

CHAPTER 210

AN ACT TO INCORPORATE THE TOWN OF WEST
SOUTHERN PINES IN MOORE COUNTY.

The General Assembly of North Carolina do enact :

SECTION 1. That the town of West Southern Pines, in Moore County, North Carolina, be and the same is hereby incorporated by the name and style of "West Southern Pines," and shall be subject to all the provisions of law now existing in reference to incorporated towns.

Town incorporated.

Corporate name.

Corporate powers.

SEC. 2. The corporate limits of said town shall be known and designated and defined as follows, to wit: Beginning at a corner of the corporate limits of Southern Pines in McDeeds Creek at a point where the northwestern line of Hale Street crosses said creek; thence with said line of Hale Street south fifty-five degrees west to another corner of Southern Pines corporate limits at the intersection of Hale Street with the northeastern edge of Illinois Avenue; thence with another line of Southern Pines, and the northeastern edge of Illinois Avenue north thirty-five degrees west to the corner of Southern Pines in the center of the Old Pee Dee Road; thence with the Old Pee Dee Road in a northerly direction (it being the boundary of Southern Pines corporation) to the northwestern line of the original J. T. Patrick plot of Southern Pines, also a line of Knollwood, incorporated; thence with that line north fifty-three and one-quarter degrees east about one hundred feet to concrete block, a corner of Knollwood, incorporated, and the old Patrick map; thence with another of their lines south sixty degrees east six hundred and sixty-eight feet to a corner of Knollwood, Incorporated, on the northwestern edge of Carlisle Street; thence with Carlisle Street and the line of Knollwood north fifty-five degrees east one thousand six hundred and twenty feet to a concrete block, the southwestern corner of Maine Avenue and Carlisle Street; thence with Maine Avenue south thirty-five degrees east eight hundred and twenty-three feet to the eastern edge of Bland Street; thence with the eastern edge of Bland Street easterly about five hundred and thirty-seven feet to the southwestern extension of Rhode Island Avenue; thence with Rhode Island Avenue southeasterly two hundred and forty feet to McDeed's Creek; thence up with various courses of McDeed's Creek to the beginning.

Corporate limits.

SEC. 3. That the officers of said corporation shall consist of a mayor, five commissioners and a marshal, and the following named persons shall fill said offices until the eighth day of May, one thousand nine hundred and twenty-three, or until their successors are elected and qualified: mayor, J. Pleasant Hines; commissioners, Rev. Evander McIver, Keene Addison, Benjamin Armstrong, James Bethea, and C. F. Martin; town marshal, Vannie

Town officers.

Officers named.

Term.

Officers to meet, qualify, and organize.	Harrington. It shall be the duty of the officers named in this section to meet within twenty days after the ratification of this act and organize, after being duly sworn by some one authorized to administer oaths in Moore County.
Town elections.	SEC. 4. That there shall be an election for the officers named in this act on Tuesday after the first Monday in May, one thousand nine hundred and twenty-three, and biennially thereafter, to be held under the same rules and restrictions as are prescribed for holding municipal elections by law, and all citizens who are entitled to vote under the general election law of North Carolina, and who reside within the corporate limits of the town of West Southern Pines, North Carolina, as set out in section two (2) of this act shall be entitled to vote at said election. It shall be the duty of the mayor and board of commissioners at their first meeting to appoint a registrar, who after being duly sworn according to law, shall open registration book for the registration of citizens residing within the corporate limits of the town of west Southern Pines, and only those whose names are registered in the manner prescribed by general election law shall be entitled to vote in the municipal election to be held under this section.
Law governing elections.	
Voters.	
Registrar.	
Registration.	
Voters.	
Officers to qualify within ten days. Appointment of secretary, treasurer, and constable.	SEC. 5. That it shall be the duty of the officers elected under this act to qualify after ten days. After their election the commissioners may appoint a secretary and a treasurer, and if they deem it proper, they may appoint a town constable or policeman to serve with the town marshal within the corporate limits of
Legislative powers.	West Southern Pines; and the said commissioners shall have power to pass such by-laws, ordinances, rules and regulations as they deem necessary for the good government of the said town of West Southern Pines, not inconsistent with the laws of the State or the United States.
Powers as to streets.	SEC. 6. That among the powers especially conferred upon the commissioners are the following: To provide for the construction and laying out of streets, alleys, roads and lanes, and for the widening of the same; to regulate the cleaning and repairing of all streets and sidewalks; to condemn land for any purpose necessary for corporate improvement and welfare; to establish and regulate a market or markets, take all proper and effectual means for extinguishing conflagrations and fires; make regulations to cause the due observance of Sunday; suppress and remove nuisances; take all necessary measures to preserve the town from contagious and infectious diseases; to provide for the appointment of special police and other officers needed; take measures to preserve the peace of the town, to execute the laws and ordinances thereof and maintain good order; to establish one or more cemeteries inside or outside of the town, of such dimension as they may deem proper, and make rules regulating the same, and to lease, sell and convey burial lots to persons and families on such terms as may be deemed best, and to exercise the right to take up
Condemnation of land.	
Schedule of powers.	
Removal and reinterment of bodies.	

