards of

Examiners for real estate dealers, journeyman plumbers and steamfitters, electrical contractors and tile contractors.

One highly important bill would reduce private passenger automobile license fees to 30c per 100 pounds (with a minimum of $6), rewrite the truck license schedule, and rewrite the motor vehicle code.

Important public health bills deal with compulsory diphtheria vaccination, changes in the sterilization laws, and creation of a Water Resources Board to study water pollution. Major crime bills include the Uniform Extradition Law, the Uniform Fresh Pursuit Law, and the Uniform Law dealing with summoning of witnesses from out of the State. Another would require registration of felons with county sheriffs.

Dozens of other items figure in other pending bills which are at least as important as many of those specifically mentioned above but space prohibits a detailed catalogue.

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LIQUOR AND THE LAW

(Continued from page three)

beer and of all naturally fermented wines from native fruits.

Thus the laws of North Carolina have swung from permission to anyone to manufacture, to permission to no one to manufacture, to permission to restricted persons to manufacture light wnes and beer.

Persons Drinking

In 1807 the legislature provided that any person intoxicated at a church, meeting house or other place where people were assembled for divine worship should forfeit two pounds and ten shillings to be applied to the use of the poor. As early as 1715 laws had made drunkenness on week days and Sunday a misdemeanor, but these laws do not appear to have been rigorously enforced and early in the nineteenth century the court was ruling that private drunkenness was no crime and that public drunkenness was a crime only when repeated to the point that it became a nuisance and later public drunkenness was held to be a nuisance when a person "was found lying helplessly upon the sidewalk, near the post office, a place much frequented, opposing an obstruction to all persons passing and repassing."

To correct this condition a series of local laws were passed making public drunkenness alone a misdemeanor in specific towns, townships and counties throughout the State. In 1921 a statute made drunk and disorderly conduct a misdemeanor anywhere in the State, but a person was required to be both drunk and disorderly before he could be convicted. These laws threw the question, when is a man drunk, into the laps of the courts which have decided that the statutory definition is somewhat stricter than the rhythmical standard:

"Not drunk is he who from the floor
Can rise again or drink once more;
But drunk is he who prostrate lies
And cannot either drink or rise."

Other statutes have from time to time: made it a misdemeanor for a locomotive engineer, train conductor, or brakeman to be drunk while on duty; authorized the ticket agents of transportation companies to refuse to sell tickets to intoxicated persons; made it a misdemeanor for an intoxicated person to enter a transportation company vehicle after being refused admittance; made it a misdemeanor to drink liquor on a passenger train in the presence of other passengers except in smoking compartments, closets, and dining or buffet cars. The laws of 1937 further prohibit intoxication or the display of liquor at public gatherings or athletic contests. And as a tacit admission that the liquor problem runs deeper than prohibition laws, other statutes have been enacted making provision for the appointment of guardians and the hospitalization of inebriates.

Thus the laws of North Carolina have swung from permission to anyone to drink, to permission to no one to drink save in the home, to permission to drink under restrictions again.

Enforcing the Law

In the effort to stamp out the liquor traffic in prohibition areas the legislature successively prohibited the sale of liquor: in 1889 made possession by unlicensed persons in mercantile pursuits *prima facie* evidence of intent to sell in violation of the law; in 1913 prohibited the possession of liquor for sale and made possession by any person of one gallon or more of spirituous liquors or three gallons or more of vinous liquors or five gallons or more of malt liquors *prima facie* evidence of intent to sell; in 1923 made possession of any amount of liquor *prima facie* evidence of intent to sell—except liquor in a private dwelling for the family and guests—even when a person was taking it home for his family and guests. And a person was construed to be in possession of liquor when it was: in a suit case carried in his hands, in his room, in any part of his house, in his yard, in his car, in his barn, in a concealed compartment in his filling station, under the floor of his store, in the pocket of a coat hanging on the wall of his store, buried on another's property across the road, in the hands of his agent on the way from the railroad station to the storage place, in a barrel labeled "potatoes" in a railroad station and consigned to him. His possession also shifted when he handed a bottle to a friend to take a drink and the friend was caught in that fleeting moment with the bottle in his hand. A *prima facie* case of possession for the purpose of sale could also be made out by proving possession of liquor samples for securing orders, possession of a federal license to sell, delivery to any one person of five gallons or more of spirituous or vinous liquors or twenty gallons or more of malt liquors within four successive weeks.

Agents of the Seller

It was not enough to stamp out the sale and possession for sale in dry areas while dealers in wet counties adjoining could sell in the wet county and deliver in the dry and in 1908 the legislature made the place of delivery the place of sale and prohibited the soliciting of liquor orders in dry territory. To get around this law persons in dry counties would ask a friend to go and buy liquor in a wet county and bring it back. To stop the practice the legislature provided that the person who thus procures liquor for another shall be considered the agent of the seller, who is thereby delivering liquor in the dry county and guilty under the law making the place of delivery the place of sale.

With the coming of state-wide prohibition in 1908 the problem of keeping liquor out of adjoining

counties gave place to the problem of keeping liquor out of adjoining states. In 1890, the United States Supreme Court decided that one state could not prohibit the importation of liquor from another state. Congress thereupon provided in the Wilson Act that liquor "upon arrival" in the dry state should be subject to its laws as if it had been produced there. The United States Supreme Court held this law constitutional in 1891, but cut down its meaning in 1898, by holding that "upon arrival" meant delivery to the consignee. And following this decision, the Supreme Court of North Carolina permitted the consignee as the agent to distribute the liquor to purchasers. Thereupon Congress in 1913 passed the Webb-Kenyon Act permitting the dry states' laws to apply to the liquor as soon as it crossed the state line without waiting until it reached the purchaser. In 1915 the North Carolina legislature utilized the federal law by prohibiting the importation from any point within or without the State, within a fifteen day period, of more than one quart of spirituous or vinous liquors, or of more than five gallons of malt liquors. These provisions were made more effective by legislation making it a misdemeanor for a person to order or receipt for liquor in a fictitious name or to lend his name to another for the purchase of liquor within or without the State. And a person was convicted of illegally "receiving" liquor not only when he bought a gallon from a peddler within the State but also when he took liquor out of a hiding place in the woods; it was also made unlawful to handle drafts for the payment of liquor; and in 1923 the purchase as well as the sale of intoxicating liquor was prohibited.

