

STATE OF NORTH CAROLINA
CABARRUS COUNTY

FILED

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

24 CVS _____

2024 FEB -7 A 10:42

IN THE MATTER OF:

CABARRUS CO., C.S.C.

THE TRUST (#212) FOR CHARLES A. CANNON, III, CREATED UNDER THE WILL AND CODICILS OF RUTH COLTRANE CANNON

MC

INTERESTED PARTIES:

THE CHARLOTTE-MECKLENBURG HOSPITAL AUTHORITY d/b/a ATRIUM HEALTH

JOSHUA H. STEIN, in his capacity as Attorney General of the State of North Carolina

**PETITION FOR
DECLARATORY JUDGMENT
BY THE TRUSTEES**

Pursuant to N.C. Gen. Stat. § 36C-2-201, N.C. Gen. Stat. § 36C-2-203, N.C. Gen. Stat. § 1-253, *et seq.*, and Rule 57 of the North Carolina Rules of Civil Procedure, Petitioners Truist Bank, Craig D. Cannon, Kathleen E. Cannon, and Thomas J. Fields—in their representative capacities as trustees for the trust (#212) for Charles A. Cannon, III, created under the Will and Codicils of Ruth Coltrane Cannon (the “Trust”) and on behalf of the Trust (collectively, the “Trustees” and each a “Trustee”)—hereby file this Petition for Declaratory Judgment. The Trustees have identified The Charlotte-Mecklenburg Hospital Authority d/b/a “Atrium Health” as an Interested Party in this action because the Trustees understand that Atrium Health claims an interest in the Trust. The Trustees have also identified Joshua H. Stein, in his capacity as Attorney General of the State of North Carolina, as an

Interested Party because this is a proceeding involving a charitable trust, and N.C. Gen. Stat. § 36C-2-205(i) requires notice to the Attorney General for this type of proceeding. In support of this Petition, the Trust and Trustees show the Court the following:

INTRODUCTION

1. This action involves the proper construction of the Trust, a testamentary trust that was created by Ruth Coltrane Cannon (“Ms. Cannon”) of Cabarrus County, North Carolina, in 1965 for the benefit of her grandson Charles A. Cannon, III (“Mr. Cannon III”), during his lifetime.

2. The Trust provides that, after Mr. Cannon III’s death, the Trustees are to distribute the Trust income to “Cabarrus Memorial Hospital, a public institution owned by Cabarrus County, North Carolina.”

3. In the Trust, Ms. Cannon expressly set out an alternative plan for distribution of the Trust income if it could not be made to “Cabarrus Memorial Hospital, a public institution owned by Cabarrus County, North Carolina”—specifically, that the income be distributed “for such religious, charitable, scientific, literary, or educational purposes as [the] Trustees may from time to time select.”

4. Since the 1980s, Cabarrus Memorial Hospital, as named in the Trust, has not existed legally.

5. In the 2000s, through a series of interim changes in corporate form and corporate transactions, Atrium Health merged with the entity that was formerly Cabarrus Memorial Hospital.

6. Mr. Cannon III passed away on October 28, 2023.

7. The Trustees engaged counsel to assist them with the proper construction of the Trust and identification of the remainder income beneficiary of the Trust pursuant to Item XIII of Ms. Cannon's Will.

8. The Trustees, with the assistance of counsel, have carefully considered the terms of the Trust, as well as other relevant facts and circumstances (including that there is no Cabarrus Memorial Hospital in existence), to evaluate the proper distribution of the Trust income following the death of Mr. Cannon III.

9. Based on that careful consideration, the Trustees have preliminarily concluded that Atrium Health is not the proper remainder income beneficiary.

10. Before initiating this proceeding, the Trustees, acting in good faith and in a manner consistent with their duties and obligations under the Trust, sought Atrium Health's consent to an uncontested proceeding that would establish (a) that Atrium Health is not the remainder income beneficiary of the Trust based on a proper construction of the Trust's language and Ms. Cannon's intent and purpose in creating the Trust and (b) that the Trustees should proceed with the alternative income distribution set out in the Trust, consistent with the proper construction of the Trust's language and Ms. Cannon's intent and purpose in creating the Trust.

11. Atrium Health did not consent to the Trustees' proposal and claimed to be the remainder income beneficiary of the Trust.

12. Atrium Health's position has necessitated the filing of this action in which the Trustees seek declaratory relief to eliminate any uncertainty regarding the

proper distribution of the Trust income following the death of Mr. Cannon III so that they can properly discharge their duties and obligations under the Trust and pay over the income to the correct beneficiary or beneficiaries.

PARTIES, JURISDICTION, AND VENUE

13. Trustee Truist Bank is a North Carolina corporation with its principal place of business in Mecklenburg County, North Carolina.

14. Trustee Craig D. Cannon is a resident of Forsyth County, North Carolina and a citizen of North Carolina. Trustee Craig D. Cannon is Mr. Cannon III's son and Ms. Cannon's great-grandson.

15. Trustee Kathleen E. Cannon is a resident of Forsyth County, North Carolina and a citizen of North Carolina. Trustee Kathleen E. Cannon is Mr. Cannon III's daughter-in-law.

16. Trustee Thomas J. Fields is a resident of Oakland County, Michigan, and a citizen of Michigan. Trustee Thomas J. Fields is Mr. Cannon III's son-in-law.

17. The Trustees are successor co-trustees for the Trust by virtue of proper appointments to those roles.

18. Atrium Health is a North Carolina hospital authority with its principal place of business in Mecklenburg County, North Carolina.

19. Joshua H. Stein is the current Attorney General of the State of North Carolina. N.C. Gen. Stat. § 36C-2-205(i) provides that "in every trust proceeding with respect to a charitable trust, the Attorney General shall be notified and given an opportunity to be heard."

20. This Court has subject matter jurisdiction over this action pursuant to N.C. Gen. Stat. § 36C-2-201(c), N.C. Gen. Stat. § 36C-2-203(a)(9), (c), and N.C. Gen. Stat. § 1-253, *et seq.*, because this action involves the administration and distribution of the Trust, including specifically an issue pertaining to construction of the Trust, and the Trustees seek declaratory relief regarding that issue.

21. Venue is proper in Cabarrus County, North Carolina, pursuant to N.C. Gen. Stat. § 36C-2-204(1) or N.C. Gen. Stat. § 36C-2-204(2)b. because this county is where required accountings for the Trust are filed (*see* File No. 71 E 108; Cabarrus County Superior Court) and where Ms. Cannon's estate was administered.

FACTS

22. Ms. Cannon executed her Last Will and Testament on March 17, 1950 (the "Will"). Ms. Cannon subsequently executed a First Codicil to her Last Will and Testament on July 16, 1953 (the "First Codicil"), a Second Codicil to her Last Will and Testament on March 15, 1960 (the "Second Codicil"), and a Third Codicil to her Last Will and Testament on September 14, 1965 (the "Third Codicil") (collectively, the "Codicils"). True and accurate copies of Ms. Cannon's Will and Codicils are attached and incorporated herein as Exhibit A.

23. Item III and Item IV of Ms. Cannon's Will created four testamentary trusts for the benefit of Ms. Cannon's family, including Mr. Cannon III.

24. Ms. Cannon's First Codicil did not change any provisions in her Will pertaining to the trusts created thereunder.

25. Ms. Cannon's Second Codicil revoked the initial trust created for Mr. Cannon III and stated as follows in the Fourth paragraph:

My reason for changing the division into three, instead of four, shares, and revoking all provisions for my grandson Charles A. Cannon, III, is that he has been amply provided for through gifts heretofore made, and through trusts heretofore set up, by my husband, Charles A Cannon, and by myself, or jointly.

26. Ms. Cannon's Third Codicil created the Trust. The Third Codicil states as follows in the Fourth paragraph:

In my Second Codicil I reduced the shares of my residuary estate from four to three and eliminated the share for my grandson, Charles A. Cannon, III, as a first beneficiary. I am much impressed with his development and maturity and have decided to make provision for him.

...

I add a new Division D to Item IV, of my said Will as follows:

D. My Trustees shall set apart one share or trust for the benefit of my grandson, Charles A. Cannon, III, as first beneficiary. The income shall be accumulated until my said grandson arrives at the age of thirty years. From the age of thirty to thirty-five years my Trustees shall accumulate one-half of the net income; from the age of thirty-five to forty years my Trustees shall accumulate one-fourth of the net income and pay to my said grandson three-fourths of the net income; and after my said grandson arrives at the age of forty years my Trustees shall pay all of the net income to him during his life. The income directed to be accumulated shall become a part of the corpus of the said trust. After the death of my said grandson, Charles A. Cannon, III, the principal or corpus of said share or trust shall be retained by my Trustees to be held, administered, and the income paid out for charitable purposes under the terms of Item VII of my said Will, as it is rewritten by SEVENTH of this Codicil.

27. Item VII of Ms. Cannon's Will, as rewritten by the Seventh paragraph of her Third Codicil, directs that the Trust income be distributed by the Trustees after the death of Mr. Cannon III as follows:

The income therefrom shall be paid to Cabarrus Memorial Hospital, a public institution owned by Cabarrus County, North Carolina. The income shall be paid to said hospital so long as the income is exempt from income tax under Section 501 of the Internal Revenue Code and its regulations as they now exist or as the said section, or any corresponding section and the regulations, may hereafter be amended or enacted. In case the said Cabarrus Memorial Hospital at any time fails to qualify as an organization exempt from taxation so that the income from this share or trust may be paid to it without income tax being charged thereon, then my Trustees shall pay the income out for such religious, charitable, scientific, literary, or educational purposes as my Trustees may from time to time select. It is my intention that the income shall be paid to recipients which are authorized by law to receive the income free of income tax, and my Trustees shall handle and administer this trust in accordance with the requirements of the law for such purposes.

28. Pursuant to Item XIV of Ms. Cannon's Will, the Trust is governed by North Carolina law.

29. Ms. Cannon passed away on December 22, 1965. Her Will and Codicils were duly probated and administered in Cabarrus County.

30. As lifetime income beneficiary of the Trust, Mr. Cannon III received the Trust income after Ms. Cannon's death.

31. Mr. Cannon III passed away on October 28, 2023.

32. An issue of construction has arisen concerning distribution of the Trust income following the death of Mr. Cannon III.

33. Item VII of Ms. Cannon's Will, as rewritten by her Third Codicil, names "Cabarrus Memorial Hospital, a public institution owned by Cabarrus County, North Carolina," as the remainder income beneficiary after the death of Mr. Cannon III. However, that entity no longer exists, nor has it existed for decades.

34. Cabarrus Memorial Hospital was created in 1935 by the General Assembly in H.B. 996, Chapter 307, as a "public hospital" and originally named "Cabarrus County Hospital." See Exhibit B, which is attached and incorporated herein (relevant statutes concerning Cabarrus Memorial Hospital's history).

35. In 1951, the hospital was re-named "Cabarrus Memorial Hospital." *Id.*

36. Cabarrus Memorial Hospital remained a public hospital when Ms. Cannon created the Trust and named the hospital as the remainder income beneficiary in 1965. See *Sides v. Cabarrus Mem'l Hosp., Inc.*, 287 N.C. 14, 19, 213 S.E.2d 297, 300 (1975) (noting "opinions [and] rulings by various State and Federal agencies [that] held Cabarrus Memorial Hospital to be an agency or instrumentality of the county").

37. In 1988, the General Assembly terminated Cabarrus Memorial Hospital's status as a public hospital, as reflected in Session Law 1988, Chapter 947. See Exhibit B. Accordingly, by then, the entity named in the Trust—"Cabarrus Memorial Hospital, a public institution owned by Cabarrus County, North Carolina"—no longer existed, as a matter of law.

38. In 1989, the General Assembly classified Cabarrus Memorial Hospital as a "private nonprofit corporation[]" through Session Law 1989, Chapter 982.

39. Since 1989, Cabarrus Memorial Hospital was consistently recognized as a private nonprofit corporation by the courts. *See Odom v. Clark*, 192 N.C. App. 190, 196, 668 S.E.2d 33, 36–37 (2008) (noting that “[t]he hospital’s bylaws identify it as a private, non-profit corporate hospital” and that “several statutory revisions have been made to the Cabarrus Memorial Hospital enabling statutes, diminishing the ties between [the hospital] and Cabarrus County”).

40. In 1997, the private nonprofit corporation, Cabarrus Memorial Hospital, merged with CMH Home Care-Med, Inc. and began doing business as “NorthEast Medical Center.” *See* Exhibit C, which is attached and incorporated herein (Articles of Merger between Cabarrus Memorial Hospital and CMH Home Care-Med, Inc.).

41. In 2007, NorthEast Medical Center and Atrium Health merged pursuant to the North Carolina Nonprofit Corporation Act. Atrium Health thereafter operated the hospital as “CHS NorthEast” for a period of time and now operates it as “Atrium Health Cabarrus.”

42. The foregoing history, beginning with the hospital’s conversion from a public hospital to a private nonprofit corporation, shows that the remainder income beneficiary named in the Trust has not existed legally since at least the 1980s. As a result, it is impossible for the Trustees to distribute any income to Cabarrus Memorial Hospital because that entity is not in existence.

43. Further, distributing the Trust income to Atrium Health would be contrary to Ms. Cannon’s purpose and intent in naming Cabarrus Memorial Hospital as the remainder beneficiary.

44. Indeed, unlike Cabarrus Memorial Hospital—which was created “for the benefit of the inhabitants of Cabarrus County,” *see* Exhibit B—Atrium Health was originally created in 1943 to serve the Charlotte area, *see* Exhibit D, which is attached and incorporated herein (Articles of Incorporation of Atrium Health). Today, Atrium Health focuses on serving a multitude of communities across the Southeast. It is jointly chartered by Mecklenburg County and Charlotte and comprises 40 hospitals, more than 70,000 employees, and more than 1,400 care locations in North Carolina, South Carolina, Georgia, and Alabama. It is also part of Advocate Health, the third largest hospital system in the United States with reported revenues of more than \$27 billion. Advocate Health was created in 2022 when Atrium Health combined with Advocate Aurora Health, a hospital system based in Wisconsin and Illinois. *See* <https://atriumhealth.org/about-us/newsroom/news/2022/05/advocate-aurora-health-and-atrium-health-to-combine>.

45. Significant to the identification of the remainder beneficiary of the Trust, Atrium Health existed when Ms. Cannon created the Trust, having been formed in 1943; however, there is no mention of Atrium Health in Ms. Cannon’s Will or Codicils, which further shows that Ms. Cannon did not intend for her Trust to benefit Atrium Health.

46. In addition, Atrium Health does not meet the Trust’s express condition that remainder income be paid out for “charitable purposes” and that the remainder income beneficiary be “exempt from income tax under Section 501 of the Internal Revenue Code.” *See* Item IV, Div. D (“*income paid out for charitable purposes* under

the terms of Item VII of my said Will”) (emphasis added); Item VII (“The income shall be paid to said hospital *so long* as the income is exempt from income tax under Section 501 of the Internal Revenue Code”) (emphasis added).

47. Because “Cabarrus Memorial Hospital, a public institution owned by Cabarrus County, North Carolina” no longer exists and because it was not Ms. Cannon’s intent to benefit Atrium Health, the Trustees understand that the Trust requires them to proceed with the alternative distribution of the Trust income provided for by Ms. Cannon, which calls for the income to be distributed to religious, charitable, scientific, literary, or educational purposes in the Trustees’ discretion.

48. Before filing this action, the Trustees conferred with Atrium Health and shared Ms. Cannon’s Will and Codicils, a proposed Verified Petition for Construction of Trust, and a proposed Consent Trust Construction Order.

49. By proactively reaching out to Atrium Health in an effort to avoid a contested proceeding and obtain court approval of their proposed course of action, the Trustees acted in good faith and in a manner consistent with their duties and obligations under the Trust.

50. On January 24, 2024, Atrium Health, through counsel, responded by letter to the Trustees’ proposal. .

51. In that letter, Atrium Health asserted that “[t]he unambiguous provisions of the Trust obligated the Trustees promptly to commence distribution of the Trust’s income to Atrium Health upon Mr. Cannon’s death” and that N.C. Gen. Stat. § 55A-11-07 “makes it quite clear that neither the merger of Cabarrus Memorial

Hospital into CMC-NorthEast, Inc. ('CMC-NE'), nor any subsequent merger, had an effect on Atrium Health's right to receive payments of income from the Trust."

52. Atrium Health's letter further stated that "[i]f the Trustees do not honor the provisions of the Trust and begin making income distributions to Atrium Health by February 15, 2024 . . . Atrium Health will have no choice but to commence litigation."

53. The Trustees have considered Atrium Health's position and disagree with its position.

54. The Trustees have commenced this proceeding to seek a resolution on the proper distribution of the Trust income.

55. As this is a proceeding involving a charitable trust, the Attorney General of North Carolina will be served with a copy of this filing, in accordance with N.C. Gen. Stat. § 36C-2-205(i).

