

NORTH CAROLINA GENERAL ASSEMBLY
1961 SESSION

CHAPTER 549
HOUSE BILL 524

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

WHEREAS, the establishment and maintenance of a law library for the use of the public and the officials of Pitt County, the City of Greenville, 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: Now, therefore,

The General Assembly of North Carolina do enact:

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

Sec. 2. That the Chairman of the Board of County Commissioners of Pitt County, the Mayor of the City of Greenville, the Clerk of the Superior Court of Pitt County, and the President of the Pitt County Bar Association and their successors in office, be and they are hereby constituted custodians 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 Pitt and the City of Greenville, and the said county and city are 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 custodians provided for in Section 2 above are 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.

Sec. 5. In order to provide a fund for the purchase of a law library, furnishings, supplies, equipment, furniture and records therefor, and the care, custody and use thereof, the sum of one dollar (\$1.00) shall be taxed as costs and collected by

the Clerk of the Superior Court of Pitt County in each and every criminal case wherein final disposition of said case is made by trial or otherwise in the Pitt County Recorder's Court or in the Superior Court of Pitt 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 Pitt County-City of Greenville Law Library Fund, and said fund shall be deposited by the Clerk of the Superior Court in a bank in Pitt 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 Pitt County, and to be secured as other county funds.

Sec. 6. It shall also be the duty of the Clerk of the Recorder's Court and the Clerk of the Municipal Recorder's Court of the City of Greenville after the effective date of this Act to collect in each and every case finally disposed of in his court, except in cases in which Pitt County or the City of Greenville is adjudged to pay all costs, the sum of one dollar (\$1.00), which amount shall be immediately paid over to the Clerk of the Superior Court of Pitt County to supplement the aforesaid Law Library Fund, which shall be deposited as herein provided, and which shall be expended in the way and manner provided in this Act.

Sec. 7. From the funds so collected as provided in Section 5 and Section 6 of this Act it shall be the duty of the Clerk of the Superior Court of Pitt County to purchase subject to the approval of the custodians provided for in Section 2 of this Act 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 Pitt County Bar Association to be appointed annually by the President of the Pitt County Bar Association and approved by said custodians, and to make such provisions as are recommended by said committee and approved by the custodians 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 Clerk of the Superior Court of Pitt 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 and Section 6 of this Act. All checks on said account shall be drawn and signed by the Clerk of the Superior Court of Pitt County, and it shall be the duty of the said Clerk to keep a correct account of all receipts and disbursements in connection with said library fund and make an annual report thereof to the Board of County Commissioners of Pitt County and to the Board of Aldermen of the City of Greenville, which said account shall be subject to the regular and annual audit provided by law or otherwise for other county funds.

Sec. 8. The moneys provided for in Sections 5 and 6 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 County Commissioners of Pitt County and the Council of the City of Greenville, such reduction or discontinuance to be made so as to provide adequate but not excessive funds for the

maintenance of said 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. 9. 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 Pitt County are hereby repealed.

Sec. 10. This Act shall become effective upon its ratification.

In the General Assembly read three times and ratified, this the 30th day of May, 1961.