Search and Seizure

The legislature in 1913 attempted to make law-enforcement simpler by providing search warants, authorizing officers to seize liquor and liquor equipment; in 1915 authorized the seizure and confiscation of vehicles in which liquor was being transported; in 1923 authorized any officer, seeing or having personal knowledge that liquor was being transported in violation of the law, to make a search, seize the vehicle, and arrest the person in charge without a warrant.

Advertisement of Liquor

After prohibiting the sale and manufacture of liquor, the legislature undertook to prevent people from finding out where they could get liquor, or the equipment and ingredients to make it by providing in 1923 that it shall be unlawful to "advertise, anywhere or by any means or method, liquor, or the manufacture, sale, keeping for sale or furnishing of the means, or where, how, from whom, or at what price the same may be obtained," or to permit any sign or billboard "containing such an advertisement to remain on one's premises."

Evidence

More teeth were added to liquor law enforcing machinery: by providing in 1913 that convictions could be obtained on circumstantial evidence (though this was already true in practice the statute moved the courts to go further than they had gone before); by providing that no person should be excused from testifying in prosecutions for the sale or manufacture of liquor, under claim of the privilege against self-incrimination, that a person thus compelled to testify was to be pardoned for the offense disclosed, and the testimony given was not to be used against the witness in any penal or criminal proceeding. These efforts to enforce State prohibition and to keep out liquor from other states culminated in the Volstead Act and national prohibition in 1919, followed by the Turlington Act in North Carolina in 1923.

The tide turned and the legislature: in 1933 permitted the manufacture and sale of 3.2 per cent wines and beers; in 1935 permitted the manufacture and sale of five per cent beer and naturally fermented wines made from native fruits, and permitted the sale of liquor by county liquor stores in eighteen counties; in 1937 permitted the sale of liquor in the one hundred counties; permitted the purchase, transportation and possession of not more than one gallon, for private use even by persons in dry counties buying from legal stores in wet counties; permitted anyone to bring into the State for personal use not more than one gallon legally purchased outside of the State.

Control Machinery

In the early liquor laws the State usually contented itself with minimum regulations and allowed the counties and towns to exercise control. County permits were successively issued by the county courts and the county commissioners. Town permits were successively issued by town commissioners and by dispensary commissions. These permit groups exercised increasing control over the liquor traffic in their respective localities. The legislature approved by changing the State law from reading that the license "must issue" to qualifying applicants, to read that license "may issue." The Court approved: the local authorities "were not bound to grant a license to retail spirituous liquors to every one who proved himself of good moral character; nor had they, on the other hand, the arbitrary power to refuse at their will all applicants for license who had the qualifications required by the statute.

They had the right to exercise . . . a sound, legal discretion, referring itself to the wants and convenience of the people, to the particular location in which the retailing was to be carried on, and to the number of retailers that were required for the public accommodation."

Reasonable regulations by local governing boards were upheld and though a local unit in the absence of a specific grant of power could not prohibit the sale of liquor within its limits, nor levy a license tax that was prohibitive in its effect, nevertheless it was allowed from time to time to levy not for "prohibition" but for "regulation" a tax as heavy as the traffic would bear and a little heavier.

All vestiges of these permit granting boards disappeared with the Volstead Act in 1919 and the Turlington Act in 1923 and the permit granting problem did not reappear till 1933 when the legislature laid down regulations under which the issuance of State, county, and town licenses was mandatory; in 1935 authorized the manufacture of naturally fermented wines under rules and regulations promulgated by the commissioner of agriculture, with

the approval of the Governor, and authorized the sale of such wines at retail on the filing of an application for a permit with the county clerk of court; permitted in the one hundred counties the sale of liquor in county liquor stores, operated by county boards, under the supervision of the State.

Counties and towns exercised control not only through the discretion regulations governing the issuance of license, but also in exercising the power of revocation of licenses. The present law provides that a license may be revoked by a city or county governing board if the licensee, (1) violates the laws regulating the sale of beer and wines, (2) fails to superintend the licensed business personally or through a manager, (3) allows the premises to be used for unlawful, immoral or disorderly purposes, (4) knowingly employs a person convicted of a felony involving moral turpitude or adjudged guilty of violating the prohibition laws within two years, (5) or otherwise fails to carry out the purpose of these regulations in good faith.

Thus the laws of North Carolina have swung from local control in local prohibition areas, to state and federal control, to state and local control with incidental federal aid.

Revenues

Revenues from the sale of liquor have at times been taken by the State alone and at times shared with counties and towns. To illustrate: the legislature in 1791 levied a tax of forty-eight shillings on liquor retailers, allowed eight shillings as a collection fee to the county clerk and took forty for the State; in later years permitted the counties to levy a license tax—sometimes one-half as much as the State levied as in 1885, sometimes the same amount as in 1889, sometimes twice as much as in 1868. Sometimes the State turned over part of its liquor revenues to the counties and allowed the counties to levy too as in 1905.

By the early part of the nineteenth century the towns were sharing in the liquor revenues. County liquor licenses began to issue to dealers in towns only after the town permit was received and these permits usually called for a fee. Special laws and charters sometimes allowed towns to levy license taxes. In 1895 a state-wide law required all applicants for county liquor licenses in incorporated towns to procure a town license first. Under the dispensary laws of 1903 the towns were given one-half the profits from dispensaries located in towns, and counties were given the other half. In 1905 the State took three per cent of the gross receipts and left the rest to the counties and towns.

These revenues disappeared with prohibition and did not reappear until 1933 when the legislature permitted the State, counties and towns to levy license taxes on the sale of wine and beer; in 1935 permitted county liquor stores to be operated in certain counties, where all profits were given to the counties except in two instances where the counties shared the profits with the towns; in 1937 permitted liquor stores to be operated in any county with 7 per cent of the gross receipts going to the State, and the remaining profits to the county—except in the two counties sharing the revenue with the towns under the 1935 law.

Thus the laws of North Carolina have swung from giving all the revenues to the State, to giving part to the counties, then part to the towns, to the abolition of all revenues with the abolition of liquor, to the division of revenues on differing plans between the state, counties and towns once more.

Who Decides

The legislature has successively settled prohibition questions for the people, allowed town and county governing boards to settle it for them, allowed the people to settle it for themselves by local option or by statewide referendum.

The legislature without a vote of the people in the early days denied or granted prohibition to local areas; in 1915 prohibited the sale of prescription liquor on a statewide scale; in 1923 passed the super-prohibition law known as the Turlington Act; in 1933 permitted the sale of 3.2 per cent beer and wine, and 5 per cent beer and naturally fermented wines in 1935.