REQUEST FOR DECLARATORY JUDGMENT

56. The foregoing paragraphs, including all exhibits, are restated herein.

57. A present and real controversy exists between the parties as to the construction of the Trust and the effect of that construction on the interests, rights, and responsibilities of the parties to this proceeding.

58. The Court can resolve the controversy between the parties through the issuance of a declaratory judgment.

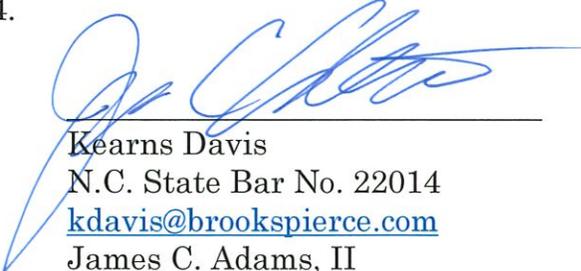
59. For the reasons set out herein, the Trustees are entitled to a judgment declaring the following: (a) Atrium Health is not the remainder income beneficiary of

the Trust based on a proper construction of the Trust’s language and Ms. Cannon’s intent and purpose in creating the Trust and (b) the Trustees are directed to proceed with the alternative distribution set out in the Trust for the income in accordance with the proper construction of the Trust’s language and Ms. Cannon’s intent and purpose in creating the Trust.

WHEREFORE, Petitioners respectfully pray that the Court:

- A. Grant a jury trial on all issues so triable herein;
- B. Enter a declaration and judgment that Atrium Health is not the remainder income beneficiary of the Trust based on a proper construction of the Trust’s language and Ms. Cannon’s intent and purpose in creating the Trust;
- C. Enter a declaration and judgment directing the Trustees to proceed with the alternative distribution set out in the Trust for the income in accordance with the proper construction of the Trust’s language and Ms. Cannon’s intent and purpose in creating the Trust; and
- D. Award any further legal, equitable, or other relief as the Court deems just and proper.

This the 7th day of February, 2024.



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**EXHIBIT A
TO PETITION**

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STATE OF NORTH CAROLINA
COUNTY OF CABARRUS

I, Ruth Coltrane Cannon, of Concord, County of Cabarrus, State of North Carolina, being of sound mind and memory, do make and declare this my last Will and Testament as follows:

ITEM I

I direct that all of my just debts, funeral expenses, and taxes, including State and Federal Inheritance and Estate taxes, be paid by my executor out of my estate, and that no part of such taxes shall be charged to any legatee or devisee hereunder.

ITEM II

In the event that my husband, Charles A. Cannon, is living at my death and survives me for a period of thirty days next ensuing after my death, I give, bequeath, and devise to him absolutely and in fee simple one-half of the remainder of my estate after the deduction therefrom of funeral expenses, administrative expenses, and debts and claims against my estate, including all taxes accrued at my death, but excluding inheritance and estate taxes. It is my intention and purpose that this bequest and devise to my said husband is conditioned upon his survival for a period of thirty days after my death, and that this bequest and devise shall not vest until the expiration of said period and that in the event of his death within thirty days next ensuing after my death, the said property shall remain a part of my residuary estate and shall be administered and disposed of under the provisions of this Will hereinafter set out.

ITEM III

All of the rest, residue, and remainder of my estate of every kind, character, and description, real, personal, and mixed, and wherever situated, I give, bequeath, and devise to Charles A. Cannon, Sr., William Coltrane Cannon, and Cabarrus Bank and Trust Company, as Trustees, for the following uses and purposes:

To receive, hold, control, manage, invest, and reinvest the same, and the management and duties connected herewith shall constitute

the business of the Trustees, as such, and to keep the same invested and distribute the income as hereinafter directed during the continuance of the trusts created under this Will, and upon the termination of the said trusts to distribute the principal as hereinafter directed:

ITEM IV

As soon after my death as may be feasible my said Trustees shall divide my residuary estate devised under the foregoing item into four equal shares or trusts, and to dispose of the income from, and corpus of, such shares or trusts as follows:

A. My Trustees shall set apart one share or trust for the benefit of my son, William Coltrane Cannon, as first beneficiary, and my said Trustees shall pay to the said William Coltrane Cannon the net income from the said share during his life, and after his death my said Trustees shall distribute the net income from the said share during the continuance of this trust among his children then living and the issue of such of his children as may then be dead, per stirpes.

At the end of the period of twenty-one years next ensuing after the death of the last survivor of my three children, William Coltrane Cannon, Mariam Winslow Cannon Hayes, Mary Ruth Cannon Spencer, and my grandson, Charles A. Cannon III, I give, devise, and bequeath the principal or corpus of the said share or trust, together with any income then undistributed, to the children of William Coltrane Cannon then living and to the issue of such of his children as may then be dead, per stirpes, free from all trusts.

B. My Trustees shall set apart one share or trust for the benefit of my daughter, Mariam Winslow Cannon Hayes, as first beneficiary, and my said Trustees shall pay to the said Mariam Winslow Cannon Hayes the net income from the said share during her life, and after her death my said Trustees shall distribute the net income from the said share during the continuance of this trust among her children then living and the issue of such of her children as may then be dead, per stirpes.

At the end of the said period of twenty-one years next ensuing after the death of the last survivor of the said William Coltrane Cannon, Mariam Winslow Cannon Hayes, Mary Ruth Cannon Spencer, and Charles A.

Cannon III, I give, devise, and bequeath the principal or corpus of the said share or trust, together with any income then undistributed, to the children of Mariam Winslow Cannon Hayes then living and to the issue of such of her children as may then be dead, per stirpes, free from all trusts.

C. My Trustees shall set apart one share or trust for the benefit of my daughter, Mary Ruth Cannon Spencer, as first beneficiary, and my said Trustees shall pay to the said Mary Ruth Cannon Spencer the net income from the said share during her life, and after her death my said Trustees shall distribute the net income from the said share during the continuance of this trust among her children then living and the issue of such of her children as may then be dead, per stirpes.

At the end of the period of twenty-one years next ensuing after the death of the last survivor of William Coltrane Cannon, Mariam Winslow Cannon Hayes, Mary Ruth Cannon Spencer, Charles A. Cannon III, Richard Payne Spencer, Jr., and Beverly Cannon Spencer, I give, devise, and bequeath the principal or corpus of the said share or trust, together with any income then undistributed, to the children of Mary Ruth Cannon Spencer then living and to the issue of such of her children as may then be dead, per stirpes, free from all trusts.

D. My Trustees shall set apart one share or trust for the benefit of my grandson, Charles A. Cannon, III, as first beneficiary. The income shall be accumulated until my said grandson arrives at the age of twenty-five years. From the age of twenty-five to thirty years my Trustees shall accumulate one-half of the net income and pay to my said grandson one-half of the net income; from the age of thirty to thirty-five years my Trustees shall accumulate one-fourth of the net income and pay to my said grandson three-fourths of the net income; and after my said grandson arrives at the age of thirty-five years my Trustees shall pay all of the net income to him during his life. The income directed to be accumulated shall become a part of the corpus of the said trust. After the death of my said grandson, Charles A. Cannon III, my said Trustees shall distribute the said income from the said share during the continuance of this trust among his children then living and the issue of such of his children as may then be dead, per stirpes.

At the end of the period of twenty-one years next ensuing after the death of the last survivor of William Coltrane Cannon, Mariam Winslow Cannon Hayes, Mary Ruth Cannon Spencer, and Charles A. Cannon III, I give, devise, and bequeath the principal or corpus of the said share or trust, together with any income then undistributed, to the children of Charles A. Cannon III then living and to the issue of such of his children as may then be dead, per stirpes, free from all trusts.

ITEM V

If during the continuance of the trusts hereunder established any of my three children, William Coltrane Cannon, Mariam Winslow Cannon Hayes, and Mary Ruth Cannon Spencer, or my grandson, Charles A. Cannon III, shall die without issue, or shall die leaving issue and the lineal issue of such child or grandchild shall all die, the income from the share or trust from which the one so dying was entitled to receive the income, as first beneficiary, shall be distributed per capita among my grandchildren during the continuance of the trust, and at the termination of the trust the corpus shall be distributed per capita among my grandchildren; provided, however, that in the event of the death of any grandchild leaving issue the per capita distribution to which such grandchild would have been entitled shall be distributed among his or her issue per stirpes.

ITEM VI

The three trusts created under paragraphs A, B, and D of the preceding Item shall continue during the lives of my three children, William Coltrane Cannon, Mariam Winslow Cannon Hayes, and Mary Ruth Cannon Spencer, and my grandson, Charles A. Cannon III, and for a period of twenty-one years after the death of the last survivor of the said four persons. The title to the corpus of the said trusts, together with the income undistributed, if any, shall vest at the end of the said period, free from all trusts, it being my purpose and intention that title shall in all events vest within the period of twenty-one years next ensuing after the death of the one of the said William Coltrane Cannon, Mariam Winslow Cannon Hayes, Mary Ruth Cannon Spencer, or Charles A. Cannon III, who shall last die.

The trust created under paragraph C of the preceding Item shall continue during the lives of my three children, William Coltrane Cannon, Mariam Winslow Cannon Hayes, and Mary Ruth Cannon Spencer, and my

three grandchildren, Charles A. Cannon III, Richard Payne Spencer, Jr., and Beverly Cannon Spencer, and for a period of twenty-one years after the death of the last survivor of the said six persons. The title to the corpus of the said trust, together with the income undistributed, if any, shall vest at the end of the said period, free from all trusts, it being my purpose and intention that title shall in all events vest within the period of twenty-one years next ensuing after the death of the one of the said William Coltrane Cannon, Mariam Winslow Cannon Hayes, Mary Ruth Cannon Spencer, Charles A. Cannon III, Richard Payne Spencer, Jr., or Beverly Cannon Spencer, who shall last die.

ITEM VII

If, during the continuance of the trusts, and before the time fixed for vesting of the corpus, all of my said children and my said grandson shall die and all of the lineal issue of my said children and my said grandson shall die, then and in that event I give, bequeath, and devise the corpus and undistributed income, if any, to The Cannon Foundation, Inc., free from all trusts.

ITEM VIII

All distributions of income shall be made in quarterly installments.

ITEM IX

In the event of the death, resignation, or inability of either trustee, a successor trustee may be appointed by a majority of the remaining trustees, including the corporate trustee, and the appointment of such successor trustee shall be by an instrument in writing signed, sealed, and duly acknowledged by the said Trustees and thereupon such new or successor trustee shall be vested with all the powers and authority and subject to all conditions and restrictions granted to and imposed upon the trustees herein named.

ITEM X

During the minority of any beneficiary the payment of income to such minor may be made either directly to the said minor, or to a parent or guardian of said minor, or to the person with whom such minor may reside, and the receipt of such minor, parent, guardian, or person with whom such minor resides shall be a full and complete discharge of the

Trustees for such payment or payments. The Trustees may, however, in their uncontrolled discretion use any or all of the income to which any minor beneficiary may at any time be entitled for the maintenance, education, or support of said minor until the said minor becomes twenty-one years of age.

ITEM XI

The Trustees may hold as an investment any property coming into the hands of the Trustees hereunder in the form of investment as it shall have been when it came into the hands of the Trustees although the same may not be of a character permitted for investment of trust funds by the laws of the state under which the trust is administered. The Trustees in making investments or reinvestments of any moneys, assets, and property held hereunder, shall not be limited to securities of the character permitted for the investment of trust funds by the laws of the state under which this trust is administered, but instead shall have power, in their absolute and uncontrolled discretion, at any time and from time to time, to invest in, and to purchase and hold for investment, such securities or property, real or personal, as they, in their absolute and uncontrolled discretion, shall deem advisable. The Trustees shall not be liable for any loss or depreciation occasioned by the purchase or retention of any securities or property purchased or retained by them, provided that they shall have acted in good faith and without gross negligence, and in no event shall the Trustees be liable for any error of judgment.

ITEM XII

The Trustees shall have full power and authority in their absolute and uncontrolled discretion to sell at public or private sale, for cash, or upon credit, or partly for cash and partly upon credit, secured, and upon such terms and conditions as they shall deem proper, any securities or other property, real or personal, held or administered hereunder. The Trustees shall have power to vote in person or by proxy all stocks held by them, and shall have power generally to exercise in respect to all securities and property held or administered hereunder all the same rights and powers as are or may be lawfully exercised by persons owning similar property in their own rights.

ITEM XIII

Any and all dividends payable in the stock of a corporation or association declaring or authorizing the same and declared or authorized in respect of any stock comprising in whole or in part the principal of the trust hereunder administered, and all liquidating dividends, shall be deemed to be principal, but all dividends received in cash (except liquidating dividends), whether ordinary or extraordinary, shall be deemed to be income. In distinguishing between income and principal hereunder, the Trustees, in their discretion, may or may not amortize premiums paid for securities and may or may not take account of discounts.

The Trustees may in their discretion advise with counsel, who may be counsel for any beneficiary, and shall not be liable for any action in good faith taken or omitted to be taken in accordance with opinion of such counsel.

ITEM XIV

The trust hereby created shall be deemed to be a North Carolina trust and shall, in all respects, be governed by the laws of the State of North Carolina, provided, however, that the Trustees, by majority vote, may by an instrument in writing change the trust hereunder created from a North Carolina trust to a trust under any other state of the United States, or Province of the Dominion of Canada, and the said trust shall thereafter in all respects be governed by the laws of the said state or province, until again changed by a majority of the Trustees, and the trust funds and property shall be removed to said state or province and no bond shall be required upon removal of said trust fund to such state or province upon such change or changes.

ITEM XV

I am cognizant of the fact that my individual Executors and Trustees are officers or directors of various corporations, and it is not my intention or purpose that they shall be disqualified from acting on behalf in any transactions between my estate and any firm or corporation of which they, or either of them, may be a member, officer or director, or in any transaction between my estate and a beneficiary hereunder, and I hereby expressly authorize them to act in any such transactions.

ITEM XVI

I hereby appoint Charles A. Cannon, Sr., and William C. Cannon as executors of this my last Will and Testament, and I fully authorize and empower my said Executors to sell any part of my said estate at public or private sale.

IN TESTIMONY WHEREOF, I, Ruth Coltrane Cannon, have hereunto set my hand and seal this the 17th day of March, 1950.

Mrs Ruth Coltrane Cannon (SEAL)

Signed, sealed, published and declared by the above Testatrix Ruth Coltrane Cannon, as and for her last Will and Testament in the presence of us and of each of us, who, at her request, and in her presence, and in the presence of each other, have hereunto subscribed our names as witnesses.

W. B. Battle Jr
J. H. Cannon
A. C. Reynolds

NORTH CAROLINA

COUNTY OF CABARRUS

I, Ruth Coltrane Cannon, of Concord, County of Cabarrus, State of North Carolina, being of sound mind and memory, do hereby make, publish and declare this as and for a First Codicil to my Last Will and Testament, dated the 17th day of March, 1950, as follows:

FIRST

I revoke Item II of my said will, and insert in lieu thereof the following:

ITEM II

I give, bequeath and devise to The Cannon Foundation, Inc., one-half of the remainder of my estate after the deduction therefrom of funeral expenses, administrative expenses, and debts and claims against my estate, including all taxes accrued at my death, but excluding inheritance and estate taxes. Provided, however, that if, at the time of my death, The Cannon Foundation, Inc. cannot qualify as a tax exempt corporation, or if the foregoing bequest to it shall for any reason be subject to a Federal Estate Tax, then, and in that event, this bequest shall be revoked and of no effect, and in such event I give the same to my Trustees hereinafter named, to be held in trust, managed and administered for the benefit of Cabarrus Memorial Hospital, and direct that the net income from the said trust estate be distributed to the said Cabarrus Memorial Hospital.

SECOND

Except as changed in the preceding paragraph, I republish my Last Will and Testament, dated the 17th day of March, 1950, and each and every provision thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 16th day of July, 1953.

Ruth Coltrane Cannon (SEAL)

Signed, sealed, published and declared by the above Testator, Ruth Coltrane Cannon, as and for a First Codicil to her Last Will and Testament dated the 17th day of March, 1950, in the presence of us, and of each of us, who, at her request, and in her presence, and in the presence of each other, have hereunto subscribed our names as witnesses the day and year above written.

Joe C. Rileschaw, Concord, N.C.
Ed. B. Batts, Jr., Concord, N.C.

Thomas C. Reynolds, Concord, North Carolina

NORTH CAROLINA
CABARRUS COUNTY

I, Ruth Coltrane Cannon of Concord, County of Cabarrus, State of North Carolina, being of sound mind and memory, do hereby make, publish and declare this as and for a Second Codicil to my last Will and Testament, dated the 17th day of March, 1950, as follows:

FIRST

I revoke, in its entirety, my first codicil to my said Will, which said first codicil was dated and executed July 16, 1953.

