

NORTH CAROLINA GENERAL ASSEMBLY  
1961 SESSION

CHAPTER 18  
HOUSE BILL 65

AN ACT REQUIRING ALL CANDIDATES FOR THE OFFICE OF MAYOR OF  
THE TOWN OF GARLAND AND ALL CANDIDATES FOR THE OFFICE OF  
COMMISSIONERS OF THE TOWN OF GARLAND TO FILE NOTICE OF  
THEIR CANDIDACY.

The General Assembly of North Carolina do enact:

Section 1. All candidates for the office of Mayor of the Town of Garland, and all candidates for the office of Town Commissioners of the Town of Garland shall file written notice of their candidacy with the town clerk of said town on or before twelve o'clock noon, Eastern Standard Time, of the first Monday in April of each year in which a municipal election shall be held for the election of town officials under the Charter of the Town of Garland.

Sec. 2. All candidates for the office of mayor shall deposit with their notice of candidacy a filing fee of two dollars (\$2.00) in cash; and all candidates for the office of a commissioner of the Town of Garland shall likewise deposit with their notice of candidacy a filing fee of one dollar (\$1.00) in cash; and the town clerk shall enter upon all notices filed with said clerk the date and hour of filing, and that the required deposit has been paid, and all cash deposits so made with the town clerk shall be paid by said clerk into the general treasury of the town.

Sec. 3. The town clerk shall, on or before twelve o'clock noon, Eastern Standard Time, of Tuesday following the first Monday in April of each election year, post a notice in the office of the town clerk showing the names of all persons who have filed notice of their candidacy for the office of mayor, and the names of all persons who have filed notice of their candidacy for the office of commissioner of the Town of Garland. And the town clerk at the same time of posting said notice of candidacies shall also file with the Mayor of the Town of Garland a certificate showing the names of all persons who have filed notice of their candidacy for the office of mayor, and the names of all persons who have filed notice of their candidacy for office of commissioner of the Town of Garland, and the certificate so filed with the mayor shall be recorded in the official minute book of the Board of Commissioners of the Town of Garland.

Sec. 4. The Mayor of the Town of Garland, upon the filing with him of the certificate as provided in the next preceding Section, shall forthwith call a meeting of the board of commissioners of said town, to be held within four days after the filing of said certificate, and the board of commissioners at said meeting shall declare the persons so certified to be nominees for mayor and town commissioners, respectively, to

be voted for in the following May town election for town officials; and a minute record of said action by the board of commissioners shall be entered in the official minutes of said board meeting.

Sec. 5. At the said board meeting provided to be held under the next preceding Section, the commissioners of said town shall also make provision for the printing of the official ballot to be voted in the following May town election. That official ballot shall be printed on white paper and shall be entitled: "Official Ballot for Town Election of Town of Garland, for Year 19 ...." The said official ballot shall contain two sections as follows:

The first section shall be entitled, "For Mayor of Town of Garland", and shall thereafter have printed thereon the names of all candidates who have been declared nominees for the office of mayor under the foregoing provisions of this Act, and a voting square shall be placed in front of the name of each candidate for mayor; and immediately following the names of the candidates for mayor shall be printed the words: "Vote for not more than one person for mayor by placing a crossmark in the voting square opposite the name of the person for whom you desire to vote."

The second section of the official ballot shall be entitled "For Commissioners of the Town of Garland", and shall thereafter have printed thereon the names of all candidates who have been declared nominees for the office of Commissioner of the Town of Garland under the foregoing provisions of this Act, and a voting square shall be placed in front of the name of each candidate for the office of town commissioner; and immediately following the names of all candidates for Commissioners of the Town of Garland, shall be printed the words: "Vote for not more than five persons for commissioners by placing a crossmark in the voting square opposite the names of the five persons for whom you desire to vote."

Sec. 6. The Town of Garland, at its own expense, shall cause to be printed for the use of voters in the town election a sufficient number of official ballots, and not less than one and one-fourth times as many ballots as there are registered voters appearing on the official registration book of said town, which official ballots shall be delivered to the registrar for said election prior to the date of the election, and no other ballots than the official ballots thus provided shall be voted or counted in the town election, nor shall any person be eligible for the office of Mayor or Town Commissioner of the Town of Garland who has failed to file notice of his candidacy, paid the required filing fee, and been certified as a candidate, as required by Sections 1, 2 and 3 of this Act.

Sec. 7. All town elections shall be conducted and held in accordance with the provisions of the charter of the Town of Garland, as modified by the provisions of this Act, and as far as practicable in accordance with the law governing municipal elections, not inconsistent with the provisions of the charter of the Town of Garland and the provisions of this Act.

Sec. 8. When the polls have been closed, the ballot box shall be opened in the presence of the registrar and both judges of election, and such electors as may desire to be present. The ballots shall be counted and tabulated, and upon conclusion of the counting, that candidate for mayor who shall have received the largest number of votes cast for the office of mayor shall be declared elected to the office of mayor, and those

five candidates for the office of commissioner of the Town of Garland who shall have received the largest number of votes for the office of town commissioner shall be declared elected commissioners of the Town of Garland for the next ensuing term of said officers. And the registrar and judges of said election shall certify the result of said election to the board of commissioners; and a certificate showing the number of votes received by each candidate for mayor and each candidate for town commissioner shall be signed by election officials and returned to and filed with the town clerk on or before noon of the day following the said election, and said certificate shall be filed and recorded in the official minute book of the board of commissioners, as a permanent record of the result of the said election.

Sec. 9. All laws and clauses of laws in conflict with the provisions of this Act, and specifically Section 7, Chapter 44, Private Laws of 1907, are hereby repealed.

Sec. 10. 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 7th day of March, 1961.