In 1908 the legislature permitted town and county governing boards to prohibit the sale of prescription liquor and in 1935 permitted county governing boards to prohibit the sale of wines within their county limits.

In the 1870's the legislature allowed the people in specific localities to settle the prohibition question for themselves; later set up local option machinery on a statewide scale permitting the people in all local units to settle it for themselves; in 1908 called a statewide referendum to settle it for the State; in 1934 called a statewide referendum on repeal of the Twenty-first Amendment to the Constitution of the United States; in 1935 permitted local option in eighteen counties; and in 1937 permitted local option in the one hundred counties throughout the State.

Prohibition when first voted under the local option plan lasted only for a year and lapsed until renewed by a new election. This procedure later was reversed; prohibition continued till it was repealed and new elections could not be called oftener than every two years; in 1935 a single local option election was permitted in eighteen counties; and in 1937, local option elections lasting until changed by subsequent elections were authorized in all one hundred counties, and new elections can not be called oftener than every three years.

The End Is Not Yet

Thus the laws of North Carolina have swung from unrestricted sale of liquor, to the unrestricted prohibition of liquor sale, to the sale of liquor in county units voting for it under strict state supervision and control. For more than two centuries in North Carolina liquor has been a fighting issue and every inch of North Carolina soil has been a battleground. The experience of these years has demonstrated with all the stinging freshness of demonstrated truth that no law is stronger than the police desk, the jury box, the judge's bench, or the Governor's chair; that all of them together are powerless without the understanding support of the people behind them—"when crowds can wink and no offense be known, since in another's guilt each finds his own."

If prohibition laws have not solved the liquor problem, neither has the absence of prohibition laws. The records of the centuries give the wets and the drys little cause for arrogance and much cause for humility. The problem of liquor still calls for all of the understanding statesmanship all citizens can summon.

Bulletin Service

Opinions and rulings in this issue are from rulings of Attorney General and State Departments from January 1 to February 1

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Prepared by
M. R. ALEXANDER

Key:
(A.G.) Attorney General.
(L.G.C.) Local Government Commission.
(S.P.I.) Superintendent of Public Instruction.
(U.C.) Utilities Commission.

I. Ad valorem taxes.

A. Matters relating to tax listing and assessing.

1. Exemptions—religious and educational organizations.

To D. W. Newsom. (A.G.) In our opinion, an individual who makes a loan to a Church Committee for erecting a church is liable to taxation upon such solvent credit. The fact that a church is not taxable does not alter the case.

19. To whom property is assessed.

To T. J. Gill, Jr. Inquiry: A resident of Township A died intestate leaving certain solvent credits. The administrator lives in Township B in the same county. The heirs reside at various places in the State. Where should the solvent credits be listed for taxation?

(A.G.) Under these circumstances, in our opinion, the provisions of the Machinery Act, Section 507, subsection 3, do not apply, and the situs of the intangible property of the estate in the hands of the administrator follows the general law and is to be listed and taxed in the township in which the administrator resides.

25. Revaluations.

To F. P. Parker, Jr. Inquiry: Is there any legal way of having a substitute for the revaluation of property due this year?

(A.G.) As you may well realize, the new Constitutional Amendment abolished the uniform and ad valorem rule as to property, and this renders valuation unnecessary. However, it is difficult to see how any uniform system of taxation can be adopted except with reference to property valuation; and it seems to me clear that the Legislature will, by appropriate Act, make valuation of property the basis of taxation.

That being true, while numerous amendments will be necessary to the Machinery Act, I think that revaluation is more necessary now perhaps than heretofore, and I see no way around such revaluation.

30. Situs of personal property.

To W. D. Boone. Inquiry: There are a number of automobiles in this County, owned by corporations with principal offices in other counties, which remain in the County and are used in connection with local business conducted therein by the corporations. Should these be listed for taxation in this County or the county of the home office of the corporations?

(A.G.) We think that C.S. 7971 (99) and Section 516, Chapter 417, Public Laws of 1935, would control, and the automobiles operated in connection with business in your County would be subject to personal property taxes there.

To G. T. Davis. Inquiry: A retired business man from another State owns a hunting lodge in the County and spends from three to eight months a year here, but leaves the State as often as once every 30 days. Would a car purchased and licensed in the other state be subject to ad valorem taxation by our County?

(A.G.) Under the facts in your letter, I am of the opinion that the car would not be subject to ad valorem taxation by your County. Only in cases in which the personal property has obtained a business situs, as in the case of Texas Co. v. Elizabeth City, 210 N. C. 454, is the personal property of a non-resident subject to taxation in this State.

71. Solvent credits—taxability of bank deposits and postal savings.

To A. J. Maxwell. (A.G.) This Office has consistently held that postal savings deposits should be listed and are taxable for ad valorem tax purposes.

B. Matters affecting tax collection.

31. Tax foreclosure—procedural aspects.

To A. B. Cummings. (A.G.) The law provides two methods for the foreclosure of tax liens, that in C. S. 7990 and that in C. S. 8037. We do not think that a County is bound by election of one or the other remedies, but might take a non-suit or withdraw its case and proceed under the other.

33. Statute of limitations.

To C. K. Hughes. Inquiry: When does the statute of limitations bar the collection of county and city taxes on personal property, no levy having been made?

(A.G.) Ordinarily there is no statute of limitations which would run against the collection of taxes by either the State or any of its political subdivisions. However, it is my impression that the 1931 General Assembly outlawed the collection of taxes prior to the 1927 levy.

To W. H. Hammond. (A.G.) This Office has formerly ruled that the 10-year statute of limitations applies to unpaid street assessments after they become due. This statute is to be found in C. S. 2717 (a). Our Court has passed on the question in the case of High Point v. Clinard, 204 N. C. 149, and Oliver v. Hetch, 207 N. C. 481.

65. Tax collection—garnishment.

To W. P. Kelly. Inquiry: Please tell me where I may find the procedure for garnishing wages for city taxes when the person indebted to the taxpayer ignores the garnishment notice?

(A.G.) You will find the procedure in C. S. 8004. If the person upon whom notice is served does not appear and show cause, the Justice of the Peace should render a judgment against him for the taxes. This judgment may be enforced by execution against his property. The notice must be served personally by the tax collector or sheriff and not by mail.

72. Tax collection—levy on personal property.

To F. P. Parker, Jr. Inquiry: Please advise what procedure is necessary for the County Tax Collector to follow in order to levy upon personal property?