SECOND

I revoke Item II of my said Will, and insert in lieu thereof the following:

Item II

In the event that my husband, Charles A. Cannon, is living at my death and survives me for a period of seven days next ensuing after my death, I give, bequeath, and devise to him absolutely and in fee simple one-half of the remainder of my estate after the deduction therefrom of funeral expenses, administrative expenses, and debts and claims against my estate, including all taxes accrued at my death, but excluding inheritance and estate taxes. It is my intention and purpose that this bequest and devise to my said husband is conditioned upon his survival for a period of seven days after my death, and that this bequest and devise shall not vest until the expiration of said period, and that in the event of his death within seven days next ensuing after my death, the said property shall remain a part of my residuary estate and shall be administered and disposed of under the provisions of this Will hereinafter set out.

THIRD

In Item III of my said last Will I revoke from line four thereof the name William Coltrane Cannon, and insert in lieu thereof, Mariam Winslow Cannon Hayes.

FOURTH

I revoke the first paragraph, and division A (said division A consisting of two paragraphs) of Item IV, of my said Will, and insert in lieu thereof the following:

Item IV

As soon after my death as may be feasible my said Trustees shall divide my residuary estate devised under the foregoing item into three equal shares, or trusts, and to dispose of the income from, and corpus of, such shares or trusts as follows:

A. My Trustees shall set apart from one of the said three equal shares, or trusts, 10,000 shares Class B, common, non-voting stock of Cannon Mills Company, if such stock shall then be held as a part of such share or trust, and if not held as a part of said trust, then the value of 10,000 shares of said stock at the time fixed for valuation of my estate for tax purposes, and shall thereafter hold the same for the benefit of my grandson, William Coltrane Cannon, Jr., as first beneficiary, and my said Trustees shall pay to the said William Coltrane Cannon, Jr., or for his benefit, the income therefrom during his life, and after his death my Trustees shall distribute the net income from such trust during the continuance of the said trust among his children then living and the issue of such of his children as may then be dead, per stirpes. At the termination of the trust the corpus of the said trust, together with undistributed income, if any, shall be distributed among his lineal issue per stirpes, free from all trusts.

My Trustees shall set apart the balance, or remainder, of the said one of the three equal shares, or trusts, after deduction therefrom of the said 10,000 shares of Class B, common,

non-voting stock, or the value thereof, for the benefit of my son, William Coltrane Cannon, as first beneficiary, and my said Trustees shall pay to the said William Coltrane Cannon the net income from the said share during his life, and after his death my said Trustees shall distribute the net income from the said share during the continuance of this trust among his children then living and the issue of such of his children as may then be dead, per stirpes.

At the end of the period of twenty-one years next ensuing after the death of the last survivor of my three children, William Coltrane Cannon, Mariam Winslow Cannon Hayes, Mary Ruth Cannon Spencer, and my grandson, Charles A. Cannon, III, I give, devise and bequeath the principal or corpus of the said share, or trust, together with any income then undistributed, to the children of William Coltrane Cannon then living and to the issue of such of his children as may then be dead, per stirpes, free from all trusts.

I revoke division D, consisting of two paragraphs, of Item IV of my said Will, in its entirety.

My reason for changing the division into three, instead of four, shares, and revoking all provisions for my grandson Charles A. Cannon, III, is that he has been amply provided for through gifts heretofore made, and through trusts heretofore set up, by my husband, Charles A. Cannon, and by myself, or jointly.

Except as hereinabove changed, under the preceding paragraphs of division Fourth hereof, I republish and redeclare all of Item IV of my said last Will and Testament.

FIFTH

I revoke Item V of my said Will, and insert in lieu thereof the following:

Item V

If during the continuance of the trusts hereunder established any of my three children, William Coltrane Cannon, Mariam Winslow Cannon Hayes, and Mary Ruth Cannon Spencer, shall die without issue, or shall die leaving issue and the lineal issue of such child shall all die, the income from the share, or trust, from which the one so dying was entitled to receive the income, as

first beneficiary, shall be distributed per stirpes among my grandchildren, or the issue of any deceased grandchildren, during the continuance of the trust, and at the termination of the trust the corpus shall be distributed per stirpes among my grandchildren, or their issue.

SIXTH

I revoke Item XVI of my said Will, and insert in lieu thereof the following:

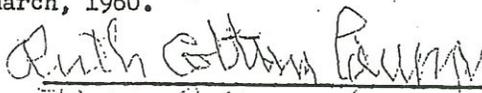
Item XVI

I hereby appoint Charles A. Cannon, Sr. Executor of this my last Will and Testament; provided, however, that in the event he is unable to qualify, or refuses to act, then and in that event I appoint Mariam Winslow Cannon Hayes, George A. Batte, Jr. and Cabarrus Bank and Trust Company as Executors. I fully authorize and empower my said Executor, or Executors, to sell any part of my estate at public or private sale.

SEVENTH

Except as herein changed I republish my last Will and Testament, dated the 17th day of March, 1950, and each and every part thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 15th day of March, 1960.


RUTH COLTRANE CANNON (SEAL)

Signed, sealed, published and declared by the above Testatrix, Ruth Coltrane Cannon, as and for a Second Codicil to her last Will and Testament, dated the 17th day of March, 1950, in the presence of us, and of each of us, who, at her request, and in her presence, and in the presence of each other, have hereunto subscribed our names as witnesses the day and year above written.

Ruby C. St. John, R.N.

Bernice C. Cannon, R.N.

THIRD CODICIL

TO

LAST WILL AND TESTAMENT

STATE OF NORTH CAROLINA

COUNTY OF CABARRUS

I, RUTH COLTRANE CANNON, of Concord, County of Cabarrus and State of North Carolina, being of sound mind and memory, do make, publish and declare this as and for a Third Codicil to my Last Will and Testament dated the 17th day of March, 1950. My First Codicil dated the 16th day of July, 1953, has been revoked in its entirety. My Second Codicil is dated the 15th day of March, 1960.

FIRST

By paragraph SECOND of my Second Codicil, I made a bequest to my husband, Charles A. Cannon. I now add to, supplement and amend the bequest to him as set forth in said paragraph SECOND of my Second Codicil as follows:

My Executor shall assign, convey and distribute to my husband, Charles A. Cannon, securities, cash and other property which shall constitute his share. My Executor shall transfer in satisfaction of my husband's share assets, including cash, having an aggregate fair market value at the time or times of distribution amounting to no less than the amount of the pecuniary bequest or transfer as finally determined for federal estate tax purposes. No asset or proceeds of any asset shall be included in my husband's share as to which a marital deduction is not allowable.

Subject to the foregoing, the decision of my Executor as to which assets shall be distributed in satisfaction of my husband's share; as to whether my estate shall be valued under the optional valuation provisions of the federal estate tax law; as to what elections should be exercised, and as to what proceedings are necessary to complete the ascertainment of the federal estate tax, shall be conclusive and binding on all persons.

SECOND

I revoke paragraph THIRD of my Second Codicil.

THIRD

I revoke ITEM III of my Will and substitute the following in lieu thereof:

Item III

All the rest, residue and remainder of my estate of every kind, character, and description, real, personal, and mixed, and wheresoever situated, I give, bequeath and devise

to Eugene P. Reed, Jr. and
George A. Battle, Jr.

and Cabarrus Bank and Trust Company, as Trustees, for the following uses and purposes:

To receive, hold, control, manage, invest and re-invest the same, and the management and duties connected herewith shall constitute the business of the Trustees, as such, and to keep the same invested and distribute the income as hereinafter directed during the continuance of the trusts created under this Will, and upon the termination of the said trusts to distribute the principal as hereinafter directed.

FOURTH

In my Second Codicil I reduced the shares of my residuary estate from four to three and eliminated the share for my grandson, Charles A. Cannon, III, as a first beneficiary. I am much impressed with his development and maturity and have decided to make provision for him.

I revoke the word "three" appearing in line three of Item IV of paragraph FOURTH of my Second Codicil and substitute in lieu thereof the word "four". I revoke the word "three" appearing in line seven of Item IV of paragraph FOURTH of my Second Codicil and substitute in lieu thereof the word "four". I also revoke the word "three" appearing in the second line

from the bottom of Page 2 of Item IV of paragraph FOURTH of my Second Codicil and substitute in lieu thereof the word "four".

I add a new Division D to Item IV of my said Will as follows:

D. My Trustees shall set apart one share or trust for the benefit of my grandson, Charles A. Cannon, III, as first beneficiary. The income shall be accumulated until my said grandson arrives at the age of thirty years. From the age of thirty to thirty-five years my Trustees shall accumulate one-half of the net income; from the age of thirty-five to forty years my Trustees shall accumulate one-fourth of the net income and pay to my said grandson three-fourths of the net income; and after my said grandson arrives at the age of forty years my Trustees shall pay all of the net income to him during his life. The income directed to be accumulated shall become a part of the corpus of the said trust.

After the death of my said grandson, Charles A. Cannon, III, the principal or corpus of said share or trust shall be retained by my Trustees to be held, administered, and the income paid out for charitable purposes under the terms of Item VII of my said Will, as it is rewritten by SEVENTH of this Codicil.

FIFTH

By paragraph FIFTH of my Second Codicil, I revoked Item V of my Will and substituted a new Item V in lieu thereof. I now supplement and amend paragraph FIFTH of my said Codicil and add to the end of Item V the following:

The expression "my grandchildren, or the issue of any deceased grandchildren" and the expression "my grandchildren, or their issue", shall not be deemed to include my grandchild, Charles A. Cannon, III, or his issue.

SIXTH

I revoke paragraph SIXTH of my Second Codicil whereby Item XVI of my said Will was rewritten, and substitute in lieu thereof the following:

Item XVI

I hereby appoint my husband, Charles A. Cannon, Executor of this my Last Will and Testament; provided, however, that in the event he is unable to qualify, or refuses to act, then and in that event I appoint Engel
F. Bush, Jr. and George A.
Bette, Jr. and Cabarrus Bank and Trust Company as Executors. I fully authorize and empower my Executor, or Executors, to sell any part of my estate at public or private sale.

SEVENTH

I revoke Item VII of my said Will and insert in lieu thereof the following:

Item VII

If, during the continuance of this trust and before the time fixed for vesting of the corpus, all of my children, William Coltrane Cannon, Mariam Winslow Cannon Hayes and Mary Ruth Cannon Spencer shall die, and all of the lineal issue of my said three children shall die, then in that event I give, bequeath and devise the corpus and undistributed income, if any, to the Trustees named herein, and their successors, for the following uses and purposes:

The income therefrom shall be paid to Cabarrus Memorial Hospital, a public institution owned by Cabarrus County, North Carolina. The income shall be paid to said hospital so long as the income is exempt from income tax under Section 501 of the Internal Revenue Code and its regulations as they now exist or as the said section, or any corresponding section and the regulations, may hereafter be amended or enacted. In case the said Cabarrus Memorial

Hospital at any time fails to qualify as an organization exempt from taxation so that the income from this share or trust may be paid to it without income tax being charged thereon, then my Trustees shall pay the income out for such religious, charitable, scientific, literary, or educational purposes as my Trustees may from time to time select. It is my intention that the income shall be paid to recipients which are authorized by law to receive the income free of income tax, and my Trustees shall handle and administer this trust in accordance with the requirements of the law for such purposes.

EIGHTH

I add to, supplement and amend Item IX of my said Will by adding thereto the following:

The Trustees shall be three in number, but my Trustees acting from time to time shall have power in their discretion to increase the number of Trustees to not more than four. My Trustees, (whether they are the original Trustees, additional Trustees, or successor Trustees), in order to fill any vacancy or increase the number to four, at any time may in their discretion appoint additional Trustees hereunder. Each Trustee so appointed shall have all the powers, authority and discretion as though originally named by me as a Trustee hereunder.

Neither the Trustees nor any Successor Trustee, or Trustees, shall be required to give bond or any security upon a bond for the faithful performance of the trust hereby reposed in it, him or them.

The affirmative vote of a majority of the Trustees shall be necessary and sufficient at any and all meetings of the Trustees to authorize or ratify any action by the Trustees hereunder.

NINTH

I add to, supplement and amend Item XI of my Will by adding thereto the following:

The authority conferred by this Item shall be deemed to include shares of stock of Cannon Mills Company, or Wasscassett Mills Company, or Cabarrus Bank and Trust Company,

or the successor of either of them by whatever name hereafter known.

TENTH

I revoke Item XIV of my Will.

ELEVENTH

Except as herein changed, I republish my Last Will and Testament dated the 17th day of March, 1950, and each and every part thereof, and the Second Codicil dated the 15th day of March, 1960, and each and every part thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 14 day of September, 1965.

Ruth Coltrane Cannon (SEAL)
(Ruth Coltrane Cannon)

Signed, sealed, published, acknowledged and declared by the above Testatrix, Ruth Coltrane Cannon, as and for a Third Codicil to her Last Will and Testament dated the 17th day of March, 1950, in the presence of us, and of each of us, who at her request, and in her presence, and in the presence of each other, have hereunto subscribed our names as witnesses, the day and year above written.

Ruby Cook St. John 12 Park Ave. Concord, N.C.

Harold Preston Hornaday Concord, N.C.

Dannie L. Gray Kannapolis, N.C.

**EXHIBIT B
TO PETITION**

H. B. 996

CHAPTER 307

AN ACT TO ENABLE CABARRUS COUNTY TO ESTABLISH AND MAINTAIN A PUBLIC HOSPITAL, TO LEVY A TAX AND ISSUE BONDS THEREFOR, APPOINT HOSPITAL TRUSTEES, MAINTAIN A TRAINING SCHOOL FOR NURSES, ETC.

The General Assembly of North Carolina do enact:

Election called in Cabarrus County for establishment of public hospital.

Bond issue.

Special tax.

Tax for maintenance.

Sale of bonds.

Levy of tax.

Designation of hospital.

Ballots.

New registration.

Election officials.

Canvassing returns.

SECTION 1. That the Board of County Commissioners of Cabarrus County, North Carolina, by a majority vote of said Board, or upon the petition of two hundred voters of said county, shall, after thirty days notice at the courthouse door and publication in one or more newspapers in said county for thirty days, order an election to be held to determine the will of the people of said county whether there shall be issued and sold bonds to an amount not to exceed one hundred thousand dollars (\$100,000), to bear interest at not exceeding six per cent per annum, and to be payable, both principal and interest, when and where they may decide, and to levy a tax of not exceeding two cents on the one hundred dollar valuation of property, the proceeds of sale of said bonds to be issued to be used in securing lands and erecting or altering buildings and equipping same to be used as a public hospital for said county, and said tax to be levied to pay the interest on said bonds, and to provide a sinking fund therefor to pay said bonds at maturity. The said Board of County Commissioners shall also levy a tax not to exceed two cents on the one hundred dollar valuation of property for the maintenance and upkeep of said hospital. If the majority of the qualified voters at said election shall vote in favor of the issuing of said bonds and the levying of said tax, then said bonds, or such part thereof as the said Board of County Commissioners may determine, shall be issued and sold by said Board. Said tax, or such part thereof as shall be required, shall be levied. The hospital so erected from the sale of said bonds in addition to other hospitalization funds from other sources shall be known as the "Cabarrus County Hospital"

SEC. 2. That at said election, those voters favoring the issuing and sale of bonds and levying of the tax aforesaid shall vote a written or printed ballot, "For Cabarrus County Hospital," and those opposed shall vote a written or printed ballot, "Against Cabarrus County Hospital," and for said election, the County Commissioners shall order a new registration, such registration to be used only for said special election to be governed by the laws of the State, and for said election, the County Commissioners shall appoint registrars and judges of election, and fix a date for making returns of election, at which date, the County Commis-

sioners shall meet and canvass the returns of said election, and declare and record the result of said election. If a majority of the qualified voters shall fail to approve the issuing of said bonds and the levy of said tax at the first election held as above provided, then the County Commissioners may order another election for the same purpose and in the same manner: *Provided*, said second election shall not be held in the same year as said first election.

Second election if first fails to carry.

