

COUNTY COURTS MADE POSSIBLE BY GENERAL ASSEMBLY

Only a Vote of the People of a County is Necessary to Establish Court With Nearly All Powers of Superior Court.

Raleigh.—The general assembly killed the judicial districts bill, but it gave counties burdened with congested superior court dockets authority to establish general county courts having civil and criminal jurisdiction and conducting trials by jury.

Only a vote of the people of a county is necessary to establish a court that will possess nearly all the powers of the superior courts. The bill was introduced after the chances of passage of the judicial districts bill went a glimmering, and the opinion of lawyers is that it gives counties virtually the relief sought in the re-districting bill.

Forsyth and New Hanover counties already have county courts, but lawyers say the new general county court would have greater jurisdiction and rank higher than do the courts in these two counties. The clerk of the superior court would be ex-officio clerk of the general county court, and the sheriff would be there to "Oh yes". The county court, it is pointed out,

could displace the city recorder's courts, which in the cities of the state have worked successfully in clearing many cases that might have flooded superior courts. The county court would also take over many of the cases now handled by the magistrates.

To get this court, the county commissioners will have to call an election. Then it devolves upon the commissioners to establish the tribunal through the appointment of a judge, who shall receive a salary of not less than \$3,600 per year, and a prosecutor, who shall be paid not less than \$1,000 the year. The law specifies that the court shall convene in the county courthouse on the first Monday of each month and continue in session until all cases on the docket have been disposed of.

The act goes into detail outlining the criminal and civil procedure for the court. One clause specifies that trial by jury in civil cases shall be considered as waived unless one of the contesting sides makes appeal in advance of the trial of the case for a jury of twelve men. In that case the register of deeds shall select eighteen men from whom the jury will be chosen; and it shall be the duty of the sheriff to summons them to court. Regular juries for the court will be chosen by lot, under the system used in selecting juries for the superior

court. While sittings of the court shall be in the courthouse, the act makes mention of the inadvisability of inconveniencing or discommmodating the regular sessions of superior court.

Appeals from the county court to superior court will be in accordance with existing statutory requirements for appeals to higher courts.

Whether any counties will take advantage of the opportunity to establish a county court is uncertain, though Mecklenburg county is reported to be interested in some change that would relieve a crowded docket in superior court there.—Brook Barkley in Charlotte Observer.

Record in Brief of 1923 General Assem.

Raleigh News and Observer: Session convened January 3rd Session adjourned March 6th Bills introduced 1,896 Bills ratified 1,195 Bills killed 701

Major Bills Passed Highway Bond Issue, providing an additional fund of \$15,000,000 for the continuance of the present road building program and the levy of an additional 2-cent gasoline tax.

Permanent Improvement bond issue for State institutions and the completion of work now under way, totaling \$10,667,500.

Appropriations bill carrying a total of \$15,000,000 for the maintenance of State institutions and departments for the biennial period.

The Revenue Act, re-enacting the 1921 schedule of license and privilege taxes, and the 1921 schedule of taxes on incomes and inheritances, and also exempting stocks in foreign corporations held by citizens of this State from ad valorem taxation.

The Machinery Act, providing for the valuation of all property under the direction of the county commissioners and strengthening the power of the State Revenue Commission to maintain a uniformity of values between the counties.

The Townsend educational bill providing for the repeal of the mandamus to compel the levy of taxes, and requiring the county boards of education to sit jointly with the county commissioners in preparing the county school budget. Power of the board to contract debt is limited to the amount of the budget.

Mothers' Aid bill appropriating \$50,000 a year to be matched by the counties for aid to worthy mothers deprived of the support of their husbands.

Permitting two or more adjoining counties to build county homes together.

Providing for State-wide eradication of ticks by the counties with State and Federal aid.

The Grist bill submitting to popular vote the question of issuing \$2,500,000 in bonds for loans on homes to veterans of the World War.

The Turlington codification of the State liquor laws to establish conformity of State laws to the Volstead act.

The Moore-Warren Solicitors' salary bill placing the solicitors on a salary of \$4,500 annually with an expense account not to exceed \$750.

The "Lost Provinces" railroad bill, pledging the credit of the State not to exceed \$10,000,000 for building a railroad across the Blue Ridge mountains into Alleghany and Ashe counties.

Three constitutional amendments, providing for the (1) limitation of the State debt to 7 1-2 per cent of the assessed property valuation; (2) the inviolability of sinking funds to retire the State debt; and (3) to exempt from taxation one-half farm and residential property under mortgage and one-half of such mortgage, not to exceed \$8,000.

Raising the age of consent from 14 to 16, but amended to provide that violations by persons less than 18 shall be punished as misdemeanors.

Abolition of the criminal insane department of the State Prison, and providing for a sanatorium for the treatment of tubercular criminals.

Investigations Under resolutions passed by the House and Senate the following investigations were instituted.

Investigation of the charge of a deficit of \$5,000,000 in the State Treasury begun under the joint finance committees and continued by authority of both Houses until the completion of an audit of the books.

Investigation of the relations between the State Department of Labor and Printing and contractors for State printing under charge of discrimination. After two weeks committee returned report disallowing the charges, but recommending certain changes in printing which were postponed indefinitely.

Investigation of charges of mismanagement, cruelty, extravagance and nepotism against Dr. L. B. Mc-

Brayer, superintendent of State Sanatorium. Investigation continued until after adjournment on authority of the General Assembly.

Major Bills Killed Proposal to issue \$2,000,000 for purchase and operation of State-owned steamship lines. Senate substitute provides \$25,000 and commission to investigate and report to Governor and General Assembly.

Proposal by Governor to establish new department of Commerce and Industry. Introduced and died in House.

Proposal to increase the number of Superior Court judges from 20 to 27. Killed in House.

Giles proposal to issue \$2,500,000 to assist farmers in owning their own homes. Killed in Senate. Investigating commission provided.

Moore-Parker-Warren Workmen's Compensation act. Killed in House. All legislation dealing with the re-

gulation of secret fraternal organizations. House passed Milliken bill twice. Senate adopted substitute and declined to concur in Milliken bill.

Proposal from 38 counties to elect county superintendents of public instruction by direct vote of the people. Killed in House.

Proposal to allow corporations to pay interest on two-year loans at eight per cent instead of the statutory six per cent. Killed in House.

Proposal to make incurable insanity grounds for divorce. Killed in House.

Proposal to tax and regulate public motor bus and motor truck lines. Killed in Senate.

Proposal to reduce age of juvenile criminals from 16 to 14 years. Senate amendment killed in House.

Proposal to abolish flogging on prisoners. Killed in Senate.

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