(A.G.) The law makes the list in the hands of the Tax Collector an execution. It is not necessary for the Tax Collector to have any other authority for levy upon personal property to satisfy the taxes according to the list in his hands.

Levy upon personal property is accomplished by the Tax Collector's actually taking it into his hands or possession. It has been held in some cases that if the Sheriff or Tax Collector goes to the property and has the power of taking it into his possession that the levy will be upheld except as against a subsequent levy of another officer, but it is safest to take the property in hand. This the tax collector has the power to do, without any written notice to the taxpayer, but of course it would be proper to have him present when such levy is made and notify him of what is going on. This notice, however, need not be in writing.

If the Sheriff does not desire, for example, to take the goods out of a store, he should write a duplicate list of the goods upon which he levies, with a statement thereon sufficiently descriptive of the goods, so that the taxpayer will know exactly what part of his property is being taken to pay the taxes. It would not be safe, however, to leave such property indefinitely in the store. It should be removed therefrom and a tax sale advertised.

77. Tax collection—priority of lien.

To J. D. Stansbury. Inquiry: Are taxes on land, unpaid and in default at the death of the decedent, a prior lien to a mortgage on the land held by a Federal Land Bank in view of C. S. 93 (3) and of the decision in Farmville and Fertilizer Co. v. Bourne, 205 N. C. 337?

(A.G.) Under C. S. 7987 the lien for taxes attaches on the first day of June each year and is "preferred to any other lien upon the real estate of the taxpayer in the county, whether the same shall have attached prior or subsequent to the first day of June." Wooten v. Sugg, 114 N. C. 2995.

The taxes of deceased being unpaid, they constitute a first lien on the property and are not subordinated to payment of a mortgage debt under the decision in the Farmville v. Bourne case construing C. S. 93 (3). In this case the court held that a mortgagee who had paid the taxes on the mortgaged property had a right to file his claim for reimbursement against the estate of the deceased and that such claim would be classified in the third division under C. S. 93. The payment of such claim could be maintained against other assets of the estate which were unencumbered. This case does not hold that the County is not entitled to a first lien upon real estate of a deceased for taxes.

98. Tax collection — release of particular parcels.

To Guy Elliott. Inquiry: A taxpayer owned and listed several pieces of land together with certain personal property. One piece was foreclosed by the County for taxes, and all the others except one have been foreclosed by trustees under deeds of trust. From time to time the County has released certain pieces upon payment of the tax upon such real estate plus its proper part of the cost of foreclosure, but several hundred dollars per-

sonal property taxes remain owing. May the County release the last piece on payment of the amount of taxes due and assessed against such piece, or would the full sale price have to be applied on the taxes due?

(A.G.) The County in each instance should have required the person paying the tax to pay the proper part of the total amount of the tax for which the property was sold, including its proper part of the personal property included in the listing. The trustee in the deed of trust holding a lien on the remaining tract would, in my opinion, have a right to have it released from the lien of the tax judgment upon payment of this proper part. In our opinion, the last tract could not be held liable for all unpaid personal property taxes included in the tax judgment. See C. S. 7987 (b).

101. Adjustment — compromise by town and county commissioners.

To R. E. Finch. Inquiry: Our Town has a number of special assessments which are past due and some of which are barred by the statute of limitations. May the Town compromise such claims and accept payment of the principal but forego the interest?

(A.G.) The generally accepted opinion is that where there is no statute giving the authority, officials of a municipality have no right to condone or forgive any part of the taxes, and interest and penalties are a part of such taxes.

However, when the item is barred by the statute of limitations, I think a different principle controls. It is the duty of the Board to protect the interests of the Town so far as possible, and in my opinion, the Board would be justified in accepting payment of such a claim without interest.

However, a special local act would be very helpful, and it could easily be passed at this Legislature.

II. Poll taxes and dog taxes.

A. Levy of poll taxes.

5. Exempted classes.

To T. W. M. Long. (A.G.) The Legislature has no power to pass an Act exempting members of a volunteer fire department from payment of poll taxes.

B. Collection of poll taxes.

To W. A. Blount, Jr. (A.G.) Although C. S. 8004 (a) apparently applies only to employees of the State, this Office is of the opinion that attachment of the salary of county and city employees is authorized under the general law (C. S. 8004).

The question whether you could garnishee for taxes the salaries of laborers employed on W.P.A. projects sponsored jointly with counties and municipalities would depend on whether or not the money for these projects had been granted to counties and municipalities under Federal grant or whether these laborers were employed directly by a county or municipality.

C. Use of poll and dog taxes.

1. Schools and poor.

To N. J. Sigmon. Inquiry: Please give us your ruling on the use of poll taxes. Do all of the poll taxes go to the schools, or one-fourth to the poor and three-fourths to the schools?

(A.G.) We refer you to Article 5, Section 2, of the Constitution: "The proceeds of State and county capitation taxes (poll taxes) shall be applied to the purposes of education and support of the poor, but in no one year shall more than 25 per cent thereof be applied to the latter purpose."

III. County and city license or privilege taxes.

A. Levy.

14. Privilege license—beer.

To H. H. Allen. (A.G.) C. S. 3411 (hh) provides that cities and towns may levy a license tax not to exceed $10 upon persons selling beer and wine inside or within two miles of the corporate limits of such cities or towns.

To J. A. Mayo. Inquiry: Please construe the provisions of the Alcoholic Beverage Control Act relating to licenses for the sale of beer in Beaufort County.

(A.G.) C. S. 3411 (13) says, ". . . application for such license shall be made in the same manner and contain the same information set out in the preceding section with respect to municipal licenses. . . ." In the preceding section, 3411 (12), subsection 1½, it is provided that a license shall not be issued to anyone not a resident of North Carolina for a year; and under subsection 1½ it is said "this shall apply only to the following counties. . . ." Beaufort not being mentioned is exempt. However, it is clear that this exemption applies only to subsection 1½ and not to the other parts of that section or to any part of C. S. 3411 (13).

In the middle paragraph of C. S. 3411 (13) it is provided that "no license shall be granted to sell within 300 feet of any public or private school building or church building *outside* of incorporated cities and towns, *provided* that this restriction does not apply to incorporated towns and villages having police protection.

To Marsden Bellamy. (A.G.) We think the last sentence in C. S. 3411 (16) would prohibit your County Commissioners from issuing a license upon the "premises" for a period of 6 months after a license to sell beer upon such premises had been revoked.