SEC. 3. If a majority of the qualified voters shall vote "For Cabarrus County Hospital," at any election held under this Act, then the County Commissioners shall issue and sell bonds authorized by said election for not less than par, and shall pay over the proceeds arising therefrom to the Treasurer of Cabarrus County, who shall pay out the same under the orders of the executive committee of the hospital hereinafter provided for, said executive committee being authorized to use and expend said fund in the purchase of necessary site, which said site shall be central and convenient, and in the erection and equipment of the necessary building or buildings for said county hospital, and the taxes which may be levied and collected under this Act shall also be paid to the Treasurer of Cabarrus County, and by said Treasurer kept in two separate accounts, one of said accounts being the hospital interest and sinking fund, and the other account the hospital maintenance fund, and from said taxes the said Treasurer shall set apart to the hospital interest and sinking fund such part thereof as shall be required to pay interest on the bonds and to provide the necessary sinking fund for the payment of said bonds, and the said Treasurer is authorized to lend only upon satisfactory security, approved by the Local Government Commission, the accumulations of said sinking fund from time to time for the best interest obtainable, and until said sinking fund is required for the purpose of paying off the said bonds, and said Treasurer, out of said hospital interest and sinking fund, shall pay the interest on said bonds and the bonds at maturity, but the said Treasurer shall not be required to begin with the creation of a sinking fund for the retirement of said bonds before two years from the date of issuing same. The said Treasurer shall pay out the moneys set apart to the hospital maintenance fund upon the order of the executive committee of the hospital, and it shall be the duty of the Board of Commissioners of Cabarrus County to annually levy and collect as other taxes a special tax not exceeding the limit provided by this Act, sufficient to pay the interest on said bonds, and to provide the necessary sinking fund for the payment of same, and also to afford the necessary maintenance fund as herein provided.

Issuance and sale of bonds if election carries.

Disbursement of proceeds.

Selection of site.
Erection of buildings.

Disposition of tax proceeds.

Sinking fund.

Investments.

Commencement of sinking fund.

Annual tax levy.

SEC. 4. The bonds issued under the provisions of this Act shall mature in not exceeding thirty years from date, and shall

Maturity of bonds.

Denominations.
Interest rate.
Time of first and last installments.
Appointment of board of trustees.
Terms of office by groups.
Executive committee.
Honorary and advisory members.
Grouping of members of executive committee.
Vacancy appointments in executive committee and board of trustees.
Oath of office of executive committee.
Chairman and secretary.
Treasurer of hospital.
Duties.

be in such denominations as the County Commissioners shall determine, and shall draw interest at a rate not exceeding six per cent annually, or semi-annually, and said bonds shall be serial bonds, maturing in such amounts as may be determined by the County Commissioners. The first installment shall fall due not later than five years from date of issue of said bonds, and the last installment falling due not later than thirty years from date of said issue.

SEC. 5. Should a majority of the qualified voters of Cabarrus County, under any election held under this Act, vote "For Cabarrus County Hospital," then the County Commissioners shall at once appoint a Board of Trustees, one trustee to come from each and every voting precinct in the county. Said Board of Trustees shall be divided into three groups, the members of the first group being appointed for two years, the members of the second group being appointed for three years, the members of the third group being appointed for four years. Upon the first meeting of the Board of Trustees, which shall not be less than ten days from the date of appointment, the said Board shall appoint an executive committee composed of seven members from the trustees, all residents of the county. Upon the nomination and endorsement by the Cabarrus County Medical Society of two practicing physicians for honorary membership on the executive committee, said Board of Trustees shall appoint as honorary and advisory members of said executive committee the two physicians so nominated and endorsed to be advisory members and not voting members of said executive committee. Said executive committee shall be divided into three groups, the members of the first group being appointed for one year, the members of the second group being appointed for two years, and the members of the third group being appointed for three years. In case of any vacancy for any cause on the executive committee, except for expiration of term of appointment, the executive committee shall of its own motion fill the unexpired term. (In case of vacancy on the Board of Trustees for any cause, including expiration of terms, the said Board shall fill the vacancy by electing a new member from the same voting precinct as that of the retired member. The Board of Trustees shall appoint members of the executive committee upon the expiration of their terms of office.

SEC. 6. The said executive committee shall, within ten days after their appointment or election, qualify by taking the oath of civil officers and organize as an executive committee by the election of one of their number as chairman, one as secretary, and by the election of such other officers as they may deem necessary, but no bond shall be required of them. ~~The county treasurer of the county in which such hospital is located shall be Treasurer of the executive committee. The treasurer shall receive and~~

Amended
Ch. 1164-
1977
Sess. Laws

AMENDED
Ch. 277
HB 425
1981

DELETED
Ch. 277
HB 425
1981

~~pay out all moneys under the control of said executive committee as directed by it, but shall receive no compensation from such committee.~~ No member shall receive any compensation for his services performed, but he may receive reimbursement for any cash expenditures actually made for personal expenses incurred as such member, and an itemized statement of such expenses and money paid out shall be made under oath by each of such members and filed with the Secretary and allowed only by the affirmative vote of all the members present at a meeting of the executive committee. The executive committee shall make and adopt such by-laws, rules and regulations for their own guidance and for the government of the hospital as may be deemed expedient for the economic and equitable conduct thereof, not inconsistent with this Act, and the ordinances of the city or town wherein such public hospital is located. They shall have the exclusive control of the expenditure of all moneys collected to the credit of the hospital fund, and the purchase of site or sites, the purchase or construction of any hospital building or buildings, and of the supervision, care and custody of the grounds, rooms or buildings purchased, constructed, leased, or set apart for that purpose: *Provided*, that all moneys received for such hospital shall be deposited in the treasury of the county to the credit of the hospital fund and paid out only upon warrants drawn by the proper officers of the executive committee. Said executive committee shall have power to appoint a suitable superintendent or matron, or both, and necessary assistants and fix their compensations, and shall also have the power to remove such appointees; and shall in general carry out the spirit and intent of this Act in establishing and maintaining a county public hospital. Such committee shall hold meetings at least once each month, shall keep a complete record of all its proceedings, and four members of such committee shall constitute a quorum for the transaction of business. One of said members shall visit and examine said hospital at least twice each month, and the committee shall during the first week in January of each year file with the Board of Commissioners of said county a report of their proceedings with reference to such hospital, and a statement of all receipts and expenditures during the year, and shall at such time certify to the Board of County Commissioners the amount necessary to maintain and improve such hospital for the ensuing year. No member shall have a personal pecuniary interest, either directly or indirectly, in the purchase of any supplies for said hospital, unless the same are purchased by competitive bidding.

SEC. 7. The hospital established under this Act shall be for the benefit of the inhabitants of Cabarrus County, and of any person falling sick or being injured or maimed within its limits; but every inhabitant or person who is not a pauper shall pay to

Committee serves without pay.

Expenses allowed.

By-laws, rules and regulations.

Control over expenditures, etc.

Deposit of moneys.

Warrants for withdrawals.

Superintendent and assistants provided for.

Meetings of committee and records.

Quorum.

Periodical visits and examination.

Annual report.

Budget.

Purchase of supplies restricted.

Beneficiaries of hospital.

Fixing charge for caring for patients.

*AMENDED
Ch. 227
HB 425
1981*

Rules and regulations.

Treatment of non-residents.

All persons and property subject to rules and regulations laid down.

Hospital incorporated.

such executive committee or such officers as it shall designate for such county public hospital a reasonable compensation for occupancy, nursing, care, medicine, and/or attendance, according to the rules and regulations prescribed by said executive committee, such hospital always being subject to such reasonable rules and regulations as said committee may adopt in order to render the use of said hospital of the greatest benefit to the greatest number; and said executive committee may exclude from the use of such hospital any and all inhabitants and persons who shall willfully violate such rules and regulations; and said committee may extend the privileges and use of such hospital to persons residing outside of Cabarrus County upon such terms and conditions as said executive committee may from time to time by its rules and regulations prescribe.

SEC. 8. When such hospital is established, the physicians, nurses, attendants, the person sick therein, and all persons approaching or coming within the limits of same, and all furniture and other articles used or brought there, shall be subject to such rules and regulations as said executive committee may prescribe.

SEC. 9. That "Cabarrus County Hospital" is hereby declared to be a body corporate, with power to receive and hold gifts, grants, and devises of real and personal property, to sue and be sued, and to do any and all lawful acts necessary to carry out the objects of its creation, and shall possess all other rights and powers usually incident to corporations.

SENTENCE
ADDED
BY CH. 277
H.B. 425
1981

SEC. 10. In the management of such public hospital, no discrimination shall be made against practitioners of any school of medicine (or allied occupations recognized by the laws of the State of North Carolina as contained in Chapter one hundred and ten of the Consolidated Statutes) and all such legal practitioners shall have equal privileges in treating patients in such hospital. The patient shall have the absolute right to employ at his or her own expense, his or her own physician, and, when acting for any patient in such hospital, the physician employed by such patient shall have exclusive charge of the care and treatment of such patient, and nurses therein shall, as to such patient, be subject to the directions of such physicians, subject always to the general rules and regulations as shall be established by the executive committee under the provisions of this Act.

Stricken out of
Chapter 427

Rights of patients to
choose physician.

Sec. 10
Re-written
Ch. 277, H.B. 425
1981

Training school for nurses provided for.

SEC. 11. The executive committee of such county public hospital may establish and maintain in connection therewith and as a part of said public hospital a training school for nurses.

Detention room for insane persons.

Repealed
Ch. 277,
HB 425
1981

SEC. 12. The said executive committee shall at all times provide a suitable room for the detention and examination of all persons who are brought before the Commissioners of Insanity for such county: Provided, that such public hospital is located at or near the county seat.

Sec. 13. The executive committee shall have the power to determine whether or not patients presented at said public hospital for treatment are subjects for charity, and shall fix the prices for compensation for patients other than those unable to assist themselves.

Charity patients.

Non-indigent patients.

Sec. 4. This Act shall be in force from and after its ratification.

Ratified this the 17th day of April, A.D. 1935.

H. B. 1002 CHAPTER 308

AN ACT TO CREATE A JURY COMMISSION FOR THE COUNTY OF CLAY.

The General Assembly of North Carolina do enact:

SECTION 1. That Harve M. Moore, Mark Weaver and J. A. Chambers be, and they are hereby named as a jury commission for the County of Clay, whose term of office shall begin on the first Monday in June, one thousand nine hundred and thirty-five, or as soon thereafter as they may qualify, as hereinafter provided, and shall continue until the first Monday in January, one thousand nine hundred and thirty-seven, at which time their successors shall be named as hereinafter provided.

Jury Commission named for Clay County.

Term of office.

Sec. 2. That it shall be the duty of the aforesaid Jury Commission to have full, complete and absolute control of the jury system for Clay County, and to that end, they shall be the custodians of the jury box for said county and shall be charged with placing all names within said jury box for jury service and shall likewise be charged with the supervision of drawing all names from said jury box for jury duty as hereinafter provided.

Powers and duties as to selecting juries.

Sec. 3. That on the first Monday in June, one thousand nine hundred and thirty-five, or as soon thereafter as practicable, the aforesaid named commission shall present themselves before the Clerk of the Superior Court for the County of Clay, where they shall take their oath of office to the effect that they will honestly and conscientiously perform their said duties toward carrying out the provisions of this Act without fear or favor to the very best of their ability.

Oath of office.

Sec. 4. That immediately after taking their said offices, it shall be their duty to revise the jury box for Clay County and carry out all the duties now imposed by law upon the Board of County Commissioners of Clay County as prescribed by Sections two thousand three hundred twelve to two thousand three hundred nineteen of the Consolidated Statutes of North Carolina with re-

Revision of jury box.

H. B. 1309

CHAPTER 421

AN ACT TO AMEND HOUSE BILL NUMBER NINE HUNDRED NINETY-SIX, ENTITLED "AN ACT TO ENABLE CABARRUS COUNTY TO ESTABLISH AND MAINTAIN A PUBLIC HOSPITAL, TO LEVY A TAX AND ISSUE BONDS THEREFOR, APPOINT HOSPITAL TRUSTEES, MAINTAIN A TRAINING SCHOOL FOR NURSES," ETC., RATIFIED APRIL SEVENTEENTH, ONE THOUSAND NINE HUNDRED AND THIRTY-FIVE.

The General Assembly of North Carolina do enact:

H. B. 996, Public-Local Laws 1935, amended, as to establishment of Cabarrus County Hospital.

SECTION 1. That House Bill number nine hundred and ninety-six, entitled "An Act to enable Cabarrus County to establish and maintain a public hospital, to levy a tax and issue bonds therefor, appoint hospital trustees, maintain a training school for nurses," etc., ratified April seventeenth, one thousand nine hundred and thirty-five, be, and the same is hereby amended by striking out after the word "medicine" in line three of section ten of said Act the following words: "or allied occupations recognized by the laws of the State of North Carolina as contained in Chapter one hundred and ten of the Consolidated Statutes."

SEC. 2. This Act shall be in force from and after its ratification.

Ratified this the 3d day of May, A.D. 1935.

H. B. 1299

CHAPTER 422

AN ACT TO AMEND HOUSE BILL SIX HUNDRED TWENTY-THREE, SAME BEING "AN ACT TO FIX THE FEES TO BE COLLECTED BY THE CLERK OF THE RECORDER'S COURT OF GRANVILLE COUNTY, NORTH CAROLINA," RATIFIED MARCH TWENTY-SECOND, ONE THOUSAND NINE HUNDRED THIRTY-FIVE.

The General Assembly of North Carolina do enact:

H. B. 623, Public-Local Laws 1935, amended, as to fees of Clerk of Granville County Recorder's Court.

Jury tax in civil actions.

SECTION 1. That that part of Section one of House Bill six hundred and twenty-three, same being "An Act to fix the fees to be collected by the Clerk of the Recorder's Court of Granville County, North Carolina," ratified March twenty-second, one thousand nine hundred thirty-five, fixing the charges to be made for a jury be, and the same is hereby stricken out and the following be and the same is hereby substituted in lieu thereof, "jury, a jury tax in civil actions of one dollar per hour for such time as the jury is engaged in the trial of the particular case, with a

✓ H. B. 56

CHAPTER 45

AN ACT TO CHANGE THE NAME OF THE CABARRUS COUNTY HOSPITAL TO CABARRUS MEMORIAL HOSPITAL.

The General Assembly of North Carolina do enact:

Section 1. Wherever in Chapter 307 of the Public-Local Laws of 1935, Chapter 288 of the Public Laws of 1939, Chapter 635 of the Session Laws of 1947, or in any other general, special or local Act the words "Cabarrus County Hospital" appear, the same are hereby stricken out and the words "Cabarrus Memorial Hospital" are substituted in lieu thereof.

Sec. 2. All laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 3. 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 9th day of February, 1951.

H. B. 109

CHAPTER 46

AN ACT AMENDING CHAPTER 439 OF THE PUBLIC-LOCAL LAWS OF 1939 RELATING TO THE MAINTENANCE OF ASHEVILLE BILTMORE COLLEGE.

The General Assembly of North Carolina do enact:

Section 1. Chapter 439 of the Public-Local Laws of 1939 is hereby amended so as to read as follows:

"An Act to Enable the City of Asheville and the County of Buncombe to Appropriate Funds for the Maintenance of Asheville Biltmore College.

"Section 1. That the governing body of the City of Asheville is hereby authorized and empowered, in its discretion, to appropriate from the general funds of the city such sum of money, not to exceed ten thousand dollars (\$10,000.00) during any one fiscal year, for the purpose of aiding and assisting in the cost of operating Asheville Biltmore College.

"Sec. 2. That the Board of Commissioners of the County of Buncombe is hereby authorized and empowered, in its discretion, to appropriate from the general funds of the county such sum of money, not to exceed ten thousand dollars (\$10,000.00) during any one fiscal year, for the purpose of aiding and assisting in the cost of operating Asheville Biltmore College."

Sec. 2. That all laws and parts of laws in conflict with this Act are hereby repealed.

Sec. 3. That this Act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 9th day of February, 1951.

CHAPTER 1154 Session Laws—1977

H. B. 1594 CHAPTER 1154
AN ACT TO CLARIFY THE ELECTION OF TRUSTEES OF THE
CABARRUS COUNTY HOSPITAL.

The General Assembly of North Carolina enacts:

Section 1. Section 5 of Chapter 307 of the 1935 Public-Local Laws is hereby amended by rewriting the seventh sentence thereof to read as follows: "In case of vacancy on the Board of Trustees for any cause, including the creation of a new voting precinct in the county in which a member does not reside and the expiration of terms of all members, the said Board shall fill the vacancy by electing a new member who resides within the newly created voting precinct or from the same voting precinct as that of the retired member."; and is further amended by adding a new sentence to follow immediately after the seventh sentence rewritten above and to read as follows: "In the event two or more voting precincts should be consolidated, the appointment of all members residing within the new voting precinct shall thereupon terminate and the Board of Trustees shall appoint a member from the newly created voting precinct."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 16th day of June, 1978.

