

NORTH CAROLINA GENERAL ASSEMBLY
1961 SESSION

CHAPTER 620
HOUSE BILL 831

AN ACT TO AMEND CHAPTER 135 OF THE SESSION LAWS OF 1953 RELATING TO THE ESTABLISHMENT OF A LAW LIBRARY FOR THE PUBLIC OFFICIALS AND COURTS OF NEW HANOVER COUNTY, AND TO PROVIDE A FUND FOR COURT IMPROVEMENT AND MAINTENANCE IN SAID COUNTY.

The General Assembly of North Carolina do enact:

Section 1. Section 2 of Chapter 135 of the Session Laws of 1953 is hereby amended by adding the words "or his assistant or deputy as approved by the Board of County Commissioners," after the word "County," and before the word "the" in line 1 thereof.

Sec. 2. Section 4 of Chapter 135 of the Session Laws of 1953 is hereby amended by adding the words ", or his assistant or deputy as approved by the Board of County Commissioners," after the word "County" and before the word "shall" in line 1 thereof.

Sec. 3. Section 5 of Chapter 135 of the Session Laws of 1953 is hereby rewritten to read as follows:

"Sec. 5. In order to provide a fund for the purchase and maintenance of a law library, furnishings, supplies, equipment, furniture, and records, and to provide space therefor, and the salary of any librarian employed by the Clerk of Superior Court and Board of County Commissioners of said County, as hereinabove provided, and to purchase maps, charts, diagrams, forms, figures, models and like equipment and material for use in said library, and for use by the Superior Court of New Hanover County and the New Hanover County Recorder's Court, and to provide telephone service for said library, the sum of one-half dollar (\$.50) shall be taxed as costs, and collected by the Clerk of Superior Court of New Hanover County in each and every criminal case and each and every civil case, to be taxed as an item of advance costs, wherein final disposition of said case is made by trial or otherwise in the New Hanover County Recorder's Court and in the Superior Court of New Hanover 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 'Law Library Fund', and said fund shall be deposited by the Clerk of the Superior Court, or his assistant or deputy as approved by the Board of County Commissioners of New Hanover County, in a bank in New Hanover County."

Sec. 4. Section 6 of Chapter 135 of the Session Laws of 1953 is hereby amended by adding the words ", or his assistant or deputy as approved by the Board of County Commissioners," in three places, namely: between the words "County" and "to" in line 3 thereof; between the words "County" and "shall" in line 11 thereof; and between the words "County" and "and" in line 16 thereof.

Sec. 5. Section 7 of Chapter 135 of the 1953 Session Laws is hereby rewritten to read as follows:

"Sec. 7. In order to provide a fund for maintenance and improvement of the Superior Courtroom and the Recorder's Courtroom of New Hanover County, the sum of one-half dollar (\$.50) shall be taxed as costs and collected by the Clerk of Superior Court of New Hanover County in each and every criminal case and each and every civil case to be taxed as an item of advance costs, wherein final disposition of said case is made by trial or otherwise in the New Hanover County Recorder's Court and in the Superior Court of New Hanover 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 transferred monthly by the Clerk of Superior Court of New Hanover County to the County Auditor of New Hanover County. The County Auditor shall set apart the revenue received therefrom in a fund to be known and designated as the 'Courtroom Fund', and said fund shall be deposited by the County Auditor in a bank in New Hanover County. From said fund the County Commissioners of New Hanover County are authorized and empowered to perform such maintenance and make such repairs, alterations, improvements and additions to the Superior Courtroom and the Recorder's Courtrooms of New Hanover County as is deemed advisable in their discretion, this authorization and power to be in addition to and supplemental to all powers and authorizations which said Commissioners now have regarding County-owned property."

Sec. 6. Chapter 558 of the Session Laws of 1957 and all laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 7. 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 2nd day of June, 1961.