15. Privilege license on businesses, trades, and professions.

To L. P. Dixon. Inquiry: May a Town levy a privilege tax on businesses, etc., except by authority of the State Revenue Act or some special provisions in the Town charter?

(A.G.) A Town may levy a tax upon any trade or business carried on within the town, unless otherwise provided, under authority of C. S. 2677, and regardless of any authority given in the Charter. However, where another State law speaks upon the subject, as the State Revenue Act, the Town is limited to the tax permitted in such other Act. Where the Revenue and other acts are silent on the matter, the authority under C. S. 2677 exists.

60. License tax on laundries.

To J. B. Lewis. Inquiry: May a Town now levy a license tax on laundries under Section 150 of the Revenue Act when it had not done so prior to July 1, 1936?

(A.G.) Inasmuch as taxes under this Act are levied for the fiscal year, our opinion is that your Town can not, by way of ordinance, levy a tax which would relate to any part of the preceding year. Such ordinances should be prospective in character and apply to the next succeeding year.

64. License tax on out of town businesses.

To R. L. Hefner. (A.G.) In answer to your recent inquiry an advisory letter was written you which might be considered authority for the levy of a city tax on motor express companies. The issuance of this letter was an inadvertence, and we withdraw it, as the Department since 1933 has consistently held in such cases that a motor express company would not be liable to a city tax on account of Chapter 375, Section 3, subsection (e), Public Laws of 1933.

B. Collection of license taxes.

15. Penalties for non-payment.

To J. S. Bryan. (A.G.) An examination of the statutes does not disclose that municipalities are entitled to apply the penalties for the non-payment of license or privilege taxes in the manner followed by the State in such cases.

Section 805, Chapter 417, of the Ma-

Municipal Bond Trends

NORTH CAROLINA BOND QUOTATIONS

Security	Bid	Asked
N. C. Gen. Fund, 2½'s, 1945	2.20%	2.10%
N. C. Gen. Fund, 3½'s, 1946	2.40%	2.30%
N. C. Hwy. 4's, 7-1-50	3.00%	2.90%
N. C. Hwy. 4¼'s, 1-1-51	3.05%	2.95%
N. C. Hwy. 4½'s, 1-1-58	3.15%	3.05%
N. C. Inst. 4½'s, 10-1-63	3.25%	3.15%
Buncombe County, C/D's	38 F.	39 F.
Catawba County, Rd. 4¾'s, 3-1-52	3.95%	3.90%
Craven County, Various C/D's	64 F.	66 F.
Durham County, R. & B., 6's 1-1-45	3.50%	3.40%
Forsyth County, Ref., 4¾'s, 7-1-54	3.55%	3.50%
Gaston County, R. & B., 5's 10-1-49	3.75%	3.65%
Guilford County, Hwy., 5¼'s, 3-1-43	3.50%	3.40%
Haywood County, R. & B., 5's, 7-1-54	4.70%	4.50%
Johnston County, Hwy., 5's, 4-1-50	98	100
Mecklenburg County, Jail, 4¼'s, 5-1-55	3.40%	3.30%
New Hanover County, Courthouse, 5's, 1-1-48	3.60%	3.50%
Pasquotank County, Road, 4¾'s, 7-1-50	4.50%	4.40%
Robeson County, R. & B., Ref., 4¾'s, 5-1-49	3.90%	3.80%
Rowan County, Fdg., 4¼'s, 5-1-55	3.95%	3.85%
Rutherford County, Sch., 4½'s, 1-1-40	95	97
Wake County, Rd., 4¾'s, 1950	3.95%	3.85%
Wayne County, Road, 4¾'s, 12-1-55	4.20%	4.10%
Asheville, Ref., 1-4's, 7-1-76	38	39
Charlotte, Water, 4¼'s, 5-1-57	3.50%	3.40%
Durham, W. & S., 4½'s, 1-1-54	3.55%	3.45%
Fayetteville, W. & S., 5's, 2-1-51	4.00%	3.90%
Goldsboro, Str., 5's, 1-1-50	4.20%	4.10%
Greensboro, Ref., 4's, 1948	3.95%	3.85%
Greenville, Sch. Bldg. 5's, 7-1-45	3.90%	3.80%
Hickory, Sch., 5½'s, 1-1-52	4.40%	4.20%
High Point, Sch., 5's, 9-1-48	99	101
New Bern, Sch. Fdg., 5's, 11-1-50	86 F.	89 F.
Raleigh, St. Imp., 4½'s, 10-1-43	3.75%	3.65%
Wilmington, P. I., 4½'s, 1-1-51	3.65%	3.55%

Quotations by Courtesy of R. S. Dickson & Co.

chinery Act, provides that the penalties therein prescribed for counties may be applied by municipalities, but these relate only to ad valorem taxation.

IV. Public schools.

D. Powers and duties of present school districts and agencies.

5. Erection of school buildings.

To J. C. Stancill. Inquiry: The County is about to issue bonds for the construction of school buildings in both rural and city districts. The trustees of the city administrative unit would like your opinion as to their authority in supervising the construction of the buildings inside the city.

(A.G.) C. S. 5468 gives to the County Boards of Education the responsibility for building all new and repairing all old school houses.

In revising the school law to fit the new situation of State financing and control of public schools, the 1933 School Machinery Act abolished all school districts of every sort and created new types of administrative units—the City Administrative Unit and the County Administrative Unit. These units were created for the conduct and maintenance of the schools, and, under the general law, are entirely without any power to incur any obligation for a school building, or to build same, or to have any authority with respect to such building.

In abolishing the charter districts, the law provided (Section 4) that where a special charter district was included within a City Administrative Unit the trustees, or governing body, of the special charter district should be continued for the purpose of maintaining and conducting the schools in such district. The section also provided that the title to school property should remain in such trustees. However, there is nothing in this section which gave the trustees any authority with reference to the construction of school buildings.

7. Location of school buildings.

To C. A. Erwin. Inquiry: Can the superintendent and board of education of a city or county administrative unit designate the schools children shall attend even though such schools are not the nearest ones?

(A.G.) In our opinion, under the new school set-up, where there is more than one school in a unit, the board of education may designate which school the pupils must attend with due regard to convenience and conditions of attendance at the schools whether overcrowded or not.

20. Right to issue bonds—for school buildings.

To J. D. Grimes. Inquiry: Will a new registration be necessary, or may the existing registration be used, in submitting a school bond issue to the voters of the County?