H. B. 1598 CHAPTER 1155
AN ACT TO AMEND G.S. 18A-16 TO PROVIDE FOR THE SELECTION OF
THE MEMBERS OF EDGECOMBE COUNTY ABC BOARD BY THE
BOARD OF COUNTY COMMISSIONERS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 18A-16, as the same appears in the 1975 Replacement Volume 1C, is hereby amended:

(a) by deleting from the first paragraph of subsection (a) thereof, at lines 6 through 9, the following:

"in a joint meeting of the board of county commissioners, the county board of health, and the county board of education. Each person voting at this joint meeting shall have only one vote, notwithstanding the fact that there may be instances in which some persons are members of another board.", and by substituting in lieu thereof the words "by the Edgecombe County Board of County Commissioners";

(b) by deleting from the second paragraph of subsection (a) thereof, at lines 11 and 12, the words "the appointing boards" and by substituting in lieu thereof the words "the Edgecombe County Board of County Commissioners";

(c) by deleting therefrom the third paragraph of subsection (a), lines 18 through 27, and by substituting in lieu thereof the following:

"Any member of the county board hereinabove referred to in this section may be removed at any time by the board of county commissioners whenever such board finds, by a majority vote of its membership, that a member or members are unfit to serve on the county alcoholic beverage control board. If any member of the county board is removed hereunder, his successor shall be selected to serve out the time for which such member was originally selected."

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society or other organization,
 in G.S. 48-2, a county
 of Human Resources, shall
 not make any advertisement of any
 kind for the placing of children for adoption,

General Statutes is hereby
 amended:

Support.—Pursuant to G.S.
 48-2, a county parent to execute an
 order to become due whenever his
 wage assignment under G.S.
 48-2 remains effective until the
 court order is terminated.

1979 Cumulative Supplement
 amended by deleting all words
 appearing therefor the following:

by periodic payments, which
 medical expenses incident to the
 maintenance and reasonable
 support acknowledged as provided
 by the district court at any time,
 or of support entered by that
 court in the same manner
 in such cases. Such written
 support shall be sworn to
 as equivalent or corresponding
 to the support where the affirmation,
 if made, shall be binding on the person
 for whose support it is made.
 Such mother shall not be
 liable for support for any
 period of time after she
 has been declared as to whose paternity she

this act or the application
 of this act, the invalidity does not
 affect any act which can be given effect
 to this end the provisions of

shall remain in full force
 until October 1, 1981. This act
 repeals the provisions of Chapter

Chapter 277,
 Session Laws of 1981.

In the General Assembly read three times and ratified, this the 27th day of
 April, 1981.

S. B. 205

CHAPTER 276

AN ACT TO CLARIFY THE AMOUNT OF WEEKLY BENEFITS UNDER THE WORKERS' COMPENSATION ACT.

The General Assembly of North Carolina enacts:

Section 1. The first paragraphs of G.S. 97-30, G.S. 97-38, G.S. 97-61.5(b),
 and the third paragraph of G.S. 97-61.6 are amended by striking "eighty dollars
 (\$80.00)" therefrom and inserting in lieu thereof "the amount established
 annually to be effective October 1 as provided in G.S. 97-29".

Sec. 2. The first paragraph of G.S. 97-29 is amended by striking "eighty
 dollars (\$80.00)" therefrom and inserting in lieu thereof "the amount
 established annually to be effective October 1 as provided herein."

Sec. 3. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 27th day of
 April, 1981.

H. B. 425

CHAPTER 277

AN ACT TO MODIFY THE POWERS AND DUTIES OF CABARRUS MEMORIAL HOSPITAL.

The General Assembly of North Carolina enacts:

Section 1. Section 5 of Chapter 307 of the 1935 Public-Local Laws as
 amended by Chapter 1154, Session Laws of 1977 (Second Session 1978) is
 amended by rewriting the fourth sentence to read:

"The Cabarrus County Medical Society and the Medical Staff of the hospital
 may each nominate for appointment by the Board of Trustees two practicing
 physicians to serve as honorary and advisory members of said executive
 committee; such advisory members shall serve without voting power."

Sec. 2. Section 6 of Chapter 307 of the 1935 Public-Local Laws is
 amended by:

(1) The deletion of the present second and third sentences of such section;

(2) Rewriting the present sixth sentence of such section to read:

"They shall have the exclusive control of the expenditure of all moneys
 collected to the credit of the hospital fund, and the purchase of site or sites,
 the purchase or construction of any hospital building or buildings, and of the
 supervision, care and custody of the grounds, rooms or buildings purchased,
 constructed, leased, or set apart for that purpose: Provided that all moneys
 received for the credit of such hospital shall be deposited in a special fund for
 the hospital and shall be paid out only upon warrants or checks drawn by a
 proper officer designated by the executive committee upon due authorization of
 such committee.";

(3) Rewriting the present seventh sentence to read:

"Said executive committee shall have the power to appoint a chief executive
 officer and necessary assistants, and to fix their compensation and shall in
 general carry out the spirit and intent of this act in establishing and
 maintaining a county general acute care hospital."; and

HB 425 ch 277 (1981)

CHAPTER 277 Session Laws—1981

(4) Adding a proviso to the final sentence in such section to read as follows:
"Provided, that such hospital may render care and services to members of the Board of Trustees and to companies in which such members may have an interest on those terms and conditions as such care and services are otherwise made available."

Sec. 3. Section 9 of Chapter 307 of the 1935 Public-Local Laws is amended by the addition of the following sentence:

"Such rights and powers shall include, without limitation, the authority to sell real and personal property; to establish additional locations to render medical services; to establish trusts or foundations to administer hospital funds; to retain securities donated to such hospital notwithstanding the provisions of Chapter 159 of the General Statutes relating to permissible investments; and to enter into private long term leases or subleases of hospital owned or leased real property for periods not exceeding 10 years without notice or other compliance with Chapter 160A of the General Statutes."

Sec. 4. Section 10 of Chapter 307 of the 1935 Public-Local Laws as amended by Chapter 421, Public-Local Laws of 1935, is hereby rewritten to read:

"Sec. 10. The executive committee of such hospital shall determine the conditions under which the privileges of practice may be available and shall promulgate rules and regulations governing the conduct of such practice at said hospital."

Sec. 5. Section 12 of Chapter 307 of the 1935 Public-Local Laws is repealed.

Sec. 6. Section 13 of Chapter 307 of the 1935 Public-Local Laws is rewritten to read:

"Sec. 13. The executive committee shall have the power to determine rates to be charged for hospital services, to evaluate and approve or reject claims for charity services and to generally establish collection policies and practices for the hospital."

Sec. 7. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 28th day of April, 1981.

S. B. 226 CHAPTER 278

AN ACT TO PROVIDE FOR THE DEPARTMENT OF NATURAL RESOURCES AND COMMUNITY DEVELOPMENT TO CHARGE ADMISSION FEES TO THE NORTH CAROLINA ZOOLOGICAL PARK.

The General Assembly of North Carolina enacts:

Section 1. The existing language of G.S. 143-177.3 is redesignated as subsection (a) and a new subsection (b) is added to read:

"(b) The Council with the approval of the Secretary of Natural Resources and Community Development is authorized to establish and set admission fees which are reasonable and consistent with the purpose and function of the North Carolina Zoological Park."

Sec. 2. G.S. 143B-335 is amended by adding a new subdivision to read:

"(2a) To establish and set admission fees with the approval of the Secretary of Natural Resources and Community Development as provided in G.S. 143-177.3(b)."

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CHAPTER 948 Session Laws — 1988

Chapter 83A of the General Statutes pursuant to G.S. 83A-13(c)(1), or to improvements to real property intended for residential purposes which consist of 12 or fewer residential units."

Sec. 2. This act shall become effective October 1, 1988.

In the General Assembly read three times and ratified this the 24th day of June, 1988.

H.B. 2196 CHAPTER 947

AN ACT TO ALLOW CABARRUS MEMORIAL HOSPITAL TO AWARD AN ASSOCIATE DEGREE TO GRADUATES OF ITS NURSING EDUCATION PROGRAM.

The General Assembly of North Carolina enacts:

Section 1. Section 11 of Chapter 307, Public-Local Laws of 1935 is amended by adding a second sentence to read: "The Executive Committee may award an Associate Degree to graduates of the nursing education program."

Sec. 2. The first sentence of Section 11 of Chapter 307, Public-Local Laws of 1935 is amended by deleting "of such county public hospital", and substituting "Cabarrus Memorial Hospital", and by deleting the word "public" the other time that word appears.

Sec. 3. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 24th day of June, 1988.

H.B. 2201 CHAPTER 948

AN ACT TO GRANT THE TOWN OF RUTHERFORDTON AUTHORITY TO HOLD A REFERENDUM ON ADDING A PROPERTY TAX LEVY FOR A RECREATIONAL CAPITAL BUILDING FUND.

The General Assembly of North Carolina enacts:

Section 1. A city may levy a property tax for the purpose of establishing a Recreational Capital Building Fund, not in excess of ten cents (10¢) on the one hundred dollar (\$100.00) value of property subject to taxation, subject to a referendum as provided by G.S. 160A-209(e).

Sec. 2. This act is supplemental to any other authority that a city may have under any other act, public, or local, to levy a tax for the purpose set out in Section 1 of this act.

Sec. 3. This act applies to the Town of Rutherfordton only.

Sec. 4. This act is effective upon ratification.

CHAPTER 603 Session Laws — 1989

Civil Procedure. Copies of such notice shall be filed with the clerk of court and served upon the obligor by first class mail.

(e) Modification of withholding. When an order for withholding has been entered under this section, any party may file a motion seeking modification of the withholding based on changed circumstances. The clerk or the court on its own motion may initiate a hearing for modification when it appears that modification of the withholding is required or appropriate."

Sec. 5. This act shall become effective October 1, 1989, and applies to orders issued on or after that date.

In the General Assembly read three times and ratified this the 11th day of July, 1989.

✓ S.B. 992

CHAPTER 602

AN ACT TO ALLOW CABARRUS MEMORIAL HOSPITAL TO USE A SINGLE PRIME CONTRACTOR CONTRACT, A CONSTRUCTION MANAGEMENT CONTRACT, OR A DESIGN-BUILD CONTRACT ON ERECTION, CONSTRUCTION, ALTERATION, OR REPAIR OF ANY BUILDINGS FOR CABARRUS MEMORIAL HOSPITAL.

The General Assembly of North Carolina enacts:

Section 1. Section 9 of Chapter 307 of the 1935 Public-Local Laws, as amended by Section 3 of Chapter 277 of the 1981 Session Laws is amended by adding a new sentence, immediately after the second sentence, to read:

"Cabarrus Memorial Hospital may use a single prime contractor contract, a construction management contract, or a design-build contract for the erection, construction, alteration, or repair of any building at any of its facilities."

Sec. 2. This act is effective upon ratification and shall apply only to contracts entered on or before July 1, 1992.

In the General Assembly read three times and ratified this the 11th day of July, 1989.

H.B. 157

CHAPTER 603

AN ACT TO PROVIDE FOR THE DEVELOPMENT OF A STATE WATER SUPPLY PLAN AND TO SPECIFY THE TERMS OF MEMBERS AND QUORUM OF THE WATERSHED PROTECTION ADVISORY COUNCIL.

The General Assembly of North Carolina enacts:

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If the corporation is organized under the laws of this State, the payment of the taxes levied by this Article shall be a condition precedent to the right to continue in such form of organization; and if the corporation is not organized under the laws of this State, payment of said taxes shall be a condition precedent to the right to continue to engage in doing business in this State. The taxes levied in this Article or schedule shall be for the fiscal year of the State in which said taxes become due; except, that the taxes levied in G.S. 105-122 and G.S. 105-123 shall be for the income year of the corporation in which such taxes become due. For purposes of this Article, the words

(4) The term 'income year' shall mean an income year as defined in G.S. 105-130.2(5)."

Sec. 3. G.S. 105-130.2(1) reads as rewritten:

"(1) 'Code' means the Internal Revenue Code as enacted as of ~~January 1, 1989,~~ January 1, 1990, and includes any provisions enacted as of that date which become effective either before or after that date."

Sec. 4. G.S. 105-131(b)(1) reads as rewritten:

"(1) 'Code' means the Internal Revenue Code ~~of 1986,~~ as enacted as of ~~January 1, 1989,~~ January 1, 1990, and includes any provisions enacted as of that date which become effective either before or after that date."

Sec. 5. G.S. 105-134.1(1) reads as rewritten:

"(1) Code. The Internal Revenue Code as enacted as of January 1, ~~1989,~~ 1990, including any provisions enacted as of that date which become effective either before or after that date, but not including sections 63(c)(4) and 151(d)(3)."

Sec. 6. G.S. 105-163.1(11) reads as rewritten:

"(11) 'Code' means the Internal Revenue Code as enacted as of ~~January 1, 1989,~~ January 1, 1990, and includes any provisions enacted as of that date which become effective either before or after that date."

Sec. 7. G.S. 105-212(f) reads as rewritten:

"(f) As used in this section, the term 'Code' means the Internal Revenue Code as enacted as of ~~January 1, 1989,~~ January 1, 1990, and includes any provisions enacted as of that date which become effective either before or after that date."

Sec. 8. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 19th day of July, 1990.

H.B. 2129

CHAPTER 982

AN ACT RELATING TO CABARRUS MEMORIAL HOSPITAL.

The General Assembly of North Carolina enacts:

Section 1. Chapter 307 of the Public-Local Laws of 1935, as amended, is amended by adding a new section to read:

"Sec. 12.1. (a) Notwithstanding anything herein or elsewhere in the laws of this State to the contrary, so long as (i) there are no county bonds issued for the benefit of Cabarrus Memorial Hospital outstanding; (ii) there is no county tax levy for the direct benefit of the hospital; and (iii) the Executive Committee of the hospital operates Cabarrus Memorial Hospital as an acute care general hospital open to the general public free of discrimination based upon race, creed, color, sex or national origin and on a nonprofit basis, the provisions of Chapter 159 of the General Statutes of North Carolina relating to public hospitals, and any other provisions of the General Statutes relating to public hospitals, shall not be applicable to Cabarrus Memorial Hospital and its Executive Committee.

(b) As long as the conditions of subsection (a) of this section continue to be satisfied, the Executive Committee of Cabarrus Memorial Hospital may operate Cabarrus Memorial Hospital in the same manner as private nonprofit corporations operate acute care hospitals in this State without the limitations and restrictions applicable to public hospitals under the laws of this State; and that the Executive Committee may provide for the governance of the hospital in such manner as it deems in the best interest of the hospital."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 19th day of July, 1990.

H.B. 2132

CHAPTER 983

AN ACT TO ALLOW THE TOWN OF KERNERSVILLE TO
DISPOSE OF CERTAIN REAL PROPERTY BY PRIVATE
NEGOTIATION AND SALE.

The General Assembly of North Carolina enacts:

Section 1. Notwithstanding Article 12 of Chapter 160A of the General Statutes, the Town of Kernersville may convey by negotiation and private sale, with or without monetary consideration, any or all of its rights, title, and interest in the described property to the East Forsyth Citizens for Human Resources, Inc., under such terms and conditions as the Town Board of Aldermen deems appropriate: Being all of that 2.25 acre tract of land lying in Kernersville Township, Forsyth County, North Carolina; and bounded by natural boundaries and/or lands owned by and/or in possession of persons, as follows: on the north by Parkside Drive, on the east by Amp

**EXHIBIT C
TO PETITION**

0-0430922

FILED

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ARTICLES OF MERGER
OF
CMH HOME CARE-MED, INC.
INTO
CABARRUS MEMORIAL HOSPITAL

EFFECTIVE
ELAINE F MARSHALL
SECRETARY OF STATE
NORTH CAROLINA

Cabarrus Memorial Hospital (the "surviving corporation"), a private nonprofit corporation organized under the laws of North Carolina, hereby submits, pursuant to Section 55A-11-08 of the North Carolina General Statutes, these Articles of Merger for the purpose of merging its subsidiary corporation, CMH Home Care-Med, Inc. (the "merging corporation"), a business corporation organized under the law of North Carolina, into the surviving corporation:

I. The name of the surviving nonprofit corporation is Cabarrus Memorial Hospital, a nonprofit corporation organized under the laws of North Carolina; the name of the merged corporation is CMH Home Care-Med, Inc.

II. Attached is a copy of the Plan of Merger that was duly adopted in the manner prescribed by law by the board of directors of each of the corporations participating in the merger.

III. With respect to the surviving nonprofit corporation approval of the members was not required for the merger.

IV. With respect to the merged corporation, shareholder approval for the merger was required, and the merger was approved by the Shareholders as required by Chapter 55 of the North Carolina General Statutes.

III. These articles will become effective upon filing.

This the 27 day of May, 1997.

