

NORTH CAROLINA GENERAL ASSEMBLY  
1961 SESSION

CHAPTER 612  
HOUSE BILL 806

AN ACT TO PROVIDE FOR SETTLEMENT AND DISBURSEMENT OF CERTAIN  
FUNDS IN THE HANDS OF THE CLERK OF SUPERIOR COURT OF  
JOHNSTON COUNTY AS OF MAY 7, 1959.

The General Assembly of North Carolina do enact:

Section 1. All cash bonds deposited with the Clerk of Superior Court of Johnston County on or before May 7, 1959, in criminal actions in the Superior Court of Johnston County, in the Johnston County Recorder's Court, and in the Johnston County Recorder's and Domestic Relations Court are hereby forfeited and shall be transferred and turned over by the Clerk of Superior Court of Johnston County to the Treasurer of Johnston County prior to October 1, 1961, and the same thereafter shall be deposited in toto in the Public School Fund of Johnston County.

Sec. 2. All other funds, except trust funds, collected and accumulated by the Clerk of Superior Court of Johnston County prior to July 1, 1961, in all criminal and civil actions and Special Proceedings instituted on or before May 7, 1959, in the Superior Court of Johnston County, in the Johnston County Recorder's Court, and in the Johnston County Recorder's and Domestic Relations Court shall be transferred and turned over by the Clerk of Superior Court of Johnston County to the Treasurer of Johnston County prior to October 1, 1961.

Sec. 3. The Board of Commissioners of Johnston County is hereby authorized and empowered to employ a certified public accountant to audit the financial records in all cases designated in Sections 1 and 2 of this Act. Should the certified public accountant appointed by the Board of Commissioners of Johnston County to audit said financial records fail to deliver his official audit to the Clerk of Superior Court and to the Board of Commissioners of Johnston County prior to October 1, 1961, then the Clerk of Superior Court of Johnston County shall have thirty days after receiving said audit in which to transfer the cash bonds and other funds referred to in Sections 1 and 2 of this Act to the Treasurer of Johnston County.

Sec. 4. Thirty-five per cent (35%) of the funds referred to in Section 2 of this Act shall be deposited by the Treasurer of Johnston County in the Public School Fund of said county, and the remainder of said funds shall be deposited by the Treasurer of Johnston County in the General Fund of said county, to be appropriated and used by the Board of Commissioners of Johnston County as provided by law.

Sec. 5. After October 1, 1961, the Treasurer of Johnston County is authorized and empowered to pay from the General Fund of Johnston County any claims arising

out of the above designated cases when approved by the Clerk of Superior Court and the Auditor of Johnston County, provided the person entitled thereto presents his claim therefor within two years from the time the funds referred to hereinabove are received by the Treasurer of Johnston County. Until the said two-year period has elapsed, the Board of Commissioners of Johnston County is hereby authorized and empowered to set up reserves in the General Fund of Johnston County by specific appropriation in each annual budget for the payment of said claims.

Sec. 6. The Clerk of Superior Court of Johnston County is authorized and empowered to pay to the State of North Carolina after July 1, 1961, all State tax due and payable to said State of North Carolina, in the above designated cases.

Sec. 7. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Sec. 8. This Act shall be in full force and effect from and after July 1, 1961.

In the General Assembly read three times and ratified, this the 2nd day of June, 1961.