(A.G.) It is still necessary, under C. S. 5669, to have a new registration because the law still requires such an election to be carried by a majority of the qualified voters of the territory. See also C. S. 5670 and the case of Williams v. County Commissioners, 176 N. C. 554.

The new Constitutional Amendment, in my opinion, would not be held to be in conflict with the statute.

In my judgment, it is not necessary to set out in the bond order where the different buildings are to be erected or enlarged. I think the County Finance Act, C. S. 1334 (9) (10), is sufficiently complied with if the order of the Commissioners states "in brief and general terms the purpose for which the bonds are issued," leaving the details to subsequent resolutions.

E. Status of former school districts and their funds.

1. Use of funds where former district has no outstanding debts.

To E. S. Johnson. (A.G.) The School Machinery Act of 1933, abolishing special school tax districts, provided in Section 4 that uncollected taxes levied in such districts for all purposes should be applied to the debt service of the districts. In the event a district had no debt service requirement, the amount so collected should be covered into the treasury, to be used as a part of the county debt service for schools.

There is no provision of law by which a district may recover, or have appropriated to it, on a per capita school enrollment basis, any part of the taxes so turned over to the county commissioners.

G. Poll taxes, dog taxes, fines, and forfeitures accruing to schools.

50. Objects for which such funds may be spent.

To H. D. Browning, Jr. Inquiry: The County Board of Education has received a bill from the County Commissioners for $40 for certain hogs killed by dogs of undetermined ownership. Should this bill be paid?

(A.G.) In my opinion, under C. S. 1681 this bill should be paid out of the money collected from license taxes on dogs. If this moned had been paid over to the County Board of Education, that Board should pay the bill. If the money is still held by the Board of County Commissioners, it should pay for the hogs and turn the balance of the taxes over to the Board of Education.

V. Matters affecting county and city finance.

H. Issue of notes.

20. Tax anticipation notes.

To W. E. Easterling. Inquiry: A local unit has raised the question whether it may issue tax anticipation notes, under the new Debt Limitation Amendment, and then fund them with permanent bonds without a vote of the people?

(A.G.) We think not. We regard it as fundamental in construing a constitutional provision that care be taken to give it its full force and effect, according to its purpose. Obviously the purpose of this amendment was to prevent increase in debt, without the approval of the qualified voters, unless the increase comes within the exceptions, and these should be construed strictly because they are exceptions.

If a municipality is permitted to borrow money in anticipation of taxes and subsequently refund this obligation by the issuance of permanent bonds, the purpose of the amendment would be largely defeated, because there would be a constant accretion in the public debt without the approval of the voters.

I. Issue of bonds.

2. Debt limitation amendment of 1936.

To R. B. Griffin. Inquiry: Please explain the operation of the debt limitations in the recent Constitutional Amendment. Will the reduction in indebtedness include interest as well as principal? If a County does not issue bonds in 1937 could it issue bonds in 1938 on the basis of debt reduction for the two preceding years?

(A.G.) The limitation provides that "the counties and municipalities shall not contract debts, during any fiscal year, to an amount exceeding two-thirds of the amount by which the outstanding indebtedness of the particular county or municipality shall have been reduced during the next preceding fiscal year," etc. The fiscal year of a county is from July 1 to June 30.

The provision used in the Amendment is outstanding indebtedness, and this would include both principal and accrued interest on any obligations.

A County could issue bonds against only the debt reduction during the next preceding fiscal year unless the subject were submitted to a vote of the people.

To J. E. Malone, Jr. Inquiry: Do the limitations in the recent debt limitation amendment apply to necessary expenses under Section 7 of Article 7 of the Constitution?

(A.G.) Yes. The Amendment has no regard to whether the debt is for a necessary or other purpose, if it exceeds two-thirds of the amount by which the indebtedness of the county or town has been reduced during the preceding fiscal year. It must still be submitted to a vote of the people although it may be for necessary purposes unless it comes within one of the exceptions noted in the first part of the Amendment.

To G. B. Craven. Inquiry: Can the Legislature authorize a Sanitary District, created last fall under State law, to issue bonds? What is the effect of the new debt limitation amendment?

In our opinion the Legislature could not authorize your District to issue bonds unless submitted to a vote of the people of the district as required by the constitutional debt limitation provision. Since your District has had no debt, there has been no reduction in outstanding indebtedness during the preceding fiscal year, and this condition must exist in order to permit the issuance of bonds except by vote of the people. The Constitutional Amendment uses the word "municipality," which in our opinion would embrace a Sanitary District.

VI. Miscellaneous matters affecting counties.

A. Contractual powers.

5. Employment and supervision of county employees.

To W. L. Russell. (A.G.) Your Board of County Commissioners has authority to appoint a special county attorney to institute foreclosure proceedings on tax sale certificates. The Board would have the same supervision over this attorney that any client would have over his case and its prosecution.

B. County agencies.

10. A.B.C. Boards and stores.

To J. A. Guion. (A.G.) The terms of Chapter 493, Public Laws of 1935, the Pasquotank Liquor Act, are not clear with reference to the compensation to be paid the Chairman of the Board. I think, however, the better opinion is that the intention of the Act was to allow each member of the Board, including the Chairman, the $7.50 per diem, and on account of the extra work placed upon the Chairman, to allow him a salary of $50 per month.

To C. P. Green. Inquiry: May a County with A.B.C. stores under the Pasquotank Act use the 5% of the profits authorized for enforcement to hire and pay an enforcement officer? (A.G.) In our opinion, the Pasquotank Liquor Act does not authorize an A.B.C. Board to employ an officer with the power of enforcing the criminal law or making arrests.

To Luther Hamilton. Inquiry: Please construe the Pasquotank Liquor Act as to: (1) the authority of the Commissioners or Control Board to appoint a disbursing agent; and (2) the authority to use more than 5% of the profits for enforcement purposes.

The Act is not clear on the first point. Section 8 provides for the appointment of a Disbursing Agent for the Pasquotank County set-up but obviously does not provide for the appointment of a Disbursing Agent in the other counties affected by the act. However, I think it the better opinion that in so far as the Act may be applicable to other counties, the probable intention was to have the Disbursing Agent appointed by the Board of County Commissioners. I think it best to act upon this assumption until some amendment is made by the Legislature.

We construe Section 17 as fixing 5% as the limit of the amount which may be set aside out of profits for enforcement.