Cabarrus Memorial Hospital

By: 
Thomas R. Revels, President

PLAN OF MERGER
CMH Home Care-Med, Inc. into Cabarrus Memorial Hospital

- A. *Merger.* CMH Home Care-Med, Inc., a North Carolina corporation, hereinafter called Med, will merge into Cabarrus Memorial Hospital, a North Carolina nonprofit corporation, hereinafter called CMH, which will be the surviving corporation.
- B. *Terms of merger.* The terms of merger are:
1. Med shall be merged into CMH in accordance with the statutory procedure set forth in Section 55A-11-01 through Section 55A-11-08 and Section 55-11-01 through Section 55-11-09 of the North Carolina General Statutes.
 2. After the merger, the surviving corporation will have the name "Cabarrus Memorial Hospital"
 3. CMH shall be the surviving corporation and the corporate identity, existence, purposes, powers, franchises, rights, and immunities of CMH shall continue unaffected and unimpaired by the merger. The Articles of Incorporation and the Bylaws, each as heretofore amended, of CMH shall remain in effect, unaltered, as the Articles of Incorporation and the Bylaws of the surviving corporation, and the duly qualified and acting directors and officers of CMH, immediately prior to the time when the merger becomes effective, as defined below, hereinafter the Effective Time, shall be the directors and officers of the surviving corporation.
 4. The corporate identity, existence, purposes, powers, franchises, rights and immunities of Med shall be merged into CMH, and CMH shall be fully vested therewith.
 5. The separate existence of Med, except insofar as specifically otherwise provided by law, shall cease at the Effective Time, whereupon Med and CMH shall become a single corporation.
- C. *Conversion and exchange of shares.* The manner and basis of converting the shares of Med shall be as follows:
1. At the Effective Time, each common share of Med of which CMH is then the holder of record shall thereupon be void.
- D. *Effective Time.* This merger shall become effective at 9:00 a.m., May 30, 1997.
- E. *Shareholder approval.* CMH is the holder of one hundred percent (100%) of the outstanding shares of Med. This Plan of Merger and corresponding Resolutions shall be deemed to satisfy the requirements of shareholder approval imposed by Section 55A-11-

03 and Section 55-11-03 of the North Carolina General Statutes. There are no voting members of CMH to approve the Plan of Merger.

F. *Abandonment.* At any time prior to the Effective Date, the board of directors of CMH may, in their discretion, abandon the merger.

**EXHIBIT D
TO PETITION**



CERTIFICATE OF INCORPORATION
OF
CHARLOTTE MEMORIAL HOSPITAL AUTHORITY OF
CHARLOTTE, NORTH CAROLINA

WHEREAS, Miss Emma Hall, Mrs. John B. London, Mrs. Hamilton W. McKay, Mrs. George C. Snyder, Ernest R. Cannon, J. A. Jones, A. L. Boyle, William H. Barnhardt, J. Herbert Bridges, M. E. Pierson, John C. Shepherd, John L. Wilkinson, F. J. Blythe, R. S. Dickson, E. C. Griffith, Mrs. E. C. Marshall, Harry L. Dalton and H. C. Jones, Commissioners, having been appointed as such by E. McA. Currie, Mayor of the City of Charlotte, North Carolina, to act as an Authority under the Hospital Authorities Law, being Chapter 780, 1943 Session Laws of North Carolina, and desiring to become a public body and a body corporate and politic under said law, and

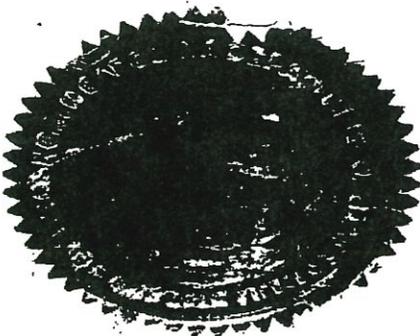
WHEREAS, the said Commissioners having filed with the Secretary of State of the State of North Carolina an application for a certificate of incorporation, in accordance with the aforesaid act, under the name of Charlotte Memorial Hospital Authority of Charlotte, North Carolina, which application was accompanied by exhibits showing full compliance with said law and has been filed and recorded as of this day.

NOW, THEREFORE, I, THAD EURE, Secretary of State of the State of North Carolina, do hereby certify that the above Commissioners and their successors in office, are duly incorporated as a public body and a body corporate and politic in accordance with the provisions of said law under the name of Charlotte Memorial Hospital Authority of Charlotte, North Carolina, with perpetual succession, for the purposes set forth in the said Hospital Authorities Law with all of the powers and privileges conferred by said law.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal.

Done in office at Raleigh, this the 26th day of June, 1943.

Secretary of State.



CITY OF CHARLOTTE
NORTH CAROLINA

CERTIFICATE OF APPOINTMENT OF COMMISSIONERS OF
THE HOSPITAL AUTHORITY OF THE CITY OF CHARLOTTE,
NORTH CAROLINA, AND DESIGNATION OF THE FIRST
CHAIRMAN.

WHEREAS, the City Council of the City of Charlotte, North Carolina, held a duly authorized regular meeting on Wednesday, March 17, 1943; and

WHEREAS, at said meeting the following resolution was unanimously passed and adopted, as will appear in Minute Book 10, at pages 233 and 234, in the Office of the City Clerk of the City of Charlotte:

"RESOLUTION REGARDING THE CREATION OF A HOSPITAL
AUTHORITY

WHEREAS, the General Assembly of the State of North Carolina duly enacted Senate Bill No. 254 at its 1943 Session, which Bill is known as the Hospital Authorities Law; and

WHEREAS, the City of Charlotte has a population of more than seventy-five thousand according to the last Federal census; and

WHEREAS, the City Council of the City of Charlotte has duly made an investigation which it deemed necessary and sufficient to ascertain the facts herein contained;

NOW, THEREFORE, be it resolved that the City Council of the City of Charlotte finds that the public health and welfare, including the health and welfare of persons of low income in the City and said surrounding area, require the construction, maintenance or operation of public hospital facilities for the inhabitants thereof.

BE IT FURTHER RESOLVED that notice of this determination be given to the Mayor of the City of Charlotte for him to take such further steps and actions as are set out and contained in said Hospital Authorities Law."

NOW, THEREFORE, pursuant to the provisions of the "Hospital Authorities Law" of the State of North Carolina, as contained in Senate Bill No. 254 of the 1943 Session of the North Carolina General Assembly, and by virtue of my office as Mayor, and by virtue of the aforementioned resolution of the City Council of the City of Charlotte, I hereby appoint the eighteen (18) persons hereinafter named to serve as Commissioners of the Hospital Authority of the City of Charlotte, North Carolina, and to serve for the number of years

~~CITY OF CHARLOTTE~~
~~NORTH CAROLINA~~

appearing after their names, respectively, from the 6th day of May, 1943.

<u>Miss Emma Hall</u>	4 years
<u>Mrs. John B. London</u>	4 years
<u>Mrs. Hamilton W. McKay</u>	4 years
<u>Mrs. George C. Snyder</u>	4 years
<u>Ernest R. Cannon</u>	4 years
<u>J. A. Jones</u>	4 years
<u>A. L. Boyle</u>	8 years
<u>William H. Barnhardt</u>	8 years
<u>J. Herbert Bridges</u>	8 years
<u>M. E. Pierson</u>	8 years
<u>John C. Shepherd</u>	8 years
<u>John L. Wilkinson</u>	8 years
<u>F. J. Blythe</u>	12 years
<u>R. S. Dickson</u>	12 years
<u>E. G. Griffith</u>	12 years
<u>Mrs. E. G. Marshall</u>	12 years
<u>Harry L. Dalton</u>	12 years
<u>H. G. Jones</u>	12 years

I hereby designate F. J. Blythe as the first Chairman of the Hospital Authority of the City of Charlotte, North Carolina.

IN WITNESS WHEREOF, I have hereunto signed my name as Mayor of the City of Charlotte, North Carolina, and caused the official corporate seal of said City of Charlotte, North Carolina to be attached hereto this 6th day of

APPLICATION FOR CERTIFICATE OF
INCORPORATION FOR THE CHARLOTTE
MEMORIAL HOSPITAL AUTHORITY OF THE
CITY OF CHARLOTTE, NORTH CAROLINA

TO THE SECRETARY OF STATE OF NORTH CAROLINA:

The undersigned, Emma J. Hall, Mrs. John B. London, Mrs. Hamilton W. McKay, Mrs. George C. Snyder, E. R. Cannon, J. A. Jones, A. L. Boyle, William H. Barnhardt, J. H. Bridges, M. E. Pierson, John C. Shepherd, John L. Wilkinson, F. J. Blythe, R. S. Dickson, E. C. Griffith, Mrs. E. C. Marshall, Harry L. Dalton and H. C. Jones, hereby apply for a certificate of incorporation for the Charlotte Memorial Hospital Authority of the City of Charlotte, North Carolina, pursuant to the "Hospital Authorities Law" of the State of North Carolina, as contained in Senate Bill No. 254 of the 1943 Session of the North Carolina General Assembly, and to that end do respectfully show:

1. That the City Council of the City of Charlotte, after proper investigation, did at a duly authorized regular meeting on Wednesday, March 17, 1943, determine that the public health and welfare, including the health and welfare of persons of low income in the City of Charlotte and surrounding area, require the construction, maintenance or operation of public hospital facilities for the inhabitants thereof, as set forth in a resolution duly adopted by the City Council of the City of Charlotte, copy of which is hereto attached, and that notice of this determination by the City Council of the City of Charlotte was duly given to the Mayor of the City of Charlotte, and that thereafter, on the 6th day of May, 1943, the Mayor of the City of Charlotte appointed the undersigned as Commissioners;

2 (a) That the name, official residence, and term of office of each of said undersigned Commissioners is as follows:

NAME	OFFICIAL RESIDENCE	TERM, IN YEARS FROM THE 7th DAY OF MAY, 1943	DATE OF TA ING PRES- CRIBED OAT AND INDUC- TION INTO OFFICE
Emma H. Hall, Commissioner	Charlotte, N. C.	4 years	May 7, 1943
Mrs. John B. London, Commissioner	Charlotte, N. C.	4 years	May 19, 194
Mrs. Hamilton W. McKay, Commissioner	Charlotte, N. C.	4 years	May 17, 194
Mrs. George C. Snyder, Commissioner	Charlotte, N. C.	4 years	May 8, 1943
Ernest R. Cannon, Commissioner	Charlotte, N. C.	4 years	May 7, 1943
J. A. Jones, Commissioner	Charlotte, N. C.	4 years	May 8, 1943
A. L. Boyle, Commissioner	Charlotte, N. C.	8 years	May 7, 1943
William H. Barnhardt, Commissioner	Charlotte, N. C.	8 years	May 7, 1943
J. Herbert Bridges, Commissioner	Charlotte, N. C.	8 years	May 7, 1943
M. E. Pierson, Commissioner	Charlotte, N. C.	8 years	May 7, 1943
John C. Shepherd, Commissioner	Charlotte, N. C.	8 years	May 7, 1943
John L. Wilkinson, Commissioner	Charlotte, N. C.	8 years	May 7, 1943
F. J. Blythe, Chairman	Charlotte, N. C.	12 years	May 17, 194
R. S. Dickson Commissioner	Charlotte, N. C.	12 years	May 7, 1943
E. C. Griffith, Commissioner	Charlotte, N. C.	12 years	May 7, 1943
Mrs. E. C. Marshall, Commissioner	Charlotte, N. C.	12 years	June 18, 19
Harry L. Dalton, Commissioner	Charlotte, N. C.	12 years	May 7, 1943
H. C. Jones, Commissioner	Charlotte, N. C.	12 years	May 7, 1943

(b) That a certified copy of the appointment evidencing the right of each of the undersigned to office is hereto attached.

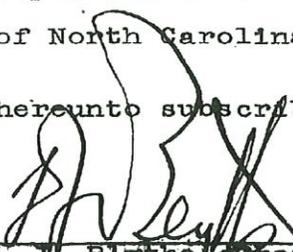
(c) That each of the undersigned Commissioners was inducted into office and took the prescribed oath of office in the City of Charlotte, North Carolina, on the date shown in paragraph 2 (a) above.

(d) That the undersigned Commissioners desire said Hospital Authority to become a public body and a body corporate and politic under the said Hospital Authorities Law.

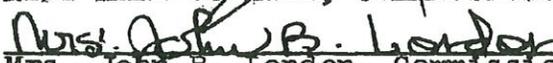
3. The name which is proposed for the corporation is the "CHARLOTTE MEMORIAL HOSPITAL AUTHORITY OF CHARLOTTE, NORTH CAROLINA".

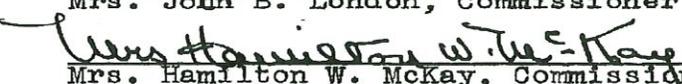
4. The location of the principal office of the corporation is in the City of Charlotte, State of North Carolina.

IN WITNESS WHEREOF, we have hereunto subscribed our names on this the 25th day of June, 1943.

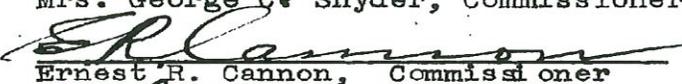

F. J. Blythe, Chairman


Miss Emma J. Hall, Commissioner


Mrs. John B. London, Commissioner


Mrs. Hamilton W. McKay, Commissioner

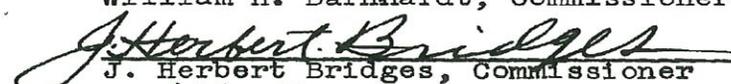

Mrs. George C. Snyder, Commissioner


Ernest R. Cannon, Commissioner

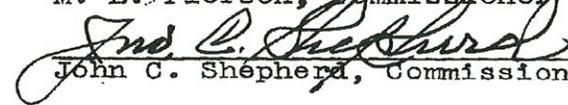

J. A. Jones, Commissioner


A. L. Boyle, Commissioner


William H. Barnhardt, Commissioner


J. Herbert Bridges, Commissioner


M. E. Pierson, Commissioner


John C. Shepherd, Commissioner

John L. Wilkinson
 John L. Wilkinson, Commissioner

R. S. Dickson
 R. S. Dickson, Commissioner

E. C. Griffith
 E. C. Griffith, Commissioner

Mrs. E. C. Marshall
 Mrs. E. C. Marshall, Commissioner

Harry L. Dalton
 Harry L. Dalton, Commissioner

H. C. Jones
 H. C. Jones, Commissioner

STATE OF NORTH CAROLINA |
 COUNTY OF MECKLENBURG |

I, Zelda McAnulty, a notary public in and for the said County, in said State, hereby certify that Emma J. Hall, Mrs. John B. London, Mrs. Hamilton W. McKay, Mrs. George C. Snyder, E. R. Cannon, J. A. Jones, A. L. Boyle, William H. Barnhardt, J. H. Bridges, M. E. Pierson, John C. Shepherd, John L. Wilkinson, F. J. Blythe, R. S. Dickson, E. C. Griffith, Mrs. E. C. Marshall, Harry L. Dalton and H. C. Jones came before me upon this day; that each of said persons is known to me to be the officer which the foregoing application asserts him to be; that each of said persons was duly sworn by me upon his or her aforesaid appearance before me upon this day; and that each of said persons subscribed and swore to the said application, and to the contents thereof, in my presence upon his or her appearance before me upon this day.

WITNESS my hand and official seal, this the 25 day of June, 1943.

Zelda McAnulty
 Notary Public.



My commission expires:

Jan. 15, 1945

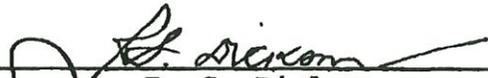


STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

R. S. Dickson and John B. London, being first duly sworn, depose and say:

That they are the Chairman and Secretary respectively of the Board of Commissioners of Charlotte Memorial Hospital Authority of Charlotte, North Carolina, and, as such, are authorized to execute this verification; that the foregoing is a true and correct copy of a resolution adopted by the affirmative vote of more than a majority of the members of the Board of Commissioners of Charlotte Memorial Hospital Authority of Charlotte, North Carolina, at a meeting of said Board of Commissioners which was duly and regularly called and held at the offices of Charlotte Memorial Hospital Authority of Charlotte, North Carolina, located at 1400 Scott Avenue in the City of Charlotte, North Carolina, on the 19th day of September, 1961, at 7:30 o'clock, A. M., Eastern Standard Time, and that said resolution has not been altered, amended, rescinded or revoked since its adoption but that it is still in full force and effect.


R. S. Dickson


John B. London

Sworn to and subscribed before me,
this 27th day of September, 1961.