and reinter in some other part of said cemetery, or some other burial ground the remains of any person or persons interred in said town, for the improvement or better health of the town, or for better arrangements of the cemetery, or for advancing the interests of the town, as they may deem best; to enact and enforce such laws and ordinances as they may deem necessary to preserve the health of the town, determine when necessary the boundaries of streets and alleys; to provide for the licensing and restraining of shows, vaudeville, moving pictures, merry-go-rounds, hobby-horses, circuses, menageries, auctions, theatrical and all public amusements in the town; to restrain and prohibit gambling of all kinds, and the sale of fermented and intoxicating liquors; to prohibit and control firearms and fireworks and explosives of every description, including firecrackers, torpedoes, cannon crackers, Roman candles, skyrockets, and such like, and to govern the sale of such fireworks and firearms; to prohibit or prescribe the manner of keeping hogs in the town; to prescribe the manner in which dogs shall be kept; to limit the speed at which automobiles, trucks, bicycles and other conveyances shall be run or operated in and through the town; to cause all alleys, streets, lots, cellars, privies, stables, and places of like character to be examined by the constable or other officer duly appointed for that purpose and to cause by their order the said officer or officers to have said place or places cleansed and the nuisances abated at the expense of the owner or occupant thereof.

Health laws.

Traffic regulations.

Sanitary precautions.

SEC. 7. The commissioners shall have the power to impose and lay appropriate fine, penalty and forfeiture for the breach of the ordinances of the town, to levy and collect taxes on real and personal property, taxable in the town, to levy and collect license taxes on any and all trades, privileges, professions and occupations not specifically exempt from taxation by town, and to prohibit the carrying on within the corporate limits of the town any trade or occupation which shall be a nuisance and to abate such nuisances and to cause their removal.

Power to impose fines and penalties.
Levy of tax.
License taxes.

Prohibition of and abatement of nuisances.

SEC. 8. That the mayor shall preside at the meetings of the commissioners, but shall not vote except in case of a tie. He shall have jurisdiction to hear and determine all offenses or violations of ordinances in the town of West Southern Pines, on the sworn complaint of any person, or when such offenses come under his knowledge, and he shall have power to commit any person violating any ordinance of said town to the calaboose or town prison, or to assign such person to work on the streets, but in no case shall the punishment exceed a fine of \$50 or imprisonment or labor for more than thirty days, in his discretion. The fees of the mayor shall be the same as those prescribed for a justice of the peace.

Mayor to preside at meetings.
Jurisdiction of mayor as court.

Commitments.

Limit of punishment.

Fees of mayor.

SEC. 9. That the marshal shall be bound in the sum of two hundred dollars (\$200) to faithfully discharge his duties; he shall collect all taxes levied by the commissioners and all fines and

Bond of marshal.
Duties and powers.

- penalties imposed by the mayor for violation of the town ordinances, and make all arrests and enforce all ordinances; and his pay shall be such as the sheriffs and constables of the State receive for such service, and such other compensation as the commissioners may allow him.
- Pay of marshal.**
- Taxing powers.** SEC. 10. That the commissioners shall have power to levy and collect a tax for general purposes, not exceeding fifty cents (50c.) on one hundred dollars (\$100) worth of property, both real and personal, within the corporate limits of said town, or lawfully taxable therein, and on all polls residing or taxable in said town at the time and in the manner prescribed by the general law of the State of North Carolina.
- Limit of tax rate.**
- Poll tax.**
- Collection of tax by distress.** SEC. 11. That if any person liable for the payment of any tax shall fail to pay the same within the time prescribed by the general law for collection, the collector shall proceed to collect the same forthwith by distress and sale, after public advertisement in the manner and places prescribed by the general law for the collection of taxes. The collector shall return to the commissioners a statement showing all taxes collected, whether by sale or otherwise, which shall be entered upon the books of the municipality for permanent record thereof.
- Returns of collections.** SEC. 12. That this act shall be in force from and after its ratification.
- Ratified this the 3d day of March, A.D. 1923.

CHAPTER 211

AN ACT TO RELIEVE J. E. PRITCHARD FROM THE PAYMENT OF TAXES FOR SELLING SECOND-HAND CLOTHING.

Preamble: blindness and good character stated in petition. Whereas it appears by petition signed by a number of prominent citizens and residents of Avery County that J. E. Pritchard, who has been for many years and is now totally blind, is a man of good moral character; and

Preamble: relatives unable to afford support, only means of livelihood. Whereas it further appears that J. E. Pritchard's relatives are unable to support him, and that his only means of livelihood is the retailing of second-hand clothing: Now, therefore,

The General Assembly of North Carolina do enact:

Tax not required. SECTION 1. That no tax of any kind whatsoever shall be required of J. E. Pritchard, of Avery County, for sale by said Pritchard of second-hand clothing.

Repealing clause. SEC. 2. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 3d day of March, A.D. 1923.