25. Tubercular hospitals.

To H. E. Fisher. (A.G.) I have your letter asking the opinion of this Office as to the right of ex officio members of the Board of Managers of the County Tubercular Hospital to vote in meetings of the Board. I agree with your opinion that these ex-officio members have a right to vote on all matters properly coming before this Board. Ex officio members have all the powers and functions of any other member, the only difference being the method employed in creating the membership.

P. Costs payable by the counties.

5. Premiums on officials' bonds.

To J. A. Guion. Inquiry: Is our County required to bear the cost of surety bonds for county officials, or would this take special legislation?

(A.G.) In the absence of special legislation on the subject, we are of the opinion that the payment of such premiums is a legitimate charge which the County Commissioners could legally pay. However, you are perhaps right in your opinion that it would take special legislation to *require* the Commissioners to pay this charge. In your particular instance, it appears that the county officials are not required to give a corporate bond, and of course, if the Commissioners accept a bond executed by personal sureties, no expense is incurred.

X. Grants and contributions by counties.

6. Public libraries.

To Mrs. Mary Jamieson. (A.G.) After an election has been held in a county for the establishment or support of a free public library, it is mandatory upon the County Commissioners to appoint the library trustees under C. S. 2695. If the library is already supplied with sufficient books so that what it needs is attention or care of circulation, such library trustees should be appointed, regardless of whether further taxes are collected or not. We do not regard the functions, duties and powers of the library trustees to be controlled by the collection or non-collection of taxes.

Z. Workmen's Compensation and county employees' funds.

10. Unemployment insurance — not covered by.

To W. A. Blount, Jr. Inquiry: Are the County Tax Collector and the employees in his office, employed on a commission basis, covered by unemployment insurance?

(U.C.C.) Your Department is not liable for contributions in view of the fact that the employing unit is a political subdivision of the State and, therefore, is not covered by the Social Security Act and the North Carolina Unemployment Compensation Law.

VII. Miscellaneous matters affecting cities.

B. Matters affecting municipal utilities.

6. Discontinuance of service for non-payment.

To J. M. Aldridge. Inquiry: Can a landlord force a municipality to connect water service for a tenant whose service has been discontinued for non-payment by tendering the customary deposit and asking the municipality to put future bills in his name?

(A.G.) Under these circumstances, the landlord is a new customer, and such new customer is not bound to pay bills made by a tenant. I think the Town would be compelled to accept him as a responsible customer upon compliance with the rules and regulations relating to new customers and upon deposit of the customary amount.

To J. M. Aldridge. (A.G.) In my judgment, a municipality furnishing electric current to a tenant of a house has a right to discontinue service for non-payment charges and can not be forced to resume the service until the charges are paid, no matter whether the landlord, or any other person, makes a deposit such as is customarary with new customers.

F. Contractual powers.

40. Compromise of claims due city.

To B. B. Waldrop. Inquiry: The Town holds a number of notes given it as collateral security for deposits in a bank which failed. Many are worthless, but some are solvent, and the Statute has not yet run. Please advise as to the power

and liability of Town officials in compromising these notes.

(A.G.) The officials would not lay themselves liable criminally by compromising the claims, if done in good faith and in a way which would not constitute misconduct in office, but in our opinion they would be civilly liable if the compromises were not free from negligence. What might constitute negligence in compromising claims of this sort covers such a wide range, I would consider each item with the greatest care and compromise no item except after the most rigorous business investigation and procedure. As to any obligations which are solvent, it is the duty of the officials to collect in full and they would not be permitted to settle and compromise such obligations.

H. Principal courts.

1. Creation of Recorders Courts.

To S. D. McCullen. Inquiry: The North Carolina Supreme Court in the case of State v. Williams, 209 N. C. 59, held that a Recorders Court created by special act of the General Assembly is void as being in conflict with the State Constitution. Does this affect our Recorders Court, created by special act of the General Assembly in 1915?

(A.G.) The amendment to our Constitution, prohibiting the creation of Recorders Courts by local, private or special act, went into effect in 1920. The case of State v. Williams refers to a Recorders Court established under a Public-Local Act of 1925. Statutes creating Recorders Courts prior to the date the amendment went into effect are not affected thereby, and this case has no application to a court established in 1915.

5 Jurisdiction and power of Mayor's Court.

To F. M. Smith. (A.G.) C. S. 2636 specifically provides that the mayor of a town has authority to sentence a person who is unable to pay a fine imposed on him to work upon the public streets of the town.

T. City health matters other than school health.

5. Milk and meat ordinances.

To L. P. Dixon. Inquiry: Please give us your opinion as to the right of a town to pass the attached meat and milk ordinances.

(A.G.) We think the meat ordinance is valid, as it is based upon the right of the town to have vehicles and conveyances, which might be in an unsanitary condition, inspected monthly. However, we think the fee provided might be criticized as excessive. As to the milk ordinance, we suggest before going further in this matter that you consult carefully the State provisions as to the handling and sale of milk and dairy products.

15. Private water supply.

To W. H. Booker. (A.G.) In our opinion, the question of permitting owners of property within an incorporated town to furnish water from a privately owned source, as an artesian well, to the properties so privately owned and the tenants thereof, is one for control by the governing body of the town under its general authority to pass ordinances to promote the health and welfare of the town.

Of course, where this method of water supply becomes in practice, and not merely in theory, a menace to the health of the town in any way, the Board of Health may act in the matter as it would in any similar case, regardless of any authority extended to the private owner to adopt this method of supplying water to his premises.

Without citing particular provisions of the public health laws relating to these matters, we are of the opinion that the Board of Health would not be justified in interfering with an arrangement of this sort unless it could be shown that there is actually a present menace to the health of the town on account of the water so furnished.

X. Ordinances.

1. Validity.

To G. H. Harrison. (A.G.) A city or town has no right to pass an ordinance limiting the number of theatres or keeping out of the town a theatre, or other enterprise, on the theory that the town has enough of them already.

VIII. Matters affecting chiefly particular local officials.

A. County Commissioners.

30. Legislative powers.

To T. A. Burns. Inquiry: Would the County Commissioners have authority to increase the salaries of county officers if no budget appropriation has been set up for the present fiscal year from which these increases could be paid?

(A.G.) Chapter 608, Public Laws of 1913, places your County officers on salary and provides for the salaries to be fixed by the County Commissioners. If sufficient funds are on hand out of which to pay the increases, I think it could be legally done.