Notary Public

My commission expires: My Commission Expires July 12, 1963

WHEREAS, the General Assembly of the State of North Carolina did, on the 17th day of June, 1961, enact and ratify an act amending Chapter 131, Article 12 of the General Statutes of North Carolina, under the provisions of which amendment an authority created and existing pursuant to Article 12 of Chapter 131 of the General Statutes of North Carolina may, at any time, by resolution adopted by a majority of the commissioners of such authority, change its name; and

WHEREAS, Charlotte Memorial Hospital Authority of Charlotte, North Carolina, is a body corporate and politic created and existing pursuant to Article 12 of Chapter 131 of the General Statutes of North Carolina; and

WHEREAS, it has been made to appear to the Commissioners of Charlotte Memorial Hospital Authority of Charlotte, North Carolina, and said Commissioners do find hereby, that it is to the best interests of Charlotte Memorial Hospital Authority of Charlotte, North Carolina, that its name be changed to The Charlotte-Mecklenburg Hospital Authority;

NOW, THEREFORE, BE IT RESOLVED: That the name of Charlotte Memorial Hospital Authority of Charlotte, North Carolina, be and it is changed hereby to The Charlotte-Mecklenburg Hospital Authority.

BE IT FURTHER RESOLVED: That a copy of this resolution, duly verified by the Chairman and Secretary of the Board of Commissioners of Charlotte Memorial Hospital Authority of Charlotte, North Carolina, before an officer authorized by the laws of this State to take and certify oaths, together with a conformed copy thereof, be delivered

to the Secretary of State of the State of North Carolina.

FILED

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THAD EURE
SECRETARY OF STATE
NORTH CAROLINA

CITY OF CHARLOTTE
NORTH CAROLINA

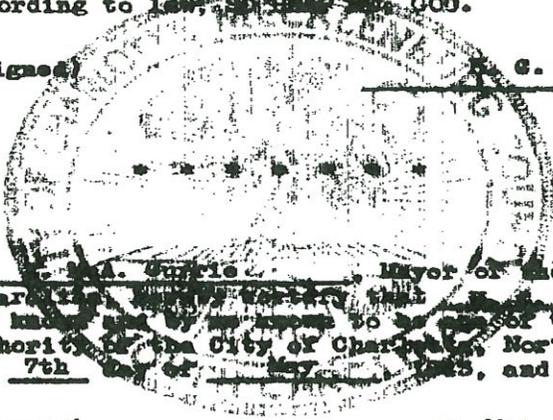
OATH OF COMMISSIONER OF HOSPITAL AUTHORITY
OF THE CITY OF CHARLOTTE, NORTH CAROLINA.

* * * * *

I, H. G. Jones, do solemnly swear that I will support the Constitution of the United States; and I do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of the said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and that I will well and truly execute and faithfully perform the duties of the office of Commissioner of the Hospital Authority of the City of Charlotte, North Carolina, according to the best of my skill and ability, according to law, ~~and~~ GOD.

(Signed)

H. G. Jones



I, E. McA. Gurrie, Mayor of the City of Charlotte, State of North Carolina, do hereby certify that H. G. Jones to me personally known and known to be one of the Commissioners of the Hospital Authority of the City of Charlotte, North Carolina, appeared before me on the 7th day of May, 1913, and made the above oath.

(SEAL)

(Signed)

E. McA. Gurrie

Mayor

* * * * *

I, Alice B. McConnell, City Clerk of the City of Charlotte, North Carolina, hereby certify that the above is a true and exact copy of the oath administered to H. G. Jones, one of the Commissioners of the Hospital Authority of the City of Charlotte, North Carolina, as same appears filed and of record in my office.

WITNESS my hand and the official seal of said City of Charlotte, North Carolina, this 19th day of June, 1913.

Alice B. McConnell
City Clerk

~~CITY OF CHARLOTTE~~
~~NORTH CAROLINA~~

May, 1945.

(SIGNED) E. McA. Currie
Mayor

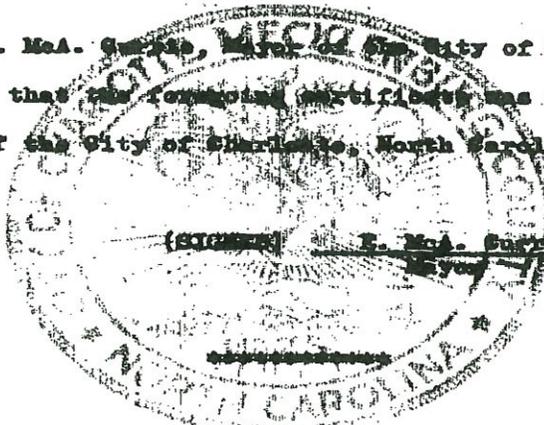
(OFFICIAL SEAL)

Attest:

Alice B. McConnell
City Clerk

CERTIFICATE OF MAYOR

I, E. McA. Currie, Mayor of the City of Charlotte, North Carolina, hereby certify that the foregoing certificate was duly filed in the office of the Clerk of the City of Charlotte, North Carolina, on the 6th day of May, 1945.



(SIGNED) E. McA. Currie
Mayor

I, Alice B. McConnell, Clerk of the City of Charlotte, North Carolina, hereby certify that the foregoing certificate of appointment of Commissioners of the Hospital Authority of the City of Charlotte, North Carolina, etc., has been carefully copied from the original certificate on file and of record in the office of the City Clerk of the City of Charlotte, North Carolina.

WITNESS my hand and the official seal of said City of Charlotte, North Carolina, this 21st day of June, 1945.



Alice B. McConnell
City Clerk

**CITY OF CHARLOTTE
NORTH CAROLINA**

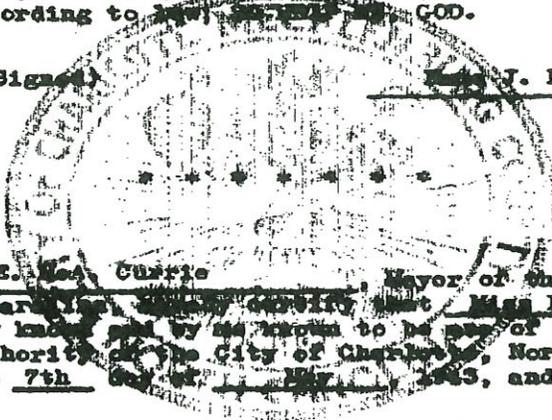
**OATH OF COMMISSIONER OF HOSPITAL AUTHORITY
OF THE CITY OF CHARLOTTE, NORTH CAROLINA.**

* * * * *

I, Emma J. Hall, do solemnly swear that I will support the Constitution of the United States; and I do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of the said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and that I will well and truly execute and faithfully perform the duties of the office of Commissioner of the Hospital Authority of the City of Charlotte, North Carolina, according to the best of my skill and ability, according to law, ~~and~~ GOD.

(Signed)

Emma J. Hall



I, E. McA. Currie, Mayor of the City of Charlotte, State of North Carolina, hereby certify that Miss Emma J. Hall to me personally known and by me known to be one of the Commissioners of the Hospital Authority of the City of Charlotte, North Carolina, appeared before me on the 7th day of May, 1943, and made the above oath.

(SEAL)

Signed)

E. McA. Currie

Mayer

* * * * *

I, Alice B. McConnell, City Clerk of the City of Charlotte, North Carolina, hereby certify that the above is a true and exact copy of the oath administered to Miss Emma J. Hall, one of the Commissioners of the Hospital Authority of the City of Charlotte, North Carolina, as same appears filed and of record in my office.

WITNESS my hand and the official seal of said City of Charlotte, North Carolina, this 19th day of June, 1943.

Alice B. McConnell
City Clerk



~~CITY OF CHARLOTTE~~
~~NORTH CAROLINA~~

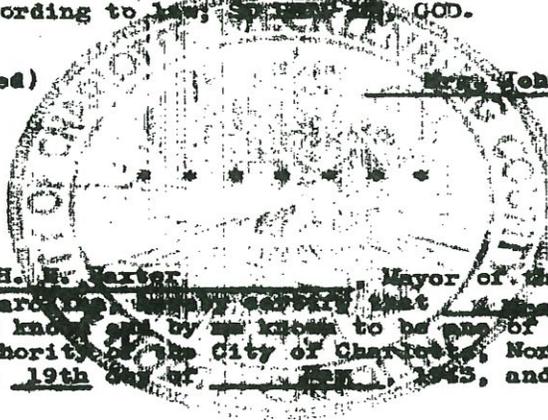
**OATH OF COMMISSIONER OF HOSPITAL AUTHORITY
OF THE CITY OF CHARLOTTE, NORTH CAROLINA.**

* * * * *

I, Mrs. John B. Londen, do solemnly swear that I will support the Constitution of the United States; and I do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of the said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and that I will well and truly execute and faithfully perform the duties of the office of Commissioner of the Hospital Authority of the City of Charlotte, North Carolina, according to the best of my skill and ability, according to law; ~~So help me, GOD.~~

(Signed)

Mrs. John B. Londen



I, H. H. Barter, Mayor of the City of Charlotte, State of North Carolina, hereby certify that Mrs. John B. Londen to me personally known and by me known to be one of the Commissioners of the Hospital Authority of the City of Charlotte, North Carolina, appeared before me on the 19th day of May, 1943, and made the above oath.

(SEAL)

(Signed)

H. H. Barter

Mayor

* * * * *

I, Alice B. McConnell, City Clerk of the City of Charlotte, North Carolina, hereby certify that the above is a true and exact copy of the oath administered to Mrs. John B. Londen one of the Commissioners of the Hospital Authority of the City of Charlotte, North Carolina, as same appears filed and of record in my office.

WITNESS my hand and the official seal of said City of Charlotte, North Carolina, this 19th day of June, 1943.

Alice B. McConnell
City Clerk

(11)

**CITY OF CHARLOTTE
NORTH CAROLINA**

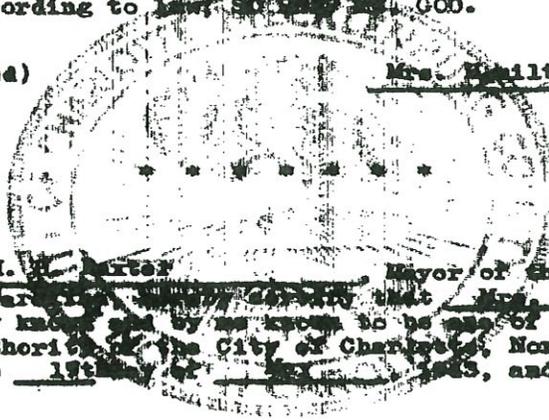
**OATH OF COMMISSIONER OF HOSPITAL AUTHORITY
OF THE CITY OF CHARLOTTE, NORTH CAROLINA.**

* * * * *

I, Mrs. Hamilton W. McKay, do solemnly swear that I will support the Constitution of the United States; and I do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of the said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and that I will well and truly execute and faithfully perform the duties of the office of Commissioner of the Hospital Authority of the City of Charlotte, North Carolina, according to the best of my skill and ability, according to law, ~~and~~ GOD.

(Signed)

Mrs. Hamilton W. McKay



I, H. H. Baxter, Mayor of the City of Charlotte, State of North Carolina, do hereby certify that Mrs. Hamilton W. McKay to me personally known and by me known to be one of the Commissioners of the Hospital Authority of the City of Charlotte, North Carolina, appeared before me on the 19th day of June, 1943, and made the above oath.

(SEAL)

(Signed)

H. H. Baxter

Mayor

* * * * *

I, Allice B. McConnell, City Clerk of the City of Charlotte, North Carolina, hereby certify that the above is a true and exact copy of the oath administered to Mrs. Hamilton W. McKay, one of the Commissioners of the Hospital Authority of the City of Charlotte, North Carolina, as same appears filed and of record in my office.

WITNESS my hand and the official seal of said City of Charlotte, North Carolina, this 19th day of June, 1943.

Allice B. McConnell
City Clerk

(11)

**CITY OF CHARLOTTE
NORTH CAROLINA**

**OATH OF COMMISSIONER OF HOSPITAL AUTHORITY
OF THE CITY OF CHARLOTTE, NORTH CAROLINA.**

* * * * *

I, Mrs. George S. Snyder, do solemnly swear that I will support the Constitution of the United States; and I do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to maintain and defend the Constitution of the said State, and to the best of my knowledge and ability; and that I will well and truly execute and faithfully perform the duties of the office of Commissioner of the Hospital Authority of the City of Charlotte, North Carolina, according to the best of my skill and ability, according to law.

(Signed)

Mrs. George S. Snyder

I, E. McA. Gurrie, Mayor of the City of Charlotte, State of North Carolina, hereby certify that Mrs. George S. Snyder to me personally known and by me known to be one of the Commissioners of the Hospital Authority of the City of Charlotte, North Carolina, appeared before me on the 5th day of May, 1943, and made the above oath.

(SEAL)

(Signed)

E. McA. Gurrie

Mayor

* * * * *

I, Alice B. McConnell, City Clerk of the City of Charlotte, North Carolina, hereby certify that the above is a true and exact copy of the oath administered to Mrs. George S. Snyder, one of the Commissioners of the Hospital Authority of the City of Charlotte, North Carolina, as same appears filed and of record in my office.

WITNESSE my hand and the official seal of said City of Charlotte, North Carolina, this 19th day of June, 1943.

Alice B. McConnell
City Clerk

**CHARLOTTE
NORTH-CAROLINA**

**OATH OF COMMISSIONER OF HOSPITAL AUTHORITY
OF THE CITY OF CHARLOTTE, NORTH CAROLINA.**

* * * * *

I, E. R. Cannon, do solemnly swear that I will support the Constitution of the United States; and I do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of the said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and that I will well and truly execute and faithfully perform the duties of the office of Commissioner of the Hospital Authority of the City of Charlotte, North Carolina, according to the best of my skill and ability, according to law; ~~and in the aid of GOD.~~

(Signed) E. R. Cannon



I, E. McA. Gurrie, Mayor of the City of Charlotte, State of North Carolina, being duly sworn, E. R. Cannon to me personally known and by me known to be one of the Commissioners of the Hospital Authority of the City of Charlotte, North Carolina, appeared before me on the 7th day of JUNE, 1943, and made the above oath.

(SEAL) (Signed) E. McA. Gurrie
Mayor

* * * * *

I, Alice B. McConnell, City Clerk of the City of Charlotte, North Carolina, hereby certify that the above is a true and exact copy of the oath administered to E. R. Cannon, one of the Commissioners of the Hospital Authority of the City of Charlotte, North Carolina, as same appears filed and of record in my office.

WITNESS my hand and the official seal of said City of Charlotte, North Carolina, this 17th day of June, 1943.

Alice B. McConnell
City Clerk

CITY OF CHARLOTTE
NORTH CAROLINA

OATH OF COMMISSIONER OF HOSPITAL AUTHORITY
OF THE CITY OF CHARLOTTE, NORTH CAROLINA.

* * * * *

I, A. L. Boyle, do solemnly swear that I will support the Constitution of the United States; and I do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of the said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and that I will well and truly execute and faithfully perform the duties of the office of Commissioner of the Hospital Authority of the City of Charlotte, North Carolina, according to the best of my skill and ability, according to law and the will of GOD.

(Signed)

A. L. Boyle



I, E. McA. Currie, Mayor of the City of Charlotte, State of North Carolina, do hereby certify that A. L. Boyle to me personally known and by me known to be one of the Commissioners of the Hospital Authority of the City of Charlotte, North Carolina, appeared before me on the 7th day of May, 1943, and made the above oath.

(SEAL)

E. McA. Currie
Mayor

* * * * *

I, Alice B. McConnell, City Clerk of the City of Charlotte, North Carolina, hereby certify that the above is a true and exact copy of the oath administered to A. L. Boyle, one of the Commissioners of the Hospital Authority of the City of Charlotte, North Carolina, as same appears filed and of record in my office.

WITNESS my hand and the official seal of said City of Charlotte, North Carolina, this 19th day of June, 1943.

Alice B. McConnell
City Clerk

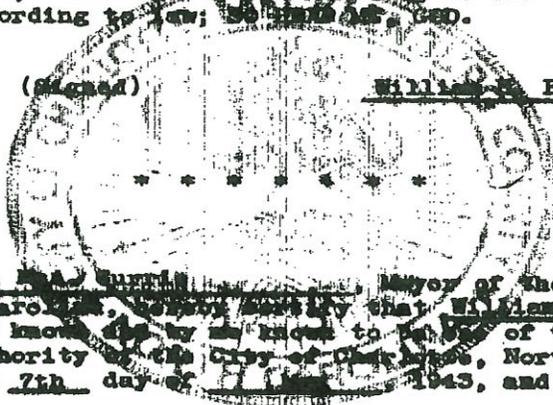
**CITY OF CHARLOTTE
NORTH CAROLINA**

**OATH OF COMMISSIONER OF HOSPITAL AUTHORITY
OF THE CITY OF CHARLOTTE, NORTH CAROLINA.**

* * * * *

I, William H. Barnhardt, do solemnly swear that I will support the Constitution of the United States; and I do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of the said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and that I will well and truly execute and faithfully perform the duties of the office of Commissioner of the Hospital Authority of the City of Charlotte, North Carolina, according to the best of my skill and ability, according to law; So help me God.

(Signed) William H. Barnhardt



I, E. MoA. Currie, Mayor of the City of Charlotte, State of North Carolina, hereby certify that William H. Barnhardt to me personally known and by me known to be one of the Commissioners of the Hospital Authority of the City of Charlotte, North Carolina, appeared before me on the 7th day of June, 1943, and made the above oath.

(SEAL) (Signed) E. MoA. Currie
Mayor

* * * * *

I, Alice B. McConnell, City Clerk of the City of Charlotte, North Carolina, hereby certify that the above is a true and exact copy of the oath administered to William H. Barnhardt, one of the Commissioners of the Hospital Authority of the City of Charlotte, North Carolina, as same appears filed and of record in my office.

WITNESSE my hand and the official seal of said City of Charlotte, North Carolina, this 19th day of June, 1943.

Alice B. McConnell
City Clerk

~~CITY OF CHARLOTTE~~
~~NORTH CAROLINA~~

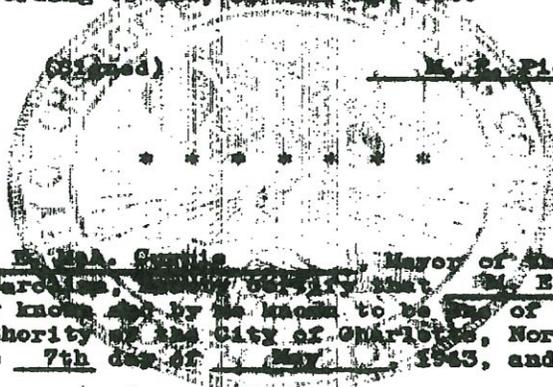
**CAUSE OF COMMISSIONER OF HOSPITAL AUTHORITY
OF THE CITY OF CHARLOTTE, NORTH CAROLINA.**

* * * * *

I, M. E. Pierson, do solemnly swear that I will support the Constitution of the United States; and I do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of the said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and that I will well and truly execute and faithfully perform the duties of the office of Commissioner of the Hospital Authority of the City of Charlotte, North Carolina, according to the best of my skill and ability, according to law; ~~IN WITNESS~~ GOD.

(Signed)

M. E. Pierson



I, E. McA. Currie, Mayor of the City of Charlotte, State of North Carolina, hereby certify that M. E. Pierson to me personally known and by me known to be one of the Commissioners of the Hospital Authority of the City of Charlotte, North Carolina, appeared before me on the 7th day of May, 1943, and made the above oath.

(SEAL)

(Signed)

E. McA. Currie
Mayor

* * * * *

I, Alice B. McConnell, City Clerk of the City of Charlotte, North Carolina, hereby certify that the above is a true and exact copy of the oath administered to M. E. Pierson, one of the Commissioners of the Hospital Authority of the City of Charlotte, North Carolina, as same appears filed and of record in my office.

WITNESS my hand and the official seal of said City of Charlotte, North Carolina, this 19th day of June, 1943.

Alice B. McConnell
City Clerk

**CITY OF CHARLOTTE
NORTH CAROLINA**

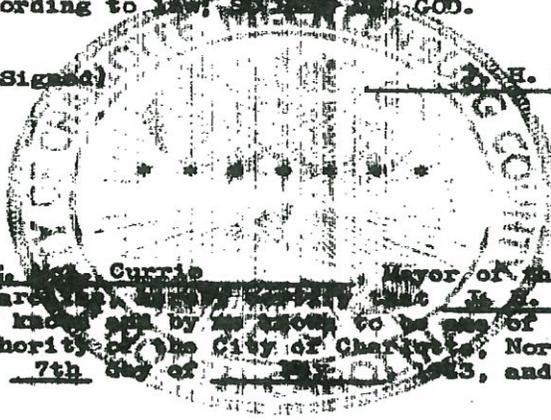
**OATH OF COMMISSIONER OF HOSPITAL AUTHORITY
OF THE CITY OF CHARLOTTE, NORTH CAROLINA.**

* * * * *

I, J. H. Bridges, do solemnly swear that I will support the Constitution of the United States; and I do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of the said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and that I will well and truly execute and faithfully perform the duties of the office of Commissioner of the Hospital Authority of the City of Charlotte, North Carolina, according to the best of my skill and ability, according to law, ~~and~~ GOD.

(Signed)

J. H. Bridges



I, E. McA. Currie, Mayor of the City of Charlotte, State of North Carolina, do hereby certify that J. H. Bridges to me personally known and by me known to be one of the Commissioners of the Hospital Authority of the City of Charlotte, North Carolina, appeared before me on the 7th day of June, 1943, and made the above oath.

(SEAL)

(Signed)

E. McA. Currie

Mayer

* * * * *

I, Alice B. McConnell, City Clerk of the City of Charlotte, North Carolina, hereby certify that the above is a true and exact copy of the oath administered to J. H. Bridges, one of the Commissioners of the Hospital Authority of the City of Charlotte, North Carolina, as same appears filed and of record in my office.

WITNESS my hand and the official seal of said City of Charlotte, North Carolina, this 19th day of June, 1943.

Alice B. McConnell
City Clerk

~~CITY OF CHARLOTTE~~
~~NORTH CAROLINA~~

**OATH OF COMMISSIONER OF HOSPITAL AUTHORITY
OF THE CITY OF CHARLOTTE, NORTH CAROLINA.**

* * * * *

I, John C. Shepherd, do solemnly swear that I will support the Constitution of the United States; and I do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of the said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and that I will well and truly execute and faithfully perform the duties of the office of Commissioner of the Hospital Authority of the City of Charlotte, North Carolina, according to the best of my skill and ability, according to law, ~~and~~ GOD.

(Signed) John C. Shepherd



I, E. McA. Gurrin, Mayor of the City of Charlotte, State of North Carolina, do hereby certify that John C. Shepherd to me personally known and by me known to be one of the Commissioners of the Hospital Authority of the City of Charlotte, North Carolina, appeared before me on the 7th day of June, 1943, and made the above oath.

(SEAL) (Signed) E. McA. Gurrin
Mayor

* * * * *

I, Alice B. McConnell, City Clerk of the City of Charlotte, North Carolina, hereby certify that the above is a true and exact copy of the oath administered to John C. Shepherd, one of the Commissioners of the Hospital Authority of the City of Charlotte, North Carolina, as same appears filed and of record in my office.

WITNESS my hand and the official seal of said City of Charlotte, North Carolina, this 19th day of June, 1943.

Alice B. McConnell
City Clerk

**CITY OF CHARLOTTE
NORTH CAROLINA**

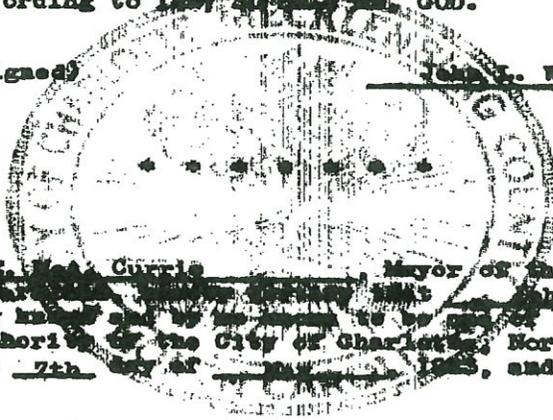
**OATH OF COMMISSIONER OF HOSPITAL AUTHORITY
OF THE CITY OF CHARLOTTE, NORTH CAROLINA.**

* * * * *

I, John L. Wilkinson, do solemnly swear that I will support the Constitution of the United States; and I do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of the said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and that I will well and truly execute and faithfully perform the duties of the office of Commissioner of the Hospital Authority of the City of Charlotte, North Carolina, according to the best of my skill and ability, according to law, ~~and~~ GOD.

(Signed)

John L. Wilkinson



I, E. McA. Currie, Mayor of the City of Charlotte, State of North Carolina, do hereby certify that John L. Wilkinson to me personally known and by me known to be one of the Commissioners of the Hospital Authority of the City of Charlotte, North Carolina, appeared before me on the 7th day of June, 1943, and made the above oath.

(SEAL)

(Signed)

E. McA. Currie

Mayer

* * * * *

I, Alice B. McConnell, City Clerk of the City of Charlotte, North Carolina, hereby certify that the above is a true and exact copy of the oath administered to John L. Wilkinson, one of the Commissioners of the Hospital Authority of the City of Charlotte, North Carolina, as same appears filed and of record in my office.

WITNESS my hand and the official seal of said City of Charlotte, North Carolina, this 19th day of June, 1943.

Alice B. McConnell
City Clerk

~~CITY OF CHARLOTTE~~
NORTH CAROLINA

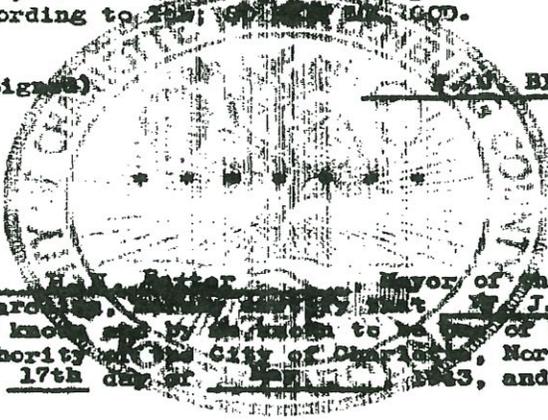
**OATH OF COMMISSIONER OF HOSPITAL AUTHORITY
OF THE CITY OF CHARLOTTE, NORTH CAROLINA.**

* * * * *

I, F. J. Blythe, do solemnly swear that I will support the Constitution of the United States; and I do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of the said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and that I will well and truly execute and faithfully perform the duties of the office of Commissioner of the Hospital Authority of the City of Charlotte, North Carolina, according to the best of my skill and ability, according to the ~~best of my skill and ability~~ best of my skill and ability.

(Signed)

F. J. Blythe



I, H. H. Baxter, Mayor of the City of Charlotte, State of North Carolina, ~~know and certify that~~ know F. J. Blythe to me personally known and by me known to be one of the Commissioners of the Hospital Authority of the City of Charlotte, North Carolina, appeared before me on the 17th day of June, 1943, and made the above oath.

(SEAL)

(Signed)

H. H. Baxter
Mayor

* * * * *

I, Alice B. McConnell, City Clerk of the City of Charlotte, North Carolina, hereby certify that the above is a true and exact copy of the oath administered to F. J. Blythe, one of the Commissioners of the Hospital Authority of the City of Charlotte, North Carolina, as same appears filed and of record in my office.

WITNESS my hand and the official seal of said City of Charlotte, North Carolina, this 19th day of June, 1943.

Alice B. McConnell
City Clerk

**CITY OF CHARLOTTE
NORTH CAROLINA**

**OATH OF COMMISSIONER OF HOSPITAL AUTHORITY
OF THE CITY OF CHARLOTTE, NORTH CAROLINA.**

* * * * *

I, R. S. Dickson, do solemnly swear that I will support the Constitution of the United States; and I do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of the said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and that I will well and truly execute and faithfully perform the duties of the office of Commissioner of the Hospital Authority of the City of Charlotte, North Carolina, according to the best of my skill and ability, according to law and ~~the~~ GOD.

(Signed)

R. S. Dickson



I, E. McA. Currie, Mayor of the City of Charlotte, State of North Carolina, do hereby certify that R. S. Dickson to me personally known and by me known to be one of the Commissioners of the Hospital Authority of the City of Charlotte, North Carolina, appeared before me on the 7th day of May, 1943, and made the above oath.

(SEAL)

(Signed)

E. McA. Currie

Mayor

* * * * *

I, Alice B. McConnell, City Clerk of the City of Charlotte, North Carolina, hereby certify that the above is a true and exact copy of the oath administered to R. S. Dickson, one of the Commissioners of the Hospital Authority of the City of Charlotte, North Carolina, as same appears filed and of record in my office.

WITNES my hand and the official seal of said City of Charlotte, North Carolina, this 19th day of June, 1943.

Alice B. McConnell
City Clerk

~~CITY OF CHARLOTTE~~
~~NORTH CAROLINA~~

**OATH OF COMMISSIONER OF HOSPITAL AUTHORITY
OF THE CITY OF CHARLOTTE, NORTH CAROLINA.**

* * * * *

I, E. G. Griffith, do solemnly swear that I will support the Constitution of the United States; and I do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of the said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and that I will well and truly execute and faithfully perform the duties of the office of Commissioner of the Hospital Authority of the City of Charlotte, North Carolina, according to the best of my skill and ability, according to law. ~~BY THE~~ ~~ME,~~ GCD.

(Signed)

E. G. Griffith



I, E. McA. Currie, Mayor of the City of Charlotte, State of North Carolina, hereby certify that E. G. Griffith to me personally known to me to be one of the Commissioners of the Hospital Authority of the City of Charlotte, North Carolina, appeared before me on the 7th day of June, 1933, and made the above oath.

(SEAL)

(Signed)

E. McA. Currie

Mayer

* * * * *

I, Alice B. McConnell, City Clerk of the City of Charlotte, North Carolina, hereby certify that the above is a true and exact copy of the oath administered to E. G. Griffith, one of the Commissioners of the Hospital Authority of the City of Charlotte, North Carolina, as same appears filed and of record in my office.

WITNESS my hand and the official seal of said City of Charlotte, North Carolina, this 19th day of June, 1933.

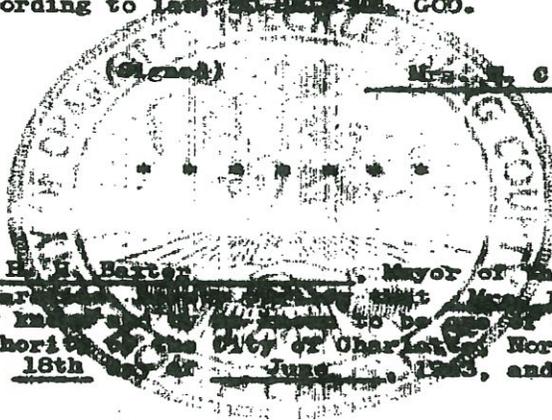
Alice B. McConnell
City Clerk

**CITY OF CHARLOTTE
NORTH CAROLINA**

**OATH OF COMMISSIONER OF HOSPITAL AUTHORITY
OF THE CITY OF CHARLOTTE, NORTH CAROLINA.**

* * * * *

I, Mrs. E. G. Marshall, do solemnly swear that I will support the Constitution of the United States; and I do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of the said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and that I will well and truly execute and faithfully perform the duties of the office of Commissioner of the Hospital Authority of the City of Charlotte, North Carolina, according to the best of my skill and ability, according to law, ~~and~~ GOD.



(Signed)

Mrs. E. G. Marshall

I, H. H. Baxter, Mayor of the City of Charlotte, State of North Carolina, do hereby certify that Mrs. E. G. Marshall to me personally known to be one of the Commissioners of the Hospital Authority of the City of Charlotte, North Carolina, appeared before me on the 18th day of June, 1943, and made the above oath.

(SEAL)

(Signed)

H. H. Baxter
Mayor

* * * * *

I, Alice B. McConnell, City Clerk of the City of Charlotte, North Carolina, hereby certify that the above is a true and exact copy of the oath administered to Mrs. E. G. Marshall, one of the Commissioners of the Hospital Authority of the City of Charlotte, North Carolina, as same appears filed and of record in my office.

WITNES my hand and the official seal of said City of Charlotte, North Carolina, this 19th day of June, 1943.

Alice B. McConnell
City Clerk

~~CITY OF CHARLOTTE~~
~~NORTH CAROLINA~~

**OATH OF COMMISSIONER OF HOSPITAL AUTHORITY
OF THE CITY OF CHARLOTTE, NORTH CAROLINA.**

* * * * *

I, Harry L. Dalton, do solemnly swear that I will support the Constitution of the United States; and I do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of the said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and that I will well and truly execute and faithfully perform the duties of the office of Commissioner of the Hospital Authority of the City of Charlotte, North Carolina, according to the best of my skill and ability, according to law, ~~and~~ GOD.

(Signed) Harry L. Dalton



I, E. McA. Gurrie, Mayor of the City of Charlotte, State of North Carolina, do hereby certify that Harry L. Dalton to me personally known to be one of the Commissioners of the Hospital Authority of the City of Charlotte, North Carolina, appeared before me on the 7th day of June, 1943, and made the above oath.

(SEAL) (Signed) E. McA. Gurrie
Mayor

* * * * *

I, Alice B. McConnell, City Clerk of the City of Charlotte, North Carolina, hereby certify that the above is a true and exact copy of the oath administered to Harry L. Dalton, one of the Commissioners of the Hospital Authority of the City of Charlotte, North Carolina, as same appears filed and of record in my office.

WITNESS my hand and the official seal of said City of Charlotte, North Carolina, this 19th day of June, 1943.

Alice B. McConnell
City Clerk