

NORTH CAROLINA GENERAL ASSEMBLY  
1961 SESSION

CHAPTER 1026  
HOUSE BILL 1151

AN ACT TO AUTHORIZE AND DIRECT THE PERSON COUNTY BOARD OF EDUCATION TO NAME AND APPOINT THREE TRUSTEES TO CARE FOR, MANAGE AND IMPROVE THE FARM LEFT IN TRUST FOR THE BENEFIT OF CUNNINGHAM SCHOOL DISTRICT UNDER THE WILL OF THE LATE DR. JOHN C. TERRELL.

WHEREAS, the late Dr. John C. Terrell died, leaving a will under which he devised a farm containing between three hundred (300) and four hundred (400) acres of land to the Cunningham School District for public school purposes, and the late Dr. John C. Terrell also left in trust certain property for public school purposes under the residuary clause in his will; and

WHEREAS, the said farm, known as "The Terrell Farm", and located in Cunningham Township in Person County, is beginning to deteriorate and is in need of closer attention and more careful management to the end that said farm be rehabilitated, its buildings maintained and repaired so that a fairly good income may be derived from same for public school purposes: Now, therefore,

The General Assembly of North Carolina do enact:

Section 1. The Person County Board of Education is hereby authorized, empowered and directed to appoint three trustees to care for, manage, rent and improve said Terrell Farm in Cunningham Township in Person County and maintain and repair the buildings located on said farm.

Sec. 2. The three persons to be so appointed by the Person County Board of Education to act as trustees for the purposes set forth in Section 1 of this Act shall be persons of good character and possess some knowledge of farming and business ability. The three trustees shall collect and use the income from said farm according to their own judgment and discretion in carrying out the intent and purpose of the will of the late Dr. John C. Terrell in using said income and funds as nearly as possible for the benefit of children who now attend the public schools of Person County but who reside in what was the old Cunningham Public School District or Cunningham Township. The said trustees, however, shall not be limited in their expenditures to any specific schools which may be attended by children residing in the old Cunningham Public School District, but the trustees may also in their discretion and judgment expend said funds for the promotion of any of the public schools in Person County.

Sec. 3. The Person County Board of Education is authorized, empowered and directed to turn over to said trustees so appointed a sum of approximately twenty-eight hundred dollars (\$2800.00) which the Person County Board of Education now holds and which was derived from the income of said farm. The said trustees appointed hereunder shall also expend these funds for public school purposes in Person County according to their judgment and discretion for the promotion of public school objectives as above set forth. Notwithstanding any provision in this Act said trustees are authorized and empowered to expend a reasonable sum of any funds that may come into their hands for the upkeep, improvement, maintenance and repair of buildings in connection with said Terrell Farm.

Sec. 4. The said trustees to be appointed under this Act shall each serve for a period of two years, and the Person County Board of Education shall appoint their successors. In case of any vacancy among the trustees by death, resignation or otherwise, a successor or substitute trustee shall be appointed by the Person County Board of Education. The said trustees shall not be required to furnish any bond or other guaranty for the proper performance of their duties hereunder. They shall at the end of each year of their period of appointment file a report with the Person County Board of Education which shall show in detail and by items all receipts and disbursements made in carrying out this trust and for what purpose the funds were so expended. The Person County Board of Education is authorized and empowered to receive and use for public school purposes and for the objects designated by the trustees any funds that the trustees appointed hereunder may transmit or turn over to said Board for public school purposes in Person County.

Sec. 5. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Sec. 6. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 17th day of June, 1961.