B. Clerks of the Superior Court.

57. Pro rating payment of part paid costs.

To C. G. Smith. Inquiry: A sued B in forma pauperis and recovered a judgment for $1,000. B has since gone into bankruptcy, and the trustee has paid into the Clerk's office two checks, one for 19% of the amount of the judgment and one for 19% of the amount of the court costs.

Should the Clerk give the first check to A or deduct therefrom the balance of the court costs?

(A.G.) Court costs are as much a part of a civil judgment as the judgment itself. We are of the opinion that you would have no right to deduct the entire court costs from the divident paid into your court on a judgment, but only the proportionate part of the costs tendered you.

79. Decedents' estates — distribution and administration.

To B. D. McCubbins. Inquiry: Quite often a person comes to the office of the Clerk and brings an automobile title of a deceased person and asks the Clerk to make a notation of his right to possess the car and have the title changed. Kindly advise as to any authority in the statutes covering such a situation.

(A.G.) Through long administrative practice, the Motor Vehicle Department has issued a certificate of title to the heir or heirs of a deceased person upon the exhibition to it of satisfactory evidence that the person applying for the certificate of title was entitled to the ownership.

In a great number of instances the deceased had no property other than the automobile at the time of his death. The car is often of small value. And the costs of administering the estate may be more than the vehicle is worth.

There is no present law covering a situation of this kind, but it is our information a specific statute covering the situation is to be introduced in the General Assembly at this term.

82. Decedents' estate—administrator's and guardian's bond.

To W. E. Church. Inquiry: When an individual gives a deed of trust for an administrator's bond in lieu of a personal or surety bond, should the deed of trust be cancelled at the time the final account is filed and approved by the Clerk, or deferred until the expiration of three years?

(A.G.) C. S. 348, which deals with this subject, has not been passed on by the Court, and we are of the opinion that it would not be safe for you to cancel a deed of trust or mortgage given under the above circumstances until the expiration of the 3-year Statute of Limitations set out in C.S. 441.

100. Escheats.

To A. L. Payne. Inquiry: What disposition should be made of funds in the hands of the Clerk which have not been claimed by the owners?

(A.G.) C. S. 5786 provides that such property not claimed by the parties entitled thereto for a period of 5 years after the same is due and payable shall be deemed derelict property and paid to the University of North Carolina. Such funds are held by the University without liability for profit or interest until a just claim therefor is preferred by the parties entitled thereto, and if no claim is filed within 10 years after their receipt by the University, they become the absolute property of the University.

105. Settlement with outgoing Clerk.

To F. P. Parker, Jr. Inquiry: In a settlement with the outgoing Clerk, (1) what disposition should be made of a fund representing accrued interest on investments by the Clerk of funds in his hands? (2) Should the County accept notes receivable representing money loaned by the Clerk or demand cash for the principal of these notes?

(A.G.) (1) In the settlement this account should be passed forward to the succeeding Clerk, as the interest may yet be demanded by the parties to whom it is due. If it is impossible to allocate the interest, it might be proper to place it in the General County Fund, always, however, with the understanding that when proper demand is made the County must refund the amount of interest involved to the person to whom it belongs.

(2) Prior to the enactment of the Local Government Act in 1931 very wide latitude was given to the Clerk as to loans and the manner in which he invested funds in his office subject to investment. Under this Act, which went into effect April 16, 1931, the Clerk is much restricted in investments, and unless loans made after this time come clearly within the provisions of C. S. 962 (a) and (b), the County authorities would not be warranted in accepting the notes in the settlement.

L. Local law enforcement officers.

69. Concealed weapon.

To Bruce F. Heafner. (A.G.) In our opinion, a gun carried in the pocket of a car door next to and within the control of the driver, subjects him to a penal statute prohibiting the carrying of concealed weapons on or about the person. For cases upon this subject see 68 C. J. 34.

U. Notary Public.

2. Qualifications.

To L. T. Rogers. Inquiry: May a person under 21 serve as a Notary Public? (A.G.) We think not. This is a public office. State v. Knight, 169 N. C. 333. And no person may hold a public office who is not a voter. N. C. Constitution, Article VI, Section 7.

10. Contracts in which employer is interested.

To J. C. McManus. (A.G.) Chapter 168, Public Laws of 1935, invalidates the probate of instruments upon the oath or affirmation of a witness who was at the time in the employ of the grantee under the instrument. It does not affect the power of an employee who is a Notary to take the acknowledgment of a grantor or to probate an instrument upon the oath and affirmation of a witness who is not an employee.

Y. Game Wardens.

1. Fees.

To A. Shapiro. (A.G.) In our judgment, a Game Warden making an arrest for a violation of the Game Laws is not entitled to the $5 additional fee provided by C. S. 2141 (z) for peace officers serving as *ex officio* Game Warden.

Z. Constables.

10. Jurisdiction and powers.

To S. O. Riley. (A.G.) A township constable may make an arrest anywhere in the county, provided he has a warrant charging an indictable offense against the person to be arrested. He may also arrest anywhere in the county where a breach of the peace is committed in his presence, or to prevent commission of a breach of peace. See State v. Corpening, 207 N. C. 805.

IX. Double office holding.

2. Notary Public.

To Norman Hughes. (A.G.) The places of Superintendent of Public Welfare and Notary Public are both offices within the meaning of the Constitutional section prohibiting double office holding and may not be held by the same person at the same time.

3. School Board.

To P. F. Evans. (A.G.) In our opinion the places of County Coroner and member of a school board are both offices.

6. Justice of the Peace.

To E. W. Dixon. (A.G.) The clause in the State Constitution prohibiting double office holding specifically exempts Justices of the Peace. A person, therefore, could legally hold the offices of Justice and Notary at the same time.

18. Solicitor of Recorders Court.

To J. P. Pippin. (A.G.) Acting as Solicitor of the County Recorders Court and membership on the local school board would constitute double office holding.

19. County Board of Health.

To T. D. Bryson, Jr. (A.G.) This Office has formerly held that the places of Coroner and member of the county board of health are two offices and may not be held at the same time. In our opinion the position of county attorney is not such an office within the purview of the Constitutional prohibition.

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STATE AND FEDERAL SERVICES

(Continued from page eleven)

ports are made to the local officers without cost.

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Uniform Crime Reporting — A complete manual for police.

A Handbook Containing Suggestions for the Preparation of Uniform Crime Reports.

A Guide for Preparing Annual Police Reports.

Register of Offenses Known to the Police.

Register of Persons Charged by the Police.

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