

NORTH CAROLINA GENERAL ASSEMBLY  
1961 SESSION

CHAPTER 1097  
HOUSE BILL 553

AN ACT TO ESTABLISH A PUBLIC LAW LIBRARY FOR PUBLIC OFFICIALS,  
COURTS AND OTHERS IN CARTERET COUNTY.

WHEREAS, better courtroom improvements and facilities in Carteret County are necessary and essential and in the interests of the most efficient administration of justice in the court; and

WHEREAS, the establishment and maintenance of a Law Library for the use of the public and the officials of Carteret County, judges, solicitors and other officers of the courts of said county is necessary and essential and in the interests of the most efficient administration of justice in the courts; and

WHEREAS, it is desired to provide for the proper books, furnishings, supplies, equipment, furniture and records necessary for the establishment and maintenance of said Library; and

WHEREAS, the courtroom in the courthouse in Carteret County is in a run-down condition, has inadequate jury and other facilities; and

WHEREAS, it is desired to provide for proper improvements and facilities to the courtroom in said courthouse: Now, therefore,

The General Assembly of North Carolina do enact:

Section 1. There is hereby established in Carteret County a public Law Library to be known as the Carteret County Public Law Library, which shall be kept and maintained as provided by this Act, for the County of Carteret and the use of the public and the officials of said county and officers of the courts held therein.

Sec. 2. That the Board of County Commissioners of Carteret County, and their successors in office be, and they are hereby constituted the custodian of all books, furnishings, supplies, equipment, furniture and records of the Law Library.

Sec. 3. All books, furnishings, supplies, equipment, furniture and records of said Library shall be the property of the County of Carteret, and the said county is authorized and empowered to hold said property and to add thereto from time to time by gift, donation, purchase or otherwise, such books, furnishings, supplies, equipment, furniture and records as may be deemed reasonably necessary and proper for the said Library.

Sec. 4. That the custodian provided for in Section 2 is authorized and empowered to make such provisions as are reasonable and necessary to provide for the care, protection, custody and use of all books, furnishings, supplies, equipment,

furniture and records of said Law Library, including regulations governing the removal of books, furnishings, supplies, equipment, furniture and records from the library and from the courthouse. The violation of any such regulation shall be a misdemeanor, punishable by a fine not to exceed fifty dollars (\$50.00).

Sec. 5. In order to provide a fund for the purchase of Law Library, furnishings, supplies, equipment, furniture and records therefor, and the care, custody and use thereof and to provide for courtroom improvements and necessary facilities, the sum of one dollar (\$1.00) shall be taxed as costs and collected by the Clerk of the Superior Court of Carteret County in each and every criminal case and each and every civil case wherein final disposition of said case is made by trial or otherwise in the Carteret County Recorder's Court or in the Superior Court of Carteret County after the ratification of this Act, except in such cases in which said county is adjudged to pay all costs. The revenue received therefrom shall be set apart in a fund to be known and designated as the Carteret County Courtroom and Law Library Fund, and said fund shall be deposited by the Clerk of the Superior Court in a bank in Carteret County designated as a county depository and accounted for by said clerk as other official funds coming into his hands, said-funds to be included in the provisions of the Official Bond required of the Clerk of the Superior Court of Carteret County, and to be secured as other county funds.

Sec. 6. From the funds so collected as provided in Section 5 of this Act, it shall be the duty of the county commissioners to make such improvements to the courtroom of the courthouse as they may deem necessary and to purchase and pay for such volumes and sets of books, furnishings, supplies, equipment, furniture and records therefor as shall be recommended by a committee of three members of the Carteret County Bar Association to be appointed annually by the President of the Carteret County Bar Association and approved by said custodian, and to make such provisions as are recommended by said committee and approved by the custodian provided for in Section 2 of this Act, for the care, protection, custody and use of said books, furnishings, supplies, equipment, furniture and records. In order to immediately provide for said Library and to carry out the intent and purpose of this Act, the Board of Commissioners of Carteret County shall, with the approval and consent of the custodians, enter into such contracts and agreements and make such purchases as may be necessary to equip and furnish said Library, to be paid for out of funds to be collected or collected pursuant to Section 5 of this Act. All checks on said account shall be drawn and signed by the Clerk of the Superior Court of Carteret County and countersigned by the county auditor, and it shall be the duty of the said clerk to keep a correct account of all receipts and disbursements in connection with said Courtroom Library Fund and make an annual report thereof to the Board of County Commissioners of Carteret County, which said account shall be subject to the regular and annual audit provided by law or otherwise for other county funds.

Sec. 7. The moneys provided for in Section 5 herein shall, after a period of three years from the effective date of this Act, be subject to reduction or discontinued for any period or periods of time in the discretion of the Board of Commissioners of Carteret County, such reduction or discontinuance to be made so as to provide adequate

but not excessive funds for the maintenance of said courtroom and Library, and any reduction or discontinuance in the amounts to be collected from the courts as hereinbefore provided, shall apply equally to all courts to which this Act is applicable.

Sec. 8. All laws and clauses of laws in conflict with this Act regarding the disposition of the specified herein provided costs received by the office of the Clerk of the Superior Court of Carteret County are hereby repealed.

Sec. 9. This Act shall become effective .....

In the General Assembly read three times and ratified, this the 21st day of June, 1961.