

THE ROANOKE NEWS

THURSDAY, AUGUST 19, 1880.

NATIONAL DEMOCRATIC TICKET.



For President:
WINFIELD SCOTT HANCOCK,
of Pennsylvania.

For Vice-President:
WILLIAM H. ENGLISH,
of Indiana.

STATE DEMOCRATIC TICKET.

For Governor:
THOMAS J. JAKINS,
of N.C.

For Lieutenant Governor:
JAMES L. ROBINSON,
of Mecklenburg.

For Secretary of State:
WILLIAM E. SAUNDERS,
of Orange.

For Treasurer:
JOHN M. WORTH,
of Randolph.

For Attorney General:
THOMAS KENAN,
of Wilson.

For Auditor:
WILLIAM P. ROBERTS,
of Gates.

For Superintendent of Public Instruction:
JOHN C. SCARLETT, of Johnston.

For Commissioner of Courts:
JOHN C. GILMER,
of Guilford.

For Election of Large
P. H. BISHOP, of Wake,
J. M. LEACH, of Davidson.

A SENSIBLE LETTER.

THE COUNTY DEBT—HOW IT IS TO BE PAID

HALIFAX, N. C., August 6th, 1880.

It is the duty as well as the privilege of every citizen of the county of Halifax to discuss, whenever it becomes necessary, all matters of a public local character.

As a citizen and a tax payer of the county I shall, in this communication, consider certain measures, which deeply affect the welfare of the county.

On the first Monday of this month a joint session of the Commissioners and Justices of the county was held for the purpose of reconsidering the taxes levied on that occasion.

I am informed that a special meeting of the Justices will be held for the purpose of reconsidering the taxes levied on that occasion.

In as much as I am counsel for certain creditors of the county, it might be considered indecent on my part, were I to advocate the propriety of levying any particular percentage of taxation. I shall, therefore, refrain from doing so, and will endeavor solely to discuss, calmly and dispassionately, certain legal powers and duties of the Commissioners and Justices, without reference to the action of either in any given or particular case.

In the year 1868 a new constitution of government for the State of North Carolina was adopted. Among its provisions are the following:

Article 5th. Section 1.—The General Assembly shall levy a capitation tax on every man inhabitant of the State over twenty-one and under fifty years of age, which shall be equal on each, to the tax on personal and real estate was fixed at seven and two thirds cents on the one hundred dollars worth of property.

I am informed that a special meeting of the Justices will be held for the purpose of reconsidering the taxes levied on that occasion.

The following conclusions are so plainly deducible from the provisions of the Constitution and laws that in order to support them, nothing but their bare perusal ought to be necessary.

1. The power of the county to tax in order to pay its indebtedness contracted before the adoption of the Constitution in 1868 is unrestricted.

2. The power to tax to pay debts contracted for necessary expenses of the county since the adoption of the Constitution whether the past or current accruing expenses, is restricted only by the Constitutional provisions forbidding the county and State tax combined to exceed sixty-six and two-thirds cents on the one hundred dollars of property.

3. To liquidate and audit accounts against the county, and direct the raising of the sums necessary to defray them.

(12.) To borrow money for the necessary expenses of the county, and to provide for its payment, with interest in yearly installments, or otherwise, by tax or loan.

This case was decided before the adoption of the constitution of 1868.

I find the following decisions made since:

In the case of Gouch vs Gregory 65 N. C. H. 142 the court says in substance that the property of a county cannot be sold under execution, but that the plaintiff was entitled to a writ of mandamus to do so.

In this case the court had demanded a writ of mandamus to do so.

3. To liquidate and audit accounts against the county, and direct the raising of the sums necessary to defray them.

4. Should it be deemed expedient and necessary at any time, that the county should contract any debt, pledge its faith or loan its credit, except for necessary expenses (either accrued or accruing) it should be sanctioned by a vote of the people of the county.

5. The power of the county to tax in order to pay its indebtedness contracted before the adoption of the Constitution in 1868 is unrestricted.

6. The power to tax to pay debts contracted for necessary expenses of the county since the adoption of the Constitution whether the past or current accruing expenses, is restricted only by the Constitutional provisions forbidding the county and State tax combined to exceed sixty-six and two-thirds cents on the one hundred dollars of property.

7. To liquidate and audit accounts against the county, and direct the raising of the sums necessary to defray them.

8. To borrow money for the necessary expenses of the county, and to provide for its payment, with interest in yearly installments, or otherwise, by tax or loan.

9. To liquidate and audit accounts against the county, and direct the raising of the sums necessary